

117TH CONGRESS
2^D SESSION

H. R. 4521

AN ACT

To provide for a coordinated Federal research initiative to ensure continued United States leadership in engineering biology.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “America Creating Op-
3 portunities for Manufacturing, Pre-Eminence in Tech-
4 nology, and Economic Strength Act of 2022” or the
5 “America COMPETES Act of 2022”.

6 **SEC. 2. TABLE OF CONTENTS.**

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- Sec. 107237. Diethyl carbonate.
- Sec. 107238. Ethyl methyl carbonate.
- Sec. 107239. Tetradecoxy-carbonyloxy tetradecyl carbonate.
- Sec. 107240. Dicyetyl peroxydicarbonate.
- Sec. 107241. Tetraethyl silicate.
- Sec. 107242. tert-Octylamine.
- Sec. 107243. Octadecylamine.

- Sec. 107244. *N'*-(3-Aminopropyl)-*N'*-dodecylpropane-1,3-diamine.
- Sec. 107245. 1,10-Diaminodecane.
- Sec. 107246. 1,5-Pentanediamine.
- Sec. 107247. Dicyclohexylamine.
- Sec. 107248. Amantadine hydrochloride 99%.
- Sec. 107249. *N,N*-Dimethylaniline.
- Sec. 107250. Paranitroaniline (PNA).
- Sec. 107251. Dicloran.
- Sec. 107252. *N,N*-Dimethyl-*p*-toluidine.
- Sec. 107253. Pendimethalin technical.
- Sec. 107254. Benzyldimethylamine.
- Sec. 107255. Diphenyl diphenylene diamine.
- Sec. 107256. Curative for epoxy resin systems.
- Sec. 107257. TFMB.
- Sec. 107258. *S-N*-Alkyl-anilin.
- Sec. 107259. *p*-Cresidine.
- Sec. 107260. Iminodiacetic acid.
- Sec. 107261. 11 Aminoundecanoic acid.
- Sec. 107262. *L*-Ornithine *L*-aspartate.
- Sec. 107263. Iron sodium DTPA.
- Sec. 107264. Iron glycinate complex.
- Sec. 107265. Copper glycinate complex.
- Sec. 107266. Zinc glycinate complex.
- Sec. 107267. Manganese glycinate complex.
- Sec. 107268. Iron sodium EDDHA.
- Sec. 107269. DMF-DMA.
- Sec. 107270. Mixtures of DMSO and tetrabutyl ammonium fluoride.
- Sec. 107271. Betaine.
- Sec. 107272. Prolonium chloride in aqueous solution.
- Sec. 107273. *N,N*-Dimethylacetamide.
- Sec. 107274. *N,N*-Dimethylformamide.
- Sec. 107275. DAAM.
- Sec. 107276. *L*-Alanyl *L*-glutamine.
- Sec. 107277. Granular acrylamido-*tert*-butyl sulfonic acid (ATBS).
- Sec. 107278. Glycyl-*L*-glutamine hydrate.
- Sec. 107279. Noviflumuron.
- Sec. 107280. Propanil technical.
- Sec. 107281. Hexaflumuron.
- Sec. 107282. Stabilizer for plastics and rubber.
- Sec. 107283. 2-Amino-5-chloro-*N*,3-dimethylbenzamide.
- Sec. 107284. Glycyl-*L*-tyrosine dihydrate.
- Sec. 107285. *L*-Alanyl-*L*-tyrosine.
- Sec. 107286. Enzalutamide ITS-2.
- Sec. 107287. 4-Bromo-2-fluoro-*N*-methylbenzamide.
- Sec. 107288. *N*-Boc-1-aminocyclobutanecarboxylic acid.
- Sec. 107289. *N'*-(1,3-dimethylbutylidene)-3-hydroxy-2-naphthohydrazide (BMH) (oil treated).
- Sec. 107290. Guanidine sulfamate.
- Sec. 107291. Liquid, blocked cycloaliphatic diamine used as crosslinker for polyisocyanate resins.
- Sec. 107292. 3,4-Difluorobenzonitrile.
- Sec. 107293. 2-Amino-5-cyano-*N*,3-dimethylbenzamide.
- Sec. 107294. TFMPA.
- Sec. 107295. Dimethyl 2,2'-Azobisisobutyrate.
- Sec. 107296. Antioxidant/metal deactivator.

- Sec. 107297. Benzyl carbazate.
- Sec. 107298. Benzene-1,3-dicarbohydrazide.
- Sec. 107299. Input for resins, coatings, and other products.
- Sec. 107300. Aldicarb.
- Sec. 107301. Flubendiamide.
- Sec. 107302. Benzobicyclon.
- Sec. 107303. Diphenylsulfone (DPS).
- Sec. 107304. Phenolic antioxidant.
- Sec. 107305. Phenolic antioxidant and heat stabilizer.
- Sec. 107306. Phenylchlorothioformate (PTCFM).
- Sec. 107307. Methylene bis thiocyanate.
- Sec. 107308. Oxamyl.
- Sec. 107309. L-Cystine.
- Sec. 107310. L-Cysteine.
- Sec. 107311. N,N'-Bis-L-alanyl-L-cystine.
- Sec. 107312. Lubricant additive.
- Sec. 107313. Sodium benzenesulfinate.
- Sec. 107314. Thio-ether based co-stabilizer for plastics.
- Sec. 107315. L-Cysteine hydrate hydrochloride.
- Sec. 107316. Dimercaprol.
- Sec. 107317. Monoammonium salt of glyphosate.
- Sec. 107318. THPC.
- Sec. 107319. Flame retardant for textiles.
- Sec. 107320. Glyphosate.
- Sec. 107321. Ethephon.
- Sec. 107322. Benzene phosphinic acid.
- Sec. 107323. HEDP.
- Sec. 107324. Trimethylchlorosilane.
- Sec. 107325. Chloro-(chloromethyl)-dimethylsilane.
- Sec. 107326. Silicone for electronics cleaners.
- Sec. 107327. Silicon carrier fluid for active lotions, creams.
- Sec. 107328. Vinyltrimethoxysilane.
- Sec. 107329. n-Octyltriethoxysilane.
- Sec. 107330. Dimethylbis(s-butylamino)silane.
- Sec. 107331. Aqueous solution of potassium methyl silicate.
- Sec. 107332. Octyltrimethoxysilane.
- Sec. 107333. Octyltriethoxysilane.
- Sec. 107334. Methyltris(sec-butylamino)silane.
- Sec. 107335. Methyltris(methylethylketoximino)silane (MOS).
- Sec. 107336. Heptamethyltrisiloxane.
- Sec. 107337. Tetramethyldisiloxane.
- Sec. 107338. Dimethylchlorosilane.
- Sec. 107339. Dichloromethylsilane.
- Sec. 107340. Tris(TFP)-methylcyclo-trisiloxane DR.
- Sec. 107341. Tetravinyltetramethylecyclotetrasiloxane.
- Sec. 107342. Divinyltetramethyldisiloxane.
- Sec. 107343. Input for plant protection agent.
- Sec. 107344. Strawberry furanone.
- Sec. 107345. Emamectin benzoate.
- Sec. 107346. Gibberellic acid.
- Sec. 107347. Rose oxide.
- Sec. 107348. Vinylene carbonate.
- Sec. 107349. Kasugamycin technical.
- Sec. 107350. 2H-Cyclododeca[b]pyran.
- Sec. 107351. Bixafen.

- Sec. 107352. Fluxapyroxad.
- Sec. 107353. 3,5 Dimethylpyrazole.
- Sec. 107354. Pyraclonil.
- Sec. 107355. Imidazolidinyl urea.
- Sec. 107356. Allantoin.
- Sec. 107357. Emulsifiable concentrate of Imazalil fungicide.
- Sec. 107358. Technical cyazofamid fungicide.
- Sec. 107359. Imazalil sulfate.
- Sec. 107360. 1,2-Dimethylimidazole.
- Sec. 107361. 2-Methylimidazole flakes.
- Sec. 107362. Diazolidinyl urea.
- Sec. 107363. 1-(2-Aminoethyl)imidazolidin-2-one (AEEU).
- Sec. 107364. Zinc pyrithione.
- Sec. 107365. Technical Pyriofenone fungicide.
- Sec. 107366. Picoxystrobin.
- Sec. 107367. Triclopyr BEE.
- Sec. 107368. Imazapyr.
- Sec. 107369. Tetraniliprole.
- Sec. 107370. Cyantraniliprole.
- Sec. 107371. Chlorantraniliprole.
- Sec. 107372. Chlorpyrifos.
- Sec. 107373. Technical Cyelaniliprole insecticide.
- Sec. 107374. Regorafenib.
- Sec. 107375. N-Butyl-TAD.
- Sec. 107376. Hindered amine light stabilizer and phenolic antioxidant.
- Sec. 107377. 4-Hydroxy-TEMPO.
- Sec. 107378. 2,2,6,6-tetramethylpiperidin-4-ol (TMP).
- Sec. 107379. 5-Bromo-2-(3-chloropyridin-2-yl)pyrazole-3-carboxylic acid.
- Sec. 107380. 2-Chloro-5-(trifluoromethyl)pyridine.
- Sec. 107381. Picarbutrox.
- Sec. 107382. 5-amino-3-(trifluoromethyl) picolinonitrile (T3630).
- Sec. 107383. Dextromethorphan hydrobromide.
- Sec. 107384. Ipflufenquin.
- Sec. 107385. THQ.
- Sec. 107386. Pyrithiobac sodium.
- Sec. 107387. Larotrectinib sulfate.
- Sec. 107388. Ibrutinib.
- Sec. 107389. Orthosulfamuron.
- Sec. 107390. 5-Bromopyrimidine.
- Sec. 107391. Butylthion.
- Sec. 107392. P-1062.
- Sec. 107393. Carfentrazone Technical.
- Sec. 107394. UV absorber 928.
- Sec. 107395. UV absorber for industrial coatings.
- Sec. 107396. Uniconazole-P.
- Sec. 107397. VeMMAE.
- Sec. 107398. UVA 360.
- Sec. 107399. Trofinetide.
- Sec. 107400. Flurazole.
- Sec. 107401. Oxathiapiprolin.
- Sec. 107402. Certain antimicrobial.
- Sec. 107403. Rubber accelerator.
- Sec. 107404. 2-Amino benzothiazole.
- Sec. 107405. Technical Isofetamid fungicide.
- Sec. 107406. Clomazone Technical.

- Sec. 107407. NEM salt.
- Sec. 107408. AMTC wet cake.
- Sec. 107409. Photoinitiator 369.
- Sec. 107410. Isatoic anhydride.
- Sec. 107411. Oclacitinib maleate.
- Sec. 107412. Thiencarbazone-methyl.
- Sec. 107413. Penoxsulam technical herbicide.
- Sec. 107414. Ethyl 2-sulfamoylbenzoate.
- Sec. 107415. Sulfosulfuron.
- Sec. 107416. Pyrimisulfan.
- Sec. 107417. Purified steviol glycoside, rebaudioside A.
- Sec. 107418. Glucosylated steviol glycosides.
- Sec. 107419. Hydroxypropyl gamma cyclodextrin.
- Sec. 107420. Hydroxypropylated beta cyclodextrin.
- Sec. 107421. Methyl beta cyclodextrin.
- Sec. 107422. 2'-Fucosyllactose.
- Sec. 107423. Ascorbyl glucoside.
- Sec. 107424. Dimethylamine borane (DMAB).
- Sec. 107425. Elderberry extract concentrate.
- Sec. 107426. Disperse Yellow 241.
- Sec. 107427. Disperse Orange.
- Sec. 107428. Mixtures of Disperse Yellow FD11843 and acetic acid.
- Sec. 107429. Disperse Blue 54.
- Sec. 107430. Mixtures of several disperse dyes.
- Sec. 107431. Mixtures of 4 disperse blue dyes.
- Sec. 107432. Mixtures of 4 dyes.
- Sec. 107433. Disperse Red 86.
- Sec. 107434. Disperse Violet 1.
- Sec. 107435. Disperse Blue 60.
- Sec. 107436. Mixtures of Disperse Orange 29, Disperse Red 167:1, and Disperse Blue 56.
- Sec. 107437. Disperse Yellow 54.
- Sec. 107438. Acid Violet 48.
- Sec. 107439. Acid Blue 280.
- Sec. 107440. Acid Brown 282.
- Sec. 107441. Acid Red 131.
- Sec. 107442. Acid Red 249.
- Sec. 107443. Acid Yellow 236.
- Sec. 107444. Acid Red 407.
- Sec. 107445. Acid Yellow 220.
- Sec. 107446. Acid Yellow 232.
- Sec. 107447. Acid Yellow 235.
- Sec. 107448. Acid Yellow 151.
- Sec. 107449. Acid Violet 43.
- Sec. 107450. Acid Black 52.
- Sec. 107451. Acid Black 2.
- Sec. 107452. Acid Green 25.
- Sec. 107453. Basic Brown 23.
- Sec. 107454. Basic Violet 11:1 rhodamine dye.
- Sec. 107455. Basic Yellow 37.
- Sec. 107456. Basic Violet 3.
- Sec. 107457. Direct Orange 118.
- Sec. 107458. Direct Blue 86.
- Sec. 107459. Direct Blue 199.
- Sec. 107460. Direct Black 168.

- Sec. 107461. Direct Red 227.
- Sec. 107462. Direct Yellow 107.
- Sec. 107463. Direct Green 26.
- Sec. 107464. Direct Yellow 11.
- Sec. 107465. Direct Orange 15.
- Sec. 107466. Direct Brown 44.
- Sec. 107467. Direct Red 81.
- Sec. 107468. Direct Yellow 142.
- Sec. 107469. Direct Red 80.
- Sec. 107470. Direct Red 16.
- Sec. 107471. Direct Red 254.
- Sec. 107472. Colorant.
- Sec. 107473. Direct Yellow 34.
- Sec. 107474. Vat Orange 2 dye powder.
- Sec. 107475. Vat Violet 13 dye.
- Sec. 107476. Vat Brown 3 dye.
- Sec. 107477. Vat Red 10 dye powder.
- Sec. 107478. Vat Brown 57 dye.
- Sec. 107479. Vat Red 31 dye powder.
- Sec. 107480. Dye mixtures of Vat Brown 3 and Vat Black 27.
- Sec. 107481. Vat Red 13.
- Sec. 107482. Vat Yellow 2 dye powder.
- Sec. 107483. Vat Yellow 33 dye.
- Sec. 107484. Vat Green 1 dye.
- Sec. 107485. Vat Green 3.
- Sec. 107486. Vat Blue 6 dye.
- Sec. 107487. Vat Blue 20 dye.
- Sec. 107488. Vat Violet 1.
- Sec. 107489. Vat Brown 1 dye.
- Sec. 107490. Vat Black 16 dye.
- Sec. 107491. Vat Black 25.
- Sec. 107492. Vat Black 27.
- Sec. 107493. Reactive Yellow 145.
- Sec. 107494. Reactive Red 195.
- Sec. 107495. Reactive Blue 49.
- Sec. 107496. Reactive Blue 72.
- Sec. 107497. Reactive Yellow 95 powder.
- Sec. 107498. Reactive Red 245.
- Sec. 107499. Reactive Brown 11.
- Sec. 107500. Mixtures of Reactive Black 5 (Na) (FKP), Reactive Scarlet F01-0439, and Reactive Orange 131.
- Sec. 107501. Reactive Yellow F98-0159.
- Sec. 107502. Dye mixtures of Reactive Orange 131 and Reactive Scarlet F07-0522.
- Sec. 107503. Reactive Black 31.
- Sec. 107504. Reactive Red 120.
- Sec. 107505. Reactive Blue 5.
- Sec. 107506. Reactive Orange 13.
- Sec. 107507. Reactive Orange 12.
- Sec. 107508. Pigment Red 177.
- Sec. 107509. Pigment Yellow 110.
- Sec. 107510. Pigment Yellow 147.
- Sec. 107511. Pigment Orange 64.
- Sec. 107512. Pigment Blue 29.
- Sec. 107513. Pigment Violet 15.

- Sec. 107514. Pigment Blue 14.
- Sec. 107515. Solvent Blue 97.
- Sec. 107516. Solvent Green 5.
- Sec. 107517. Solvent Yellow 98.
- Sec. 107518. Solvent Green 7.
- Sec. 107519. Solvent Red 195.
- Sec. 107520. Solvent Orange 115.
- Sec. 107521. Specialty dyes.
- Sec. 107522. Solvent Green 3.
- Sec. 107523. Solvent Blue 36.
- Sec. 107524. Mixtures of Solvent Green 3.
- Sec. 107525. Solvent Red 52.
- Sec. 107526. Solvent Red 149.
- Sec. 107527. Solvent Red 207.
- Sec. 107528. Solvent Violet 14.
- Sec. 107529. Solvent Yellow 179.
- Sec. 107530. Solvent Yellow 131.
- Sec. 107531. Hogen Blue XB-20.
- Sec. 107532. Solvent Yellow 104.
- Sec. 107533. Combination of Fluorescent Brighteners 367 and 371.
- Sec. 107534. Fluorescent Brightener CBS-X.
- Sec. 107535. Optical Brightener SWN.
- Sec. 107536. C.I. Fluorescent Brightener 199:1.
- Sec. 107537. Fluorescent Brightener 368.
- Sec. 107538. 1,4-Bis(2-cyanostyryl)benzene.
- Sec. 107539. Certain manufacturing inputs.
- Sec. 107540. Cerium sulfide pigments.
- Sec. 107541. Matte pearlescent pigments.
- Sec. 107542. Angle-dependent interference pigments.
- Sec. 107543. Inorganic Lumilux.
- Sec. 107544. Ribbon/Matrix Resin.
- Sec. 107545. Bonding agent 2005.
- Sec. 107546. Fluoropolymer resin.
- Sec. 107547. Zirconium 12 paint drier.
- Sec. 107548. Zirconium 24 paint drier.
- Sec. 107549. Drier accelerators.
- Sec. 107550. Lemon oil.
- Sec. 107551. Sulfonic acids, C14–17-sec-alkane, sodium salt.
- Sec. 107552. Potassium ethyl octylphosphonate.
- Sec. 107553. Intermediate in the production of industrial lubricants.
- Sec. 107554. Polyether dispersant.
- Sec. 107555. D-Glucopyranose.
- Sec. 107556. 2-Dodecoxy-6-(hydroxymethyl)oxane-3,4,5-triol.
- Sec. 107557. Mixtures of certain C12–14-alkyl ethers.
- Sec. 107558. Manufacturing chemical.
- Sec. 107559. Nonionic surfactant.
- Sec. 107560. Chemical used in textile manufacturing.
- Sec. 107561. Ethoxylated tristyrylphenol phosphate potassium salt.
- Sec. 107562. Sodium polycarboxylate, aqueous solution.
- Sec. 107563. Aqueous emulsion of a mixture of amine soaps and miscellaneous other additives.
- Sec. 107564. Aqueous dispersion of a mixture of fatty amine and amide soaps and miscellaneous other additives.
- Sec. 107565. Aqueous dispersion of a mixture of fatty amine and amide soaps and miscellaneous other additives.

- Sec. 107566. Photographic gelatin.
- Sec. 107567. Ice fountains (class 1.4G).
- Sec. 107568. Magic candles containing magnesium powder.
- Sec. 107569. Party snappers (Class 1.4G).
- Sec. 107570. Fenpyroximate 5SC.
- Sec. 107571. Pyrifluquinazon 20SC.
- Sec. 107572. Imidacloprid and Muscalure formulations.
- Sec. 107573. Formulations of acephate and bifenthrin.
- Sec. 107574. Fipronil.
- Sec. 107575. Aluminum phosphide.
- Sec. 107576. Magnaphos formulations.
- Sec. 107577. Formulated oxamyl.
- Sec. 107578. Formulated fungicides.
- Sec. 107579. Certain fungicides.
- Sec. 107580. Prothioconazole, Fluopyram, and Trifloxystrobin fungicides.
- Sec. 107581. Prothioconazole, Metalaxyl, and Tebuconazole fungicides.
- Sec. 107582. Mancozeb and Chlorothalonil formulations.
- Sec. 107583. Mixtures of Picarbutrox and application adjuvants.
- Sec. 107584. Mixtures of Tetraconazole and application adjuvants.
- Sec. 107585. Mancozeb and Azoxystrobin formulations.
- Sec. 107586. Mixtures of Cymoxanil and fumed dioxosilane.
- Sec. 107587. Microthiol formulations.
- Sec. 107588. Formulations of thiencarbazone-methyl, Iodosulfuron-methyl-sodium, and dicamba.
- Sec. 107589. Thiencarbazone-methyl, Isoxadifenethyl, and Tembotrione herbicides.
- Sec. 107590. Herbicides used on grasses.
- Sec. 107591. Thiencarbazone-methyl, Isoxaflutole, and Cyprosulfamide herbicides.
- Sec. 107592. Thiencarbazone-methyl and Iodosulfuron-methylsodium herbicides.
- Sec. 107593. Thiencarbazone-methyl and Mefenpyr-diethyl herbicides.
- Sec. 107594. Thifensulfuron-methyl and Tribenuron-methyl formulations.
- Sec. 107595. Tribenuron-methyl formulations.
- Sec. 107596. Chlorsulfuron and metsulfuron-methyl formulations.
- Sec. 107597. Thifensulfuron-methyl and Fluroxypyr formulations.
- Sec. 107598. Acifluofen formulations.
- Sec. 107599. S-Metolachlor and Mestrione herbicides.
- Sec. 107600. Metribuzin formulations.
- Sec. 107601. Pendimethaline and Metribuzine formulations.
- Sec. 107602. Formulations of S-Metolachlor and Metribuzin.
- Sec. 107603. Thifensulfuron-methyl and Tribenuron-methyl formulations.
- Sec. 107604. Metsulfuron-methyl formulations.
- Sec. 107605. Chlorimuron-ethyl formulations.
- Sec. 107606. Mixtures of Bromoxynil octanoate and Bromoxynil heptanoate.
- Sec. 107607. Sulfometuron-methyl and Metsulfuron-methyl formulations.
- Sec. 107608. Chlorimuron-ethyl and Tribenuron-methyl formulations.
- Sec. 107609. Formulations containing Tiafenacil.
- Sec. 107610. Diuron 80.
- Sec. 107611. Flazasulfuron herbicides.
- Sec. 107612. Thifensulfuron-methyl formulations.
- Sec. 107613. Herbicide for farm and ranch use.
- Sec. 107614. Propanil formulations.
- Sec. 107615. Thifensulfuron formulations.
- Sec. 107616. Tolpyralate and Nicosulfuron herbicides.

- Sec. 107617. Mixtures of magnesium salts and application adjuvants.
- Sec. 107618. Nisin formulations.
- Sec. 107619. Certain fixatives.
- Sec. 107620. Fuel oil additives: cold flow improvers containing poly(ethylene-co-ethenyl acetate).
- Sec. 107621. Fuel oil additives: cold flow improvers containing fumarate vinyl acetate co-polymer.
- Sec. 107622. Crude oil additives: cold flow improvers containing fumarate vinyl acetate copolymer.
- Sec. 107623. Pour point depressants.
- Sec. 107624. Fuel oil additives: cold flow improvers containing poly (ethylene-co-ethenyl acetate and vinyl 2-ethyl hexanoate).
- Sec. 107625. Poly(isobutylene) hydroformylation products.
- Sec. 107626. Input for rubber products.
- Sec. 107627. Mixtures of oligomers as general antioxidants for rubber tires.
- Sec. 107628. Benzene, 2,4-diisocyanato-1,3,5-tris(1-methylethyl)-, homopolymer.
- Sec. 107629. Aromatic amine antioxidants.
- Sec. 107630. Antioxidant blends.
- Sec. 107631. Antioxidant blends to protect polymers.
- Sec. 107632. Synthetic hydrotalcite coated with fatty acid and magnesium stearate.
- Sec. 107633. Silica scorch retarders and polymerization inhibitors.
- Sec. 107634. Synthetic hydrotalcite.
- Sec. 107635. Light stabilizers for construction products.
- Sec. 107636. Light stabilizer for plastics.
- Sec. 107637. Preparations of bis(2,4-dichlorobenzoyl) peroxide 50 percent paste.
- Sec. 107638. Distilled tall oils.
- Sec. 107639. Pyridine, alkyl derivatives.
- Sec. 107640. Polyisocyanate crosslinking agents.
- Sec. 107641. Bonding agent mixtures.
- Sec. 107642. Liquid, chemically modified amine complex of boron trifluoride.
- Sec. 107643. Phthalocyanine derivative.
- Sec. 107644. Mixtures of Cocamidopropyl betaine, glycol distearate, Laureth-4, and water.
- Sec. 107645. Mixtures of tall oil mono-, di-, and triglycerides.
- Sec. 107646. Tallow-bis(2-hydroxyethyl) amines.
- Sec. 107647. Additive mixtures for metalworking fluids.
- Sec. 107648. Naphthenic acids.
- Sec. 107649. Hydroxytyrosol powders.
- Sec. 107650. Secondary alcohol ethoxylates.
- Sec. 107651. Ethylene glycol dimerate.
- Sec. 107652. Two-part liquid silicone kits.
- Sec. 107653. Hydrophobic precipitated silica.
- Sec. 107654. Silane, trimethoxyethyl-, hydrolysis products.
- Sec. 107655. 1,1,1-Trimethyl-N-(trimethylsilyl)silanamine hydrolysis products.
- Sec. 107656. Waterborne epoxy curing agents.
- Sec. 107657. Preparations based on 1-phenylcosane-1,3-dione.
- Sec. 107658. Mixtures of 2-Mercaptopropionic acid, methyl ester, O-ethyl dithiocarbonate.
- Sec. 107659. Epoxy curing agents.
- Sec. 107660. Aliphatic amine curing agents.
- Sec. 107661. Non-halogenated flame retardants.
- Sec. 107662. Ligaphob N 90.

- Sec. 107663. Organomodified siloxane.
- Sec. 107664. Methyl palmitate-stearate, hydrogenated.
- Sec. 107665. Olfine E1010.
- Sec. 107666. Certain non-halogenated flame retardants.
- Sec. 107667. Flame retardants.
- Sec. 107668. Preparations based on acetyl hexapeptide-8 and pentapeptide-18.
- Sec. 107669. Lithium silicon oxide.
- Sec. 107670. Branched olefin from propylene polymerization.
- Sec. 107671. Polypropylene pellets.
- Sec. 107672. Propylene-ethylene copolymer.
- Sec. 107673. Ethylene-propylene copolymers.
- Sec. 107674. Benzene alkylated with polypropylene.
- Sec. 107675. Chlorinated polyolefin.
- Sec. 107676. Adsorbent resin.
- Sec. 107677. Vinyl chloride-hydroxypropyl acrylate copolymer.
- Sec. 107678. Vinyl chloride ethylene copolymer with hydrophic properties.
- Sec. 107679. Fluids with boiling points above 170 °C.
- Sec. 107680. Formulations of functionalized perfluoropolyether.
- Sec. 107681. Perfluoropolyether-urethane acrylate.
- Sec. 107682. PVDF homopolymer/PVDF/CTFE copolymer mixtures.
- Sec. 107683. Chemically modified PVDF.
- Sec. 107684. Fluoropolymer, fluoroethylene-alkyl vinyl ether alternative copolymers.
- Sec. 107685. Copolymer of vinyl acetate and higher vinyl esters.
- Sec. 107686. Food-grade vinyl acetate copolymer.
- Sec. 107687. Vinyl chloride ethylene with enhanced properties.
- Sec. 107688. Vinyl acetate ethylene copolymer with enhanced properties.
- Sec. 107689. Food-grade polyvinyl acetate homopolymers.
- Sec. 107690. Acrylic acid/vinylsulphonate random copolymers.
- Sec. 107691. Poly(methyl methacrylate) microspheres.
- Sec. 107692. Methyl methacrylate crosspolymer microspheres.
- Sec. 107693. Styrene acrylate copolymer with enhanced properties.
- Sec. 107694. Copolymer for dental use.
- Sec. 107695. Vinyl phosphonic acid, acrylic acid copolymer, 20 percent solution in water.
- Sec. 107696. Polyacrylate 33.
- Sec. 107697. AA/AMPS copolymer.
- Sec. 107698. Flocculant dry polyacrylamides.
- Sec. 107699. Sorbitol, propylene oxide, ethylene oxide polymer.
- Sec. 107700. Trimethoxysilylpropyl carbamate-terminated polyether.
- Sec. 107701. Dimethoxy(methyl)silylmethyl carbamate-terminated polyether.
- Sec. 107702. Curing agent is used in two- or three-parts epoxy systems.
- Sec. 107703. Polyethylene glycol 450.
- Sec. 107704. Medicinal intermediate for investigational use.
- Sec. 107705. Aqueous solutions of carboxylic acid-copolymer-salt in water.
- Sec. 107706. Aqueous solutions of a modified polymer bearing hydrophilic and hydrophobic groups.
- Sec. 107707. Dimethylamine/epichlorohydrin/ethylenediamine copolymer.
- Sec. 107708. Linear hydroxyl-terminated aliphatic polycarb diol.
- Sec. 107709. Short hollow PET fibers.
- Sec. 107710. Polytetrahydrofuran.
- Sec. 107711. Crystalline polyesters.
- Sec. 107712. Liquid crystal polymers.
- Sec. 107713. Branched polyesters.
- Sec. 107714. High molecular weight co-polyester.

- Sec. 107715. High molecular weight co-polyester.
- Sec. 107716. Polyester-polyamide dispersants.
- Sec. 107717. Nylon-12 micro-spheres.
- Sec. 107718. Short nylon-66 fibers.
- Sec. 107719. Short nylon 6 fibers, colored.
- Sec. 107720. Short triangular nylon 6 fibers.
- Sec. 107721. Short star-shaped nylon 6 fibers.
- Sec. 107722. Short heart-shaped nylon 6 fibers.
- Sec. 107723. PA510 polymer compounds.
- Sec. 107724. MXD6 polymer compounds.
- Sec. 107725. PA10T polymer compounds.
- Sec. 107726. PA10T/10I polymer compounds.
- Sec. 107727. Polyurethane aqueous resins.
- Sec. 107728. Aqueous resin.
- Sec. 107729. Aliphatic polyisocyanate.
- Sec. 107730. IPDI and HDI based aliphatic polyisocyanate.
- Sec. 107731. HDI/Trimethylol hexyllactone crosspolymer micro-spheres.
- Sec. 107732. HDI/PPG/Polycaprolactone crosspolymer micro-spheres.
- Sec. 107733. Aromatic isocyanate prepolymer.
- Sec. 107734. Blocked polyisocyanate containing solvent.
- Sec. 107735. Polyisocyanate adduct for powder coatings.
- Sec. 107736. Blocked polyisocyanate for use in can and coil applications.
- Sec. 107737. Polydimethylsiloxane.
- Sec. 107738. Silicone resins.
- Sec. 107739. Methoxyfunctional methyl-phenyl polysiloxane.
- Sec. 107740. Hydrogenpolysiloxane.
- Sec. 107741. Methyl silicone resins.
- Sec. 107742. Epoxy functional polydimethylsiloxane.
- Sec. 107743. Polymethylhydrogensiloxane.
- Sec. 107744. Vinyl terminated siloxanes.
- Sec. 107745. Silicone hybrid resin (solvent free).
- Sec. 107746. Hydrogenated polycyclopentadiene resin.
- Sec. 107747. Water dispersable HDI based polyisocyanate.
- Sec. 107748. Cyanate ester resins for high-end electronic, aerospace, and industrial applications.
- Sec. 107749. Polyethyleneimine, component used in manufacturing medical devices.
- Sec. 107750. Polyhexanide.
- Sec. 107751. Ethylene-norbornene copolymer.
- Sec. 107752. Cellulose powder.
- Sec. 107753. Polymaltotriose.
- Sec. 107754. Chitosan.
- Sec. 107755. Plastic drinking straws.
- Sec. 107756. Garden hoses.
- Sec. 107757. Plastic fittings of perfluoroalkoxy.
- Sec. 107758. Low density polyethylene (LDPE) sheeting.
- Sec. 107759. Biaxially oriented dielectric polypropylene film.
- Sec. 107760. Biaxially oriented polypropylene (BOPP) capacitor-grade film.
- Sec. 107761. Polyester capacitor-grade film.
- Sec. 107762. Acid form membranes.
- Sec. 107763. Melamine resin foam.
- Sec. 107764. Infant bathtubs and basins, of plastics.
- Sec. 107765. Boxes, cases, crates, and similar articles of plastics.
- Sec. 107766. Nozzles, black, of polypropylene.
- Sec. 107767. Tip/cap combinations of polyethylene.

- Sec. 107768. Bottles made of LDPE.
- Sec. 107769. Plastic nasal irrigator caps for neti pots.
- Sec. 107770. Toy character bottle toppers.
- Sec. 107771. Melamine platters, other than those presented in sets.
- Sec. 107772. Melamine plates, other than those presented in sets.
- Sec. 107773. Melamine bowls not presented in sets.
- Sec. 107774. Melamine trays not presented in sets.
- Sec. 107775. Plastic measuring cups and spoons in sets.
- Sec. 107776. Liquid measuring cups.
- Sec. 107777. Self-anchoring beverage containers.
- Sec. 107778. PVC infant bathtub mats.
- Sec. 107779. Reversible playmats.
- Sec. 107780. Hangers.
- Sec. 107781. Infant bath rinsing cups.
- Sec. 107782. Bathtub spout covers.
- Sec. 107783. Infant teethingers.
- Sec. 107784. Lighted dog fetch toys.
- Sec. 107785. Certain thermoplastic nylon 3-gang switch wallplates.
- Sec. 107786. Manual plastic disposable cutlery dispensers.
- Sec. 107787. Ear bulb syringes of clear silicone.
- Sec. 107788. PVC inflatable pillows.
- Sec. 107789. Self-inflatable queen air mattresses.
- Sec. 107790. Plastic clip fasteners.
- Sec. 107791. Self-venting spouts for diesel exhaust fluid.
- Sec. 107792. Plastic pet carriers.
- Sec. 107793. Plastic mixing tips.
- Sec. 107794. Cable ties of plastics.
- Sec. 107795. Flexible camera mountings.
- Sec. 107796. Three-piece camera mount sets.
- Sec. 107797. Magnetic swivel clips for cameras.
- Sec. 107798. Helmet camera mounts.
- Sec. 107799. Short extension poles for use with cameras.
- Sec. 107800. Long extension poles for cameras.
- Sec. 107801. Swivel mounts for cameras.
- Sec. 107802. Tripod camera mounts.
- Sec. 107803. Bulk hydraulic hoses.
- Sec. 107804. Brake hydraulic hoses.
- Sec. 107805. Bulk fabric/metal-reinforced rubber hoses.
- Sec. 107806. Disposable gloves.
- Sec. 107807. Reusable gloves.
- Sec. 107808. Dog and cat apparel.
- Sec. 107809. Polycarbonate vanity cases.
- Sec. 107810. Aluminum vanity cases.
- Sec. 107811. Suitcases with outer surface of aluminum with built-in zipper locks.
- Sec. 107812. Laminated recycled reusable shopping tote bags.
- Sec. 107813. Reusable shopping style tote bags.
- Sec. 107814. Waterproof tote bags.
- Sec. 107815. Waterproof duffle bags.
- Sec. 107816. Waterproof zippered bags, without handles, of plastic sheeting.
- Sec. 107817. Waterproof backpacks.
- Sec. 107818. Waterproof waist packs.
- Sec. 107819. Guitar cases.
- Sec. 107820. Jewelry boxes.
- Sec. 107821. Silicone rubber camera cases with straps.

- Sec. 107822. Leather gloves with flip mitts for hunting.
- Sec. 107823. Men's leather gloves valued at \$18 or more per pair.
- Sec. 107824. Belts of calf skin.
- Sec. 107825. Bamboo engineered flooring: 12.5–12.9 mm thick.
- Sec. 107826. Bamboo engineered flooring: 14.1–14.5 mm thick.
- Sec. 107827. Bamboo engineered flooring: 15.7–16.1 mm thick.
- Sec. 107828. Strand bamboo flooring: 12.5–12.9 mm thick.
- Sec. 107829. Strand bamboo flooring: 14.1–14.5 mm thick.
- Sec. 107830. Strand bamboo flooring: 10.9–11.3 mm thick.
- Sec. 107831. Chopsticks made of bamboo.
- Sec. 107832. Drying racks of wood.
- Sec. 107833. Bamboo skewers.
- Sec. 107834. Wood blinds with louvered slats.
- Sec. 107835. 100 percent cotton woven crimped unbleached fabric.
- Sec. 107836. Woven fabrics of cotton, containing 85 percent or more by weight of cotton, not more than 200 grams per square meter.
- Sec. 107837. 100 percent cotton woven bleached fabric pieces, open weave.
- Sec. 107838. Incontinence underpad fabrics of cotton.
- Sec. 107839. Woven fabrics of cotton with an average yarn number between 55 and 60.
- Sec. 107840. Woven fabric of cotton of yarn number 69 or higher.
- Sec. 107841. Woven fabrics of cotton with an average yarn number exceeding 68.
- Sec. 107842. Incontinence underpad fabrics, cotton, plain weave, of yarn number 42 or lower.
- Sec. 107843. Incontinence underpad fabrics, cotton, plain weave, of yarn number between 43 and 68.
- Sec. 107844. Incontinence underpad fabrics, bleached.
- Sec. 107845. Incontinence underpad fabrics, printed.
- Sec. 107846. Untwisted filament polyvinyl alcohol yarn, measuring 1,100 to 1,330 decitex.
- Sec. 107847. Untwisted filament polyvinyl alcohol yarn.
- Sec. 107848. Polypropylene (PP) monofilament.
- Sec. 107849. Acrylic fiber tow with an average decitex of 0.9.
- Sec. 107850. Black polyester bi-component fibers.
- Sec. 107851. Acrylic staple fibers with an average decitex of 2.2, fiber length of 100 mm.
- Sec. 107852. Modacrylic staple fibers not processed for spinning.
- Sec. 107853. Short polypropylene fibers.
- Sec. 107854. Polyoxadiazole fibers.
- Sec. 107855. Artificial staple fibers of viscose rayon, 38–42 mm in length.
- Sec. 107856. Artificial fibers of viscose rayon for the manufacture of feminine hygiene products.
- Sec. 107857. Flame retardant rayon fibers, measuring 4.78 decitex.
- Sec. 107858. Flame retardant rayon fibers, measuring 4.55 decitex.
- Sec. 107859. Flame retardant rayon fibers, measuring 4.4 decitex.
- Sec. 107860. Other flame retardant rayon fibers.
- Sec. 107861. Cellulosic man-made viscose rayon staple fibers, measuring 1.3–1.5 decitex.
- Sec. 107862. Viscose rayon staple fibers, measuring 1.5–1.67 decitex, with a fiber length of 38–42 mm.
- Sec. 107863. Cellulosic man-made viscose rayon staple fibers, measuring 1.67–2 decitex.
- Sec. 107864. Viscose rayon staple fibers, measuring 1–2 decitex, with a fiber length of 4–8 mm.

- Sec. 107865. Viscose staple fibers used in textile, medical, or hygiene applications.
- Sec. 107866. Viscose rayon staple fibers, measuring 1.51–2 decitex, with a fiber length of 8–16 mm.
- Sec. 107867. Viscose rayon staple fibers, measuring 1–1.5 decitex, with a fiber length of 8–16 mm.
- Sec. 107868. Flame retardant viscose rayon staple fibers, with a decitex of 4.7 mm and a fiber length of 51–60 mm.
- Sec. 107869. Viscose rayon staple fibers for nonwoven production.
- Sec. 107870. Black viscose rayon staple fibers.
- Sec. 107871. Acrylic or modacrylic staple fibers with a decitex of 3–5.6.
- Sec. 107872. Made up hand-cast string-drawn fishing nets.
- Sec. 107873. Knitted carpets containing 75 percent or more of cotton, with a rubber backing.
- Sec. 107874. Knitted carpets containing 75 percent or more by weight of polyester, with a rubber backing.
- Sec. 107875. Faux leather fabrics.
- Sec. 107876. Grass catcher bags.
- Sec. 107877. Oxygenation membrane capillary material.
- Sec. 107878. Textile knitted fabrics composed of micromodal and elastane.
- Sec. 107879. Textile technical knitted fabrics combining technical cotton and elastane.
- Sec. 107880. Textile knit fabrics of modal, cashmere, and spandex.
- Sec. 107881. Women’s and girls’ dresses, knitted or crocheted, of synthetic fibers infused with minerals.
- Sec. 107882. Women’s and girls’ skirts and divided skirts of synthetic fibers infused with minerals.
- Sec. 107883. Women’s and girls’ knit cardigans or pullovers containing 70 percent or more of silk.
- Sec. 107884. Men’s and boys’ knit cardigans or pullovers of linen.
- Sec. 107885. Babies’ knit sweaters, pullovers, sweatshirts, waistcoats (vests), and cardigans, of artificial fibers.
- Sec. 107886. Women’s and girls’ tops, knitted or crocheted, of man-made fibers infused with minerals.
- Sec. 107887. Men’s and boy’s tops, knitted or crocheted, of man-made fibers infused with minerals.
- Sec. 107888. Men’s 3 mm wetsuits.
- Sec. 107889. Men’s 5.5 and 6.5 mm wetsuits.
- Sec. 107890. Men’s 3.5 mm wetsuits.
- Sec. 107891. Men’s 4.5 mm wetsuits.
- Sec. 107892. Women’s 3 mm wetsuits.
- Sec. 107893. Women’s 3.5 mm wetsuits.
- Sec. 107894. Women’s 4.5 mm wetsuits.
- Sec. 107895. Women’s 5.5 and 6.5 mm wetsuits.
- Sec. 107896. Insulated handmuffs of knit polyester.
- Sec. 107897. Men’s stockingfoot wader bottom subassemblies, of compressed neoprene.
- Sec. 107898. Men’s stockingfoot wader bottom subassemblies, of non-compressed neoprene.
- Sec. 107899. Fishing wader pocket pouch assemblies.
- Sec. 107900. Martial arts uniforms.
- Sec. 107901. Women’s or girls’ linen woven blouses, shirts and shirt-blouses, and sleeveless tank styles.
- Sec. 107902. Women’s or girls’ linen woven washsuits, sunsuits, or one-piece playsuits.

- Sec. 107903. Women's or girls' linen woven coveralls or jumpsuits.
- Sec. 107904. Women's shawls and similar goods, 100 percent silk.
- Sec. 107905. Winter cycling gloves.
- Sec. 107906. Lock pocket tents.
- Sec. 107907. Dark room tents.
- Sec. 107908. Bi-component microfiber tube mop refills.
- Sec. 107909. Microfiber duster refills.
- Sec. 107910. RFID mop pads.
- Sec. 107911. Microfiber cleaning cloths.
- Sec. 107912. Microfiber mop pads.
- Sec. 107913. Golf bag body flats.
- Sec. 107914. Bathtub elbow rests.
- Sec. 107915. Door swings.
- Sec. 107916. Under bed restraints.
- Sec. 107917. Bath kneeler.
- Sec. 107918. Two-piece camera mount kits.
- Sec. 107919. Sleeve covers.
- Sec. 107920. Men's cycling shoes valued over \$18 per pair.
- Sec. 107921. Women's cycling shoes valued over \$16 per pair.
- Sec. 107922. Men's golf shoes with outers and uppers of rubber or plastics, valued over \$20 per pair.
- Sec. 107923. Golf shoes other than for men, with outers and uppers of rubber or plastics, valued over \$20 per pair.
- Sec. 107924. Winter cycling boots for men.
- Sec. 107925. Winter cycling boots for women.
- Sec. 107926. Children's footwear valued over \$15 per pair.
- Sec. 107927. Women's protective active footwear, valued over \$25 per pair, 15.35–25.4 cm in height.
- Sec. 107928. Cheer shoes covering the ankle.
- Sec. 107929. Sideline cheer shoes.
- Sec. 107930. Men's athletic footwear, valued under \$9 per pair.
- Sec. 107931. Athletic footwear for women, valued not over \$9 per pair.
- Sec. 107932. Athletic footwear for children, valued not over \$8 per pair.
- Sec. 107933. Men's golf shoes, with outer soles and uppers of rubber or plastics, not covering the ankle, valued \$15 per pair or over.
- Sec. 107934. Golf shoes other than for men, with outer soles and uppers of rubber or plastics, not covering the ankle, valued \$15 per pair or over.
- Sec. 107935. Men's rubber/plastic footwear, valued not over \$5 per pair.
- Sec. 107936. Women's rubber/plastic footwear, valued not over \$6 per pair.
- Sec. 107937. Cheer shoes with sole less than 12 mm.
- Sec. 107938. Men's golf shoes with outers and uppers of rubber or plastics, valued over \$19 per pair.
- Sec. 107939. Golf shoes other than for men, outer soles and uppers of rubber or plastics, valued over \$19 per pair.
- Sec. 107940. Men's golf shoes, outer soles of rubber, plastics, leather or composition leather and uppers of leather (except pigskin uppers).
- Sec. 107941. Women's leather footwear, lined with pigskin with zipper, valued \$47–\$60 per pair.
- Sec. 107942. Women's leather footwear, lined with pigskin, valued \$31–\$40 per pair.
- Sec. 107943. Women's slip-on cow/calf hair footwear, valued \$50–\$60 per pair.
- Sec. 107944. Women's leather footwear lined with sheepskin.
- Sec. 107945. Women's leather slip-on footwear lined with sheep leather.
- Sec. 107946. Women's leather slip-on footwear lined with pigskin.

- Sec. 107947. Women's leather footwear, lined with pigskin, valued \$21–\$27 per pair.
- Sec. 107948. Women's footwear with leather uppers, lined with pigskin, closed toe or heel with functional zippers on sides.
- Sec. 107949. Women's footwear with leather uppers, lined with pigskin with adjustable laces.
- Sec. 107950. Competitive cheer shoes with leather uppers.
- Sec. 107951. Women's footwear with leather uppers, with strap and buckle, valued \$27–\$40 per pair.
- Sec. 107952. Children's leather upper athletic footwear, valued not over \$9 per pair.
- Sec. 107953. Men's athletic type footwear with uppers of textile materials of vegetable fibers and outer soles of rubber or plastic with textile flocking.
- Sec. 107954. Athletic footwear for men, with a bellows tongue, valued over \$6.50 but not over \$12 per pair.
- Sec. 107955. Athletic footwear for women, with a bellows tongue, valued over \$6.50 but not over \$12 per pair.
- Sec. 107956. Athletic footwear for children, bellows tongue, valued over \$6.50 but not over \$12 per pair.
- Sec. 107957. Athletic footwear for men, valued over \$6.50 but not over \$9 per pair.
- Sec. 107958. Athletic footwear for children, valued over \$6.50 but not over \$9 per pair.
- Sec. 107959. Cheer shoes with uppers of textile materials.
- Sec. 107960. Women's footwear with textile uppers and 50 percent or more of the surface area of which is leather.
- Sec. 107961. Women's footwear with textile uppers, open toes or heels, valued \$15–\$30 per pair.
- Sec. 107962. Men's textile upper footwear, with open toes or open heels, valued not over \$12 per pair.
- Sec. 107963. Women's textile upper footwear, with open toes or open heels, valued not over \$12 per pair.
- Sec. 107964. Children's textile upper footwear, with open toes or open heels, valued not over \$12 per pair.
- Sec. 107965. Oxford-style work footwear with steel safety toe and static dissipating protection.
- Sec. 107966. Oxford footwear with textile uppers and composite toe, valued over \$20 per pair.
- Sec. 107967. Men's mid-cut footwear with a textile upper and a protective toe cap.
- Sec. 107968. Women's footwear with leather soles and textile uppers, open toes or heels, valued \$12–\$24 per pair.
- Sec. 107969. Footwear for women valued over \$20 but not over \$24 per pair.
- Sec. 107970. Women's footwear with leather soles and textile uppers, valued \$15–\$20 per pair.
- Sec. 107971. Women's footwear with leather soles and textile uppers, valued \$20–\$25 per pair.
- Sec. 107972. Women's footwear with cork soles and textile uppers.
- Sec. 107973. Men's footwear with felt soles, not covering the ankle, valued \$20 per pair or higher.
- Sec. 107974. Women's and girls' footwear with cork uppers, valued less than \$25 per pair.
- Sec. 107975. Women's footwear with cow/calf hair uppers, valued \$35–\$40 per pair, covering the ankle.

- Sec. 107976. Women's footwear with cow/calf hair uppers, valued \$35-\$40 per pair, not covering the ankle.
- Sec. 107977. Women's footwear with cow/calf hair uppers, valued \$19-\$25 per pair.
- Sec. 107978. Women's footwear with cow/calf hair uppers, valued \$50-\$55 per pair.
- Sec. 107979. Women's footwear, leather soles and rubber/plastic uppers, valued \$16-\$18 per pair.
- Sec. 107980. Women's footwear with cow/calf hair uppers, valued \$19-\$34 per pair.
- Sec. 107981. Footwear for women, valued over \$50 but not over \$60 per pair.
- Sec. 107982. Calf hair upper footwear.
- Sec. 107983. Gaiters of man-made fibers.
- Sec. 107984. Hats of vegetable fibers.
- Sec. 107985. Hairnets.
- Sec. 107986. Cotton knit hats, valued \$8 or less.
- Sec. 107987. Babies' woven cotton hats.
- Sec. 107988. Hats of man-made fiber, valued \$5-\$25.
- Sec. 107989. Waterproof and insulated hats with ear flaps, valued over \$15.
- Sec. 107990. Fishing wading staffs.
- Sec. 107991. Plastic plants for aquariums, not glued or bound.
- Sec. 107992. Natural stone ledger tile of sandstone.
- Sec. 107993. Marble mosaic and pebble tiles.
- Sec. 107994. Natural stone limestone tiles.
- Sec. 107995. Natural stone marble tiles.
- Sec. 107996. Waterjet natural stone mosaic tile.
- Sec. 107997. Marble entertaining and serveware.
- Sec. 107998. Articles of marble for kitchen and dining room.
- Sec. 107999. Natural stone ledger tiles of travertine.
- Sec. 108000. Travertine decorative tile.
- Sec. 108001. Limestone decorative tiles.
- Sec. 108002. Blank, embossed, and printed stoneware coaster disks and trivets.
- Sec. 108003. Rolled green glass sheets.
- Sec. 108004. Framed rear-view mirrors.
- Sec. 108005. Wall mirrors, unframed.
- Sec. 108006. Wall mirrors, framed.
- Sec. 108007. Stemware (crystalline) drinking glasses valued over \$0.30 but not over \$3 each, other than those presented in sets.
- Sec. 108008. Double-walled insulated glass tumblers.
- Sec. 108009. Diamond-shaped stemmed wine glasses.
- Sec. 108010. Twisted-center stemless wine glass.
- Sec. 108011. Crystalline drinking glasses, without stems, not in sets.
- Sec. 108012. Double-walled insulated glass bowls.
- Sec. 108013. Leaf-shaped glass decanters.
- Sec. 108014. Set of four appetizer plates made of glass with steel caddy holder, valued at \$2 each.
- Sec. 108015. Spice rack with glass jars and wooden lids valued not over \$3 each.
- Sec. 108016. Glass lens blanks for infrared applications.
- Sec. 108017. Hair accessories of glass beads, imitation pearls, and imitation stones, valued less than \$7.
- Sec. 108018. Filter bags with acid-resistant coating, of woven fiberglass laminated to ePTFE, weighing at least 325 g/m² but not over 350 g/m².

- Sec. 108019. Fiberglass replacement wicks for outdoor garden torch.
- Sec. 108020. Filter bags of woven fiberglass fabric laminated to an ePTFE, with a polytetrafluoroethylene coated backing, not acid resistant, weighing at least 721 g/m² but not over 771 g/m².
- Sec. 108021. Silver catalyst.
- Sec. 108022. Silver round blanks.
- Sec. 108023. Ferroboron alloy.
- Sec. 108024. Cast iron nonmalleable threaded main body combo castings for residential fuel oil tanks.
- Sec. 108025. Cast iron nonmalleable threaded vent caps for residential fuel oil tanks.
- Sec. 108026. Cast iron nonmalleable threaded bushings for residential fuel oil tanks.
- Sec. 108027. Cast iron nonmalleable threaded tank adapters for residential fuel oil tanks.
- Sec. 108028. Cast iron nonmalleable threaded fill alarm main body for residential fuel oil tanks.
- Sec. 108029. Cast iron nonmalleable threaded fill box caps for residential fuel oil tanks.
- Sec. 108030. Cast iron nonmalleable threaded leg flanges for residential fuel oil tanks.
- Sec. 108031. Portable gas cooking stoves.
- Sec. 108032. Portable outdoor cookers.
- Sec. 108033. Self-anchored beverage containers.
- Sec. 108034. Stainless steel handmade kitchen sinks.
- Sec. 108035. Loose frame baskets.
- Sec. 108036. Two-story fire escape ladders.
- Sec. 108037. Three-story fire escape ladders.
- Sec. 108038. Work support stands of steel.
- Sec. 108039. Locking fixtures of iron or steel.
- Sec. 108040. Stainless steel phone handle-and-stand accessories.
- Sec. 108041. Circular and S-shaped stainless steel carabiners.
- Sec. 108042. Pieces of refined unwrought copper cathode 99.9999 percent pure.
- Sec. 108043. Ultra-thin and wide-width aluminum foil.
- Sec. 108044. Etched capacitor aluminum foil of a thickness 0.018–0.126 mm.
- Sec. 108045. Stove top coffee makers.
- Sec. 108046. Aluminum shower caddies.
- Sec. 108047. Step stools of aluminum.
- Sec. 108048. Aluminum ladders.
- Sec. 108049. Circular and S-shaped aluminum carabiners.
- Sec. 108050. Stationary sprinklers of zinc.
- Sec. 108051. Tungsten waste and scrap.
- Sec. 108052. Cobalt alloys.
- Sec. 108053. Certain gallium (Ga).
- Sec. 108054. Niobium (columbium) rings no thicker than 20 mm.
- Sec. 108055. Tungsten secondary raw material.
- Sec. 108056. Gear-driven bolt cutters and pipe cutters.
- Sec. 108057. Rotary cutters.
- Sec. 108058. Food graters.
- Sec. 108059. Hand tools for applying plastic clip fasteners to garments.
- Sec. 108060. Steel workstations with vises adjustable by foot pedal.
- Sec. 108061. Fixed carbide cutter and roller cone drill bits.
- Sec. 108062. Rotary food graters.
- Sec. 108063. Coffee presses.

- Sec. 108064. Vacuum insulated coffee servers with a brew-through lid.
- Sec. 108065. Vacuum insulated coffee servers with no lid.
- Sec. 108066. Vacuum insulated coffee servers with fitted hinged lid.
- Sec. 108067. Commercial vacuum insulated coffee servers with sight gauge.
- Sec. 108068. Commercial vacuum insulated coffee servers with plastic base.
- Sec. 108069. Commercial vacuum insulated coffee servers with plastic base and stand.
- Sec. 108070. Craft knives with fixed pen-like or retractable blades.
- Sec. 108071. Craft knives.
- Sec. 108072. Blades for craft knives with non-fixed blades.
- Sec. 108073. Ergonomic pinking shears.
- Sec. 108074. Spring-action scissors.
- Sec. 108075. Electronic locks for lockers.
- Sec. 108076. Luggage locks of base metal, packaged for retail sale.
- Sec. 108077. Key-operated door handles, push-pull-rotate.
- Sec. 108078. Vent mounted magnetic mobile phone holder for automobiles.
- Sec. 108079. Dash mounted magnetic mobile phone holder for automobiles.
- Sec. 108080. Windshield mounted magnetic mobile phone holder for automobiles.
- Sec. 108081. Steel latches with plastic plungers.
- Sec. 108082. Non-key-operated door handles.
- Sec. 108083. Curtain rings.
- Sec. 108084. Brackets.
- Sec. 108085. Curtain rods.
- Sec. 108086. Curtain rod hardware.
- Sec. 108087. Curtain tiebacks.
- Sec. 108088. Curtain rod finials.
- Sec. 108089. Curved shower rods.
- Sec. 108090. Shower hooks and rings.
- Sec. 108091. Straight shower rods.
- Sec. 108092. Steel window rods.
- Sec. 108093. Antitheft steel cases with digital locks.
- Sec. 108094. Stainless steel hose kits.
- Sec. 108095. Stainless steel hoses.
- Sec. 108096. Wrist watch strap buckles not over 18 mm.
- Sec. 108097. Wrist watch strap buckles over 18 mm.
- Sec. 108098. Used cylinder heads.
- Sec. 108099. Cylinder heads used solely or principally with certain engines.
- Sec. 108100. Engine blocks.
- Sec. 108101. Swirler assemblies for turbines.
- Sec. 108102. Barrels for fuel mixing.
- Sec. 108103. Injector assemblies for certain turbines.
- Sec. 108104. Stem assemblies for certain turbines.
- Sec. 108105. Tip assemblies for non-gas turbines.
- Sec. 108106. High pressure fuel pumps.
- Sec. 108107. Dry scroll vacuum pumps 364x333x485 mm.
- Sec. 108108. Dry scroll vacuum pumps 297x260x420 mm.
- Sec. 108109. Dry scroll vacuum pumps 254x260x420 mm.
- Sec. 108110. Dry scroll vacuum pumps 181x140x358 mm.
- Sec. 108111. Turbomolecular vacuum pumps.
- Sec. 108112. Rotary vane vacuum pumps valued over \$500 each.
- Sec. 108113. Vacuum diffusion pumps valued over \$900 each.
- Sec. 108114. Hand- or foot-operated air pumps.
- Sec. 108115. Roof vent fans.
- Sec. 108116. 12-Amp corded electric leaf blowers.

- Sec. 108117. Cordless battery powered leaf blowers not exceeding 20 volts.
- Sec. 108118. Cordless battery powered leaf blowers between 20 and 60 V.
- Sec. 108119. Fan assemblies for cab climate systems.
- Sec. 108120. Aquarium air pumps.
- Sec. 108121. Heat pumps for residential use.
- Sec. 108122. Heat pumps (outdoor units) for split air conditioner systems.
- Sec. 108123. High-wall indoor units.
- Sec. 108124. Single-zone outdoor units.
- Sec. 108125. Mini heat pumps for split air conditioner systems.
- Sec. 108126. Multi-zone outdoor unit ductless systems.
- Sec. 108127. Indoor units of split air conditioner systems.
- Sec. 108128. Ductless 18000 BTU heat pumps, single zone inverter.
- Sec. 108129. Single-phase heat pump.
- Sec. 108130. Steel vacuum pitchers with plastic hinged lid.
- Sec. 108131. Oil filters.
- Sec. 108132. Battery powered nasal irrigators.
- Sec. 108133. Struts to absorb vibration.
- Sec. 108134. Table saws (25.4 cm.), operable corded and cordless.
- Sec. 108135. Sliding miter saws (25.4 cm) with laser, corded and cordless.
- Sec. 108136. Electromechanical rotary hammers, corded and cordless.
- Sec. 108137. Electromechanical hammer impact drivers, corded and cordless.
- Sec. 108138. Rotary hammer drill tools with self-contained electric motor.
- Sec. 108139. Drill driver tools with self-contained electric motor.
- Sec. 108140. Extruders.
- Sec. 108141. Three-dimensional drawing pens.
- Sec. 108142. Professional grade three-dimensional drawing pens.
- Sec. 108143. Electric multi-functional blower vacuums.
- Sec. 108144. Autosamplers (multisamplers) for liquid chromatographs.
- Sec. 108145. Autosamplers (vialsamplers) for liquid chromatographs.
- Sec. 108146. Hydraulic hammer assembly.
- Sec. 108147. Segmented bladder-operated molds, with more than 25-inch rim diameter.
- Sec. 108148. Used valves for directional control.
- Sec. 108149. Keg spears with pressure release valves.
- Sec. 108150. Multiport distribution controllers.
- Sec. 108151. Subsea modular trees.
- Sec. 108152. Flow selector unit-multi-port 6-branch engine crankshafts.
- Sec. 108153. Engine crankshafts.
- Sec. 108154. Turbocharger journal bearings.
- Sec. 108155. Mid-range bearing housings.
- Sec. 108156. Heavy duty bearing housings.
- Sec. 108157. Fixed ration gear boxes.
- Sec. 108158. Track drive gear boxes.
- Sec. 108159. Swing bearing assembly.
- Sec. 108160. Gears for use in machinery or within engines.
- Sec. 108161. 14Y stepper motors.
- Sec. 108162. Air door actuators.
- Sec. 108163. Servo motors.
- Sec. 108164. DC brushed rhombic winding NdFeb magnet motors, with output under 18.65 W.
- Sec. 108165. DC brushed rhombic winding NdFeB magnet motors.
- Sec. 108166. DC brushed rhombic winding AlNiCo magnet motors, with output under 18.65 W.
- Sec. 108167. DC brushless rhombic winding NdFeB magnet motors, with output under 18.65 W.

- Sec. 108168. DC brushed rhombic winding NdFeB magnet motors, with output over 18.65 but not over 37.5 W.
- Sec. 108169. DC brushed rhombic winding AlNiCo magnet motors, with output over 18.65 W but not over 37.5 W.
- Sec. 108170. DC brushless slotless rhombic winding NdFeB magnet motors output over 18.65 W but not over 37.5 W.
- Sec. 108171. DC brushed rhombic winding NdFeB magnet motors output over 37.5 W but not over 74.6 W.
- Sec. 108172. DC brushless slotless rhombic winding NdFeB magnet motors output over 37.5 W but not over 74.6 W.
- Sec. 108173. Motors.
- Sec. 108174. DC motors of an output exceeding 74.6 W but not exceeding 735 W.
- Sec. 108175. DC motors, of an output exceeding 74.6 W but not exceeding 735 W.
- Sec. 108176. DC brushed rhombic winding NdFeB magnet motors output over 74.6 W but not over 735 W.
- Sec. 108177. DC brushless slotless rhombic winding NdFeB magnet motors output over 74.6 W but not over 735 W.
- Sec. 108178. DC motors of an output exceeding 750 W but not exceeding 14.92 kW.
- Sec. 108179. DC electric motor for non-aircraft gas turbines.
- Sec. 108180. AC alternators.
- Sec. 108181. AC alternators with copper windings.
- Sec. 108182. Wound stators and rotor assemblies.
- Sec. 108183. Rotors.
- Sec. 108184. Stators for washing machines, with a 27-tooth design.
- Sec. 108185. Stators for washing machines, with an 18-tooth design.
- Sec. 108186. Rotors for washing machines, with a height of 60.8 mm.
- Sec. 108187. Rotors for washing machines, with a height of 49 mm.
- Sec. 108188. 6 V lead-acid storage batteries.
- Sec. 108189. 12 V lead-acid storage batteries, used for the auxiliary source of power.
- Sec. 108190. Lead-acid storage batteries, used for wheelchairs.
- Sec. 108191. 12 V lead-acid storage batteries, rated at less than 15 ampere-hours.
- Sec. 108192. 12 V lead-acid storage batteries, rated at 15 ampere-hours or more.
- Sec. 108193. Cell box assemblies, weighing 15 kg or more but not over 18 kg.
- Sec. 108194. Cell box assemblies, weighing 30 kg or more but not over 36 kg.
- Sec. 108195. Cell box assemblies, weighing 36 kg or more but not over 49 kg.
- Sec. 108196. Cell box assemblies NX.
- Sec. 108197. Food processors with a capacity greater than 2.9 liters but not exceeding 3.1 liters.
- Sec. 108198. Food processors with a capacity greater than 1.6 liters but not exceeding 2.2 liters.
- Sec. 108199. Cordless hand blenders.
- Sec. 108200. Cordless hand mixers.
- Sec. 108201. Corded hand blenders.
- Sec. 108202. Burr coffee grinders.
- Sec. 108203. Electric food processors with bowl scraper.
- Sec. 108204. Electric food processors with snap-locking lid.
- Sec. 108205. Electric juice extractors.
- Sec. 108206. Electric drink mixers.

- Sec. 108207. Spiralizing food processors with a capacity equal to or greater than 2.36 liters but not exceeding 2.64 liters.
- Sec. 108208. Spiralizing food processors with a capacity equal to or greater than 2.83 liters but not exceeding 3.07 liters.
- Sec. 108209. Dicing food processors.
- Sec. 108210. Compact food processor with smoothie function.
- Sec. 108211. Juice extractors.
- Sec. 108212. Integrated baby food making systems.
- Sec. 108213. Electric juice mixers and grinders.
- Sec. 108214. Ultrasonic humidifiers.
- Sec. 108215. Automatic litterboxes, valued no more than \$100.
- Sec. 108216. Electric toothbrushes.
- Sec. 108217. Ultrasonic cool/warm mist humidifiers with aromatherapy.
- Sec. 108218. 2-in-1 can opener.
- Sec. 108219. Food spiralizing devices.
- Sec. 108220. Ceramic bowls.
- Sec. 108221. Food grinders for certain electromechanical stand food mixers.
- Sec. 108222. Pasta press extruders for certain stand food mixers.
- Sec. 108223. Stainless steel bowls for certain electromechanical stand food mixers, with capacity greater than 4.2 liters but not exceeding 4.8 liters.
- Sec. 108224. Stainless steel bowls for certain electromechanical stand food mixers, with capacity greater than 2.8 liters but not exceeding 3.4 liters.
- Sec. 108225. Stainless steel bowls for certain electromechanical stand food mixers, with capacity greater than 5.6 liters but not exceeding 8.6 liters.
- Sec. 108226. Pasta rollers and cutters for stand food mixers.
- Sec. 108227. Glass bowls for certain electromechanical stand food mixers.
- Sec. 108228. Body trimmers for detailed hair trimming.
- Sec. 108229. Hair clipper sets.
- Sec. 108230. Rechargeable trimmers for trimming human hair.
- Sec. 108231. PCB assemblies for clippers and trimmers.
- Sec. 108232. LED bicycle wheel spoke lights.
- Sec. 108233. Bicycle rear lights.
- Sec. 108234. Portable electric lamps.
- Sec. 108235. Space heaters.
- Sec. 108236. Microwave ovens with capacity not exceeding 22.5 liters.
- Sec. 108237. Microwave ovens with capacity exceeding 22.5 liters but not exceeding 31 liters.
- Sec. 108238. Low-profile microwave ovens with electronic opening mechanism and integral range hood.
- Sec. 108239. Low-profile microwave ovens with push button opening mechanism and integral range hood.
- Sec. 108240. Low-profile microwave ovens with electronic opening mechanism and without a range hood.
- Sec. 108241. Searing grills.
- Sec. 108242. Automatic drip coffee makers.
- Sec. 108243. Espresso machines.
- Sec. 108244. Coffee makers with dishwasher safe removable parts.
- Sec. 108245. Single-service coffee makers with milk frothers.
- Sec. 108246. Electric coffee makers with dual dispensers.
- Sec. 108247. Electric coffee makers for brewing capsules.
- Sec. 108248. Automatic or manual pour over coffee makers.
- Sec. 108249. Removable reservoir coffeemakers.

- Sec. 108250. Single serve coffee makers.
- Sec. 108251. 2-way coffee makers with a 12-cup carafe and a pod brewer.
- Sec. 108252. Rapid cold brew and hot coffee makers.
- Sec. 108253. Electric kettles.
- Sec. 108254. Electric toasters with even-toast feature.
- Sec. 108255. Electric toasters with 6.5 inch slots.
- Sec. 108256. Electric toasters with 37 mm wide slots, with an under-base cord wrap.
- Sec. 108257. 2- and 4-slot toasters, not having a button to keep toaster contents warm after toasting.
- Sec. 108258. 2-slot toasters, with a button to keep toaster content warm after toasting.
- Sec. 108259. Electric toasters with double-slice slots.
- Sec. 108260. Electric toasters with 37 mm wide slots, with a retractable cord.
- Sec. 108261. Electric pressure cookers rated more than 800 W but not more than 1,000 W, with a capacity of not less than 5 liters.
- Sec. 108262. Electric pressure cookers rated more than 1,200 W but not more than 1,400 W, with a capacity of less than 5 liters.
- Sec. 108263. Electric pressure cookers rated more than 1,000 W but not more than 1,200 W, with a capacity of less than 5 liters.
- Sec. 108264. Contoured heating pads.
- Sec. 108265. Slow cookers with non-stick ceramic coated stoneware.
- Sec. 108266. Heating pads.
- Sec. 108267. Programmable slow cookers with digital display.
- Sec. 108268. 8-Quart electric slow cookers.
- Sec. 108269. Programmable slow cookers.
- Sec. 108270. Electric slow cookers with locking lid.
- Sec. 108271. Double flip waffle makers with removable grids.
- Sec. 108272. Ice cream waffle cone and bowl makers.
- Sec. 108273. Electric breakfast sandwich makers.
- Sec. 108274. Pressure cookers.
- Sec. 108275. 10-quart programmable slow cookers.
- Sec. 108276. Polished stainless steel 1.5-quart tea kettles.
- Sec. 108277. Egg bite makers.
- Sec. 108278. Vacuum steel insulated coffee carafes, of a kind used with deep ultraviolet lithography machines.
- Sec. 108279. Vacuum steel insulated carafes for household coffee machines, of a kind used with deep ultraviolet lithography machines.
- Sec. 108280. Vacuum steel bodies with inner and outer steel layers.
- Sec. 108281. Lamp-holder housings of plastic.
- Sec. 108282. 660 W, 125 V, lamp-holder with two 15 amp outlets.
- Sec. 108283. Combination duplex receptacle/outlet and USB charger, 15–20 amp, 125 V.
- Sec. 108284. Range and dryer receptacles.
- Sec. 108285. Residential grade receptacles.
- Sec. 108286. Residential and commercial USB receptacles.
- Sec. 108287. Power strips.
- Sec. 108288. Surge protectors.
- Sec. 108289. Programmable controllers for architectural lighting.
- Sec. 108290. Electronic modular control panels for generators.
- Sec. 108291. Power distribution modules and programmable controllers.
- Sec. 108292. Glass capacitive touchscreen assemblies with LCD.
- Sec. 108293. Lamps containing deuterium gas without radio-frequency identification (RFID).

- Sec. 108294. Lamps containing deuterium gas with radio-frequency identification (RFID).
- Sec. 108295. Fiber channel coaxial cables of silver-plated copper conductors and expanded ePTFE dielectrics.
- Sec. 108296. Insulated coaxial cables, of a kind used with deep ultraviolet lithography machines.
- Sec. 108297. Coaxial cables insulated with ePTFE, vapor sealed, of a kind used with deep ultraviolet lithography machines.
- Sec. 108298. Coaxial cables insulated with ePTFE, non-vapor sealed, of a kind used with deep ultraviolet lithography machines.
- Sec. 108299. Low speed automotive ethernet USB harnesses.
- Sec. 108300. High speed autolink cable USB harnesses.
- Sec. 108301. Insulated electric conductors, of a kind used with extreme ultraviolet lithography machines.
- Sec. 108302. Insulated electric conductors, of a kind used with deep ultraviolet lithography machines.
- Sec. 108303. Insulated electric conductors, of a kind used with optical instruments.
- Sec. 108304. Rings, blocks, and other insulating fittings of quartz.
- Sec. 108305. Front tire splash guards for vehicles.
- Sec. 108306. Rear tire splash guards for vehicles.
- Sec. 108307. Automatic gear boxes.
- Sec. 108308. Suspension systems (struts) for off-highway trucks.
- Sec. 108309. Suspension system stabilizer bars.
- Sec. 108310. Tie rod assemblies.
- Sec. 108311. Used axle housings.
- Sec. 108312. Used parts for power trains.
- Sec. 108313. Front windshield covers.
- Sec. 108314. Expansion chambers.
- Sec. 108315. Bicycle racks for car roofs.
- Sec. 108316. High pressure fuel injector rails.
- Sec. 108317. Stand-up bicycles, having both wheels exceeding 63.5 cm in diameter.
- Sec. 108318. Elliptical cycles, with wheels not exceeding 63.5 cm in diameter.
- Sec. 108319. Bicycle frames, other than of steel, valued \$600 or less.
- Sec. 108320. Internal gear bicycle hubs, other than two or three speeds.
- Sec. 108321. Bicycle pedals other than clipless pedals.
- Sec. 108322. Clipless bicycle pedals and parts thereof.
- Sec. 108323. Carbon fiber bicycle seatposts.
- Sec. 108324. Bicycle handlebar tape, other than silicon or leather tape.
- Sec. 108325. Trailer cycles.
- Sec. 108326. Dropper seatposts.
- Sec. 108327. Bicycle fenders.
- Sec. 108328. Bicycle handlebars.
- Sec. 108329. Multi-functional steel carts.
- Sec. 108330. Non-mechanically propelled industrial hand truck.
- Sec. 108331. Moving dollies.
- Sec. 108332. Paragliders, paraglider wings and paraglider harnesses.
- Sec. 108333. Sailing catamarans and power catamarans.
- Sec. 108334. Projection lenses.
- Sec. 108335. Mounted optical lenses.
- Sec. 108336. Objective lenses for broadcast cameras.
- Sec. 108337. Objective lenses for cinema cameras.
- Sec. 108338. Magnifying spectacles.

- Sec. 108339. LCD television panel assemblies, with a video display measuring over 175.26 cm.
- Sec. 108340. LCD television panel assemblies, with a video display measuring over 149.86 cm but not over 175.26 cm.
- Sec. 108341. LCD television panel assemblies, with a video display measuring over 139.7 cm but not over 149.86 cm.
- Sec. 108342. LCD television panel assemblies, with a video display measuring over 137.16 cm but not over 139.7 cm.
- Sec. 108343. Housings designed for infrared lenses.
- Sec. 108344. Electronic temperature indicators, weighing 14.2 g.
- Sec. 108345. Electronic temperature indicators, weighing 64.4 g.
- Sec. 108346. Electronic temperature indicators, weighing 430 g.
- Sec. 108347. Global cargo trackers, weighing 660 g.
- Sec. 108348. Temperature data monitors, weighing 115 g.
- Sec. 108349. Temperature data monitors, weighing 138.9 g.
- Sec. 108350. Temperature data monitors, weighing 133.2 g.
- Sec. 108351. Parts and accessories of bicycle speedometers.
- Sec. 108352. Wired remote controllers.
- Sec. 108353. Analog/digital wrist watches.
- Sec. 108354. Mechanical wrist watches.
- Sec. 108355. Mechanical wrist watches with leather or other band.
- Sec. 108356. Analog pocket watches.
- Sec. 108357. Projection alarm clocks, non-atomic.
- Sec. 108358. Projection atomic alarm clocks.
- Sec. 108359. Analog wall clocks without thermometer, hygrometer, or barometer gauges.
- Sec. 108360. Analog clocks with thermometer and hygrometer.
- Sec. 108361. Atomic analog wall clocks.
- Sec. 108362. Atomic digital clocks.
- Sec. 108363. Analog kitchen timers.
- Sec. 108364. Wrist watch movements having over one jewel and less than 7 jewels.
- Sec. 108365. Watch movements having over 7 jewels and under 17 jewels.
- Sec. 108366. Watch cases or “bodies” over 41 mm in diameter.
- Sec. 108367. Watch cases or “bodies” not over 41 mm in diameter.
- Sec. 108368. Watch case bezels, backs, and centers.
- Sec. 108369. Watch case parts.
- Sec. 108370. Stainless steel watch bracelets.
- Sec. 108371. Watch dials.
- Sec. 108372. Watch crowns.
- Sec. 108373. Watch hands.
- Sec. 108374. Acoustic guitars.
- Sec. 108375. Console digital pianos.
- Sec. 108376. Grand digital pianos.
- Sec. 108377. Electronic 61-key keyboards.
- Sec. 108378. Electric guitars and acoustic/electric guitars.
- Sec. 108379. Memory foam travel pillows.
- Sec. 108380. Lighting for wall installation.
- Sec. 108381. Decorative bathroom fan assemblies (lighting fixtures) assemblies.
- Sec. 108382. Metal household floor lamps.
- Sec. 108383. Solar powered pathway lights, each measuring between 36.8 cm and 42 cm in height.
- Sec. 108384. Solar powered pathway lights, each measuring between 45 cm and 48 cm in height.

- Sec. 108385. Exterior exit viewing lights, dual beam.
- Sec. 108386. LED flameless candles.
- Sec. 108387. Aquarium LED light strands.
- Sec. 108388. LED light modules for bathroom fans/lights.
- Sec. 108389. Aquarium LED light sticks.
- Sec. 108390. Aquarium LED light strips.
- Sec. 108391. Decorative votive candle holders.
- Sec. 108392. Candle jar shades.
- Sec. 108393. Non-electrical lighting.
- Sec. 108394. Outdoor garden or patio torches of bamboo construction.
- Sec. 108395. Outdoor garden or patio torches of non-bamboo construction.
- Sec. 108396. Indoor oil lamps with base of glass or metal.
- Sec. 108397. Outdoor garden torches for tabletop use.
- Sec. 108398. Glass lens arrays for spotlights.
- Sec. 108399. Lamp shades.
- Sec. 108400. Galvanized steel LED downlight housing frames.
- Sec. 108401. Aluminum cylinders for LED lighting fixtures.
- Sec. 108402. Galvanized steel brackets and plates for LED lighting fixtures.
- Sec. 108403. Aluminum LED downlight reflectors.
- Sec. 108404. Outdoor garden torch replacement canisters.
- Sec. 108405. Iris subassemblies for moving lights.
- Sec. 108406. Zoom modules for automated moving lights.
- Sec. 108407. Golf club heads for fairway woods.
- Sec. 108408. Golf club shafts for putters.
- Sec. 108409. Steel golf club shafts, other than for putters.
- Sec. 108410. Golf club shaft assemblies.
- Sec. 108411. Graphite driver golf club shafts, extra stiff flex.
- Sec. 108412. Graphite hybrid golf club shafts, extra stiff flex.
- Sec. 108413. Graphite irons golf club shafts, extra stiff flex.
- Sec. 108414. Graphite driver golf club shafts, regular, senior, adult, or ladies flex.
- Sec. 108415. Graphite golf club driver shafts, stiff flex.
- Sec. 108416. Graphite hybrid golf club shafts, regular, senior, adult, or ladies flex.
- Sec. 108417. Graphite hybrid golf club shafts, stiff flex.
- Sec. 108418. Graphite irons golf club shafts, regular, senior, adult, or ladies flex.
- Sec. 108419. Graphite irons golf club shafts, stiff flex.
- Sec. 108420. Pickleball paddles.
- Sec. 108421. Pickleballs.
- Sec. 108422. Exercise cycles.
- Sec. 108423. Stationary trainers.
- Sec. 108424. Multimodality fitness equipment, without integrated contact grip heart rate monitor.
- Sec. 108425. Multimodality fitness equipment with integrated power sensor to measure the user's upper body power input.
- Sec. 108426. Parts and accessories for treadmills.
- Sec. 108427. Parts and accessories for ellipticals.
- Sec. 108428. Parts and accessories for stationary exercise cycles.
- Sec. 108429. Parts and accessories for weight training equipment.
- Sec. 108430. Parts and accessories for certain exercise equipment machines.
- Sec. 108431. Lateral elliptical machines.
- Sec. 108432. Adjustable-weight kettlebells.
- Sec. 108433. Adjustable-weight barbell.
- Sec. 108434. Exercise cycles with dual-position handgrips.

- Sec. 108435. Exercise cycles with single handgrips.
- Sec. 108436. Upright exercise cycles.
- Sec. 108437. Recumbent exercise cycles with touchscreen consoles.
- Sec. 108438. Leaning exercise cycles.
- Sec. 108439. Rod gyms, with vertical bench.
- Sec. 108440. Rod and resistance gyms, with flat benches.
- Sec. 108441. Foldable treadmills, with LCD consoles with control keypads.
- Sec. 108442. Foldable treadmills, with touchscreen consoles measuring 44.5 cm or less.
- Sec. 108443. Indoor cycling machines with wireless data touchscreen displays.
- Sec. 108444. Indoor cycling machines with LCD consoles and two water bottle holders.
- Sec. 108445. Indoor cycling machines with LCD consoles and single water bottle holder.
- Sec. 108446. Recumbent elliptical machines.
- Sec. 108447. Fitness equipment combining the functions of an elliptical and a stair stepper, weight over 90 kgs.
- Sec. 108448. Foldable treadmills with touchscreen console greater than 44.4 cm.
- Sec. 108449. Interactive indoor cycling exercise cycles.
- Sec. 108450. Multimodality fitness equipment, with integrated contact grip heart rate monitors.
- Sec. 108451. Fishing reels valued not over \$2.70 each, pre-spooled, with rod and fishing line.
- Sec. 108452. Fishing reels valued not over \$2.70 each.
- Sec. 108453. Hard artificial crankbaits.
- Sec. 108454. Collapsible big game decoys.
- Sec. 108455. Vacuum steel hinged lid pitchers, not exceeding 1 liter.
- Sec. 108456. Vacuum insulated drinkware having a capacity exceeding 1 liter but not exceeding 2 liters.
- Sec. 108457. Vacuum insulated drinkware having a capacity exceeding 2 liters but not exceeding 4 liters.
- Sec. 108458. Vacuum glass lined steel coffee servers over 2 liters.
- Sec. 108459. Vacuum glass lined steel coffee servers over 2 liters with lever dispensing.

Subtitle B—Existing Duty Suspensions and Reductions

- Sec. 108460. Extension of certain existing duty suspensions and reductions and other modifications.

Subtitle C—Effective Date and Technical Corrections Authority

- Sec. 108461. Effective date.
- Sec. 108462. Authority to make technical and conforming changes.

DIVISION L—COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

- Sec. 110001. Recompete pilot program.
- Sec. 110002. Centers of excellence for domestic maritime workforce training and education.
- Sec. 110003. Freight Rail Innovation Institute.

Sec. 110004. Economic adjustment assistance for energy and industrial transition communities.

DIVISION M—SENSE OF CONGRESS REGARDING NEGATIVE PERCEPTION OF PERSONS OF ASIAN ANCESTRY AND FEDERAL LAW ENFORCEMENT

Sec. 120001. Sense of Congress regarding negative perception of persons of Asian ancestry and Federal law enforcement.

DIVISION N—PROHIBITING USE OF FUNDS FOR PUBLICITY OR PROPAGANDA

Sec. 130001. Prohibiting Use of Funds for Publicity or Propaganda.

DIVISION O—NATIONAL SECURITY RESTRICTIONS ON USE OF CERTAIN FUNDS

Sec. 140001. Prohibition on use of funds to obtain communications equipment or services posing national security risk.

DIVISION P—AGRICULTURE FOREIGN INVESTMENT DISCLOSURE REFORM

- Sec. 150001. Short title.
- Sec. 150002. Annual reports.
- Sec. 150003. Reports to Congress.
- Sec. 150004. Civil penalty for failure to report or misreporting.

DIVISION Q—EMERGING TECHNOLOGY LEADS

Sec. 160001. Emerging technology leads.

DIVISION R—COMMITTEE ON SMALL BUSINESS

Sec. 170001. Child care resource guide.

DIVISION S—OCEAN SHIPPING REFORM

- Sec. 180001. Purposes.
- Sec. 180002. Service contracts.
- Sec. 180003. Shipping exchange registry.
- Sec. 180004. Data collection.
- Sec. 180005. National shipper advisory committee.
- Sec. 180006. Annual report and public disclosures.
- Sec. 180007. General prohibitions.
- Sec. 180008. Prohibition on unreasonably declining cargo.
- Sec. 180009. Detention and demurrage.
- Sec. 180010. Assessment of penalties.
- Sec. 180011. Investigations.
- Sec. 180012. Injunctive relief.
- Sec. 180013. Technical amendments.
- Sec. 180014. Authorization of appropriations.
- Sec. 180015. NAS study on supply chain industry.
- Sec. 180016. Temporary emergency authority.

1 **SEC. 3. PROHIBITING DISCRIMINATION AGAINST PEOPLE**
2 **OF ASIAN DESCENT.**

3 The President shall ensure that the provisions of this
4 Act which are aimed at countering the influence of the
5 Chinese Communist Party are implemented in a manner
6 that does not result in discrimination against people of
7 Asian descent on the basis of race, color, ethnicity, or na-
8 tionality.

9 **DIVISION A—CREATING HELPFUL INCENTIVES TO**
10 **PRODUCE SEMICONDUCTORS (CHIPS) FOR AMERICA FUND**

13 **SEC. 10001. CREATING HELPFUL INCENTIVES TO PRODUCE**
14 **SEMICONDUCTORS (CHIPS) FOR AMERICA**
15 **FUND.**

16 (a) CHIPS FOR AMERICA FUND.—

17 (1) ESTABLISHMENT.—There is established in
18 the Treasury of the United States a fund to be
19 known as the “Creating Helpful Incentives to
20 Produce Semiconductors (CHIPS) for America
21 Fund” (referred to in this subsection as the
22 “Fund”) for the Secretary of Commerce to carry out
23 sections 9902 and 9906 of the William M. (Mac)
24 Thornberry National Defense Authorization Act for
25 Fiscal Year 2021 (Public Law 116–283). Amounts
26 in the Fund to carry out section 9906 of Public Law

1 116–283 shall be transferred to and merged with ac-
2 counts within the Department of Commerce to be
3 used for such purposes.

4 (2) APPROPRIATION.—

5 (A) In addition to amounts otherwise avail-
6 able for such purposes, there is appropriated to
7 the Fund established in subsection (a)(1), out
8 of amounts in the Treasury not otherwise ap-
9 propriated—

10 (i) for fiscal year 2022,
11 \$24,000,000,000, to remain available until
12 expended, of which \$19,000,000,000 shall
13 be for section 9902 of Public Law 116–
14 283, \$2,000,000,000 shall be for sub-
15 section (c) of section 9906 of Public Law
16 116–283, \$2,500,000,000 shall be for sub-
17 section (d) of section 9906 of Public Law
18 116–283, and \$500,000,000 shall be for
19 subsections (e) and (f) of section 9906 of
20 Public Law 116–283;

21 (ii) for fiscal year 2023,
22 \$7,000,000,000 to remain available until
23 expended, of which \$5,000,000,000 shall
24 be for section 9902 of Public Law 116–
25 283 and \$2,000,000,000 shall be for sub-

1 sections (c), (d), (e), and (f) of section
2 9906 of Public Law 116–283;

3 (iii) for fiscal year 2024,
4 \$6,300,000,000, to remain available until
5 expended, of which \$5,000,000,000 shall
6 be for section 9902 of Public Law 116–
7 283 and \$1,300,000,000 shall be for sub-
8 sections (c), (d), (e), and (f) of section
9 9906 of Public Law 116–283;

10 (iv) for fiscal year 2025,
11 \$6,100,000,000, to remain available until
12 expended, of which \$5,000,000,000 shall
13 be for section 9902 of Public Law 116–
14 283 and \$1,100,000,000 shall be for sub-
15 sections (c), (d), (e), and (f) of section
16 9906 of Public Law 116–283; and

17 (v) for fiscal year 2026,
18 \$6,800,000,000, to remain available until
19 expended, of which \$5,000,000,000 shall
20 be for section 9902 of Public Law 116–
21 283 and \$1,800,000,000 shall be for sub-
22 sections (c), (d), (e), and (f) of section
23 9906 of Public Law 116–283.

24 (B) The Secretary of Commerce may
25 use—

1 (i) up to \$6,000,000,000 of the
2 amounts made available for fiscal year
3 2022 for section 9902 of Public Law 116–
4 283 for the cost of direct loans and loan
5 guarantees, as authorized by section 9902
6 of Public Law 116–283, provided that—

7 (I) such costs, including the cost
8 of modifying such loans and loan
9 guarantees shall be as defined in sec-
10 tion 502 of the Congressional Budget
11 Act of 1974; and

12 (II) these funds are available to
13 subsidize gross obligations for the
14 principal amount of direct loans and
15 total loan principal, any part of which
16 is to be guaranteed, not to exceed
17 \$75,000,000,000; and

18 (ii) up to 2 percent of the amounts
19 made available in each fiscal year for sala-
20 ries and expenses, administration, and
21 oversight purposes to carry out sections
22 9902, 9904 and 9906 of Public Law 116–
23 283, of which \$5,000,000 in each of fiscal
24 years 2022 through 2026 shall be trans-
25 ferred to the Office of Inspector General of

1 the Department of Commerce to oversee
2 expenditures from the Fund. The require-
3 ment to transfer and merge funds for car-
4 rying out section 9906 of Public Law 116-
5 283 shall not apply to amounts used pur-
6 suant to this provision.

7 (3) ASSISTANCE FOR MATURE TECHNOLOGY
8 NODES.—

9 (A) Of the amount available in fiscal year
10 2022 to implement section 9902 of Public Law
11 116-283, \$2,000,000,000 shall be to provide
12 Federal financial assistance to covered entities
13 to incentivize investment in facilities and equip-
14 ment in the United States for the fabrication,
15 assembly, testing, or advanced packaging of
16 semiconductors at mature technology nodes.

17 (B) In addition to the procedures, eligi-
18 bility, and considerations for review specified in
19 subsection 9902(a)(2) of Public Law 116-283,
20 in order for an entity to qualify to receive Fed-
21 eral financial assistance under this paragraph,
22 the covered entity shall—

23 (i)(I) provide equipment or materials
24 for the fabrication, assembly, testing, or
25 advanced packaging of semiconductors at

1 mature technology nodes in the United
2 States; or

3 (II) fabricate, assemble using ad-
4 vanced packaging, or test semiconductors
5 at mature technology nodes in the United
6 States; and

7 (ii) commit to using any Federal fi-
8 nancial assistance received under this sec-
9 tion to increase the production of semi-
10 conductors at mature technology nodes.

11 (C) In addition to the considerations de-
12 scribed in subsection 9902(a)(2)(C) of Public
13 Law 116–283, in granting Federal financial as-
14 sistance under this paragraph, the Secretary
15 may consider whether a covered entity produces
16 or supplies equipment or materials used in the
17 fabrication, assembly, testing, or advanced
18 packaging of semiconductors at mature tech-
19 nology nodes that are necessary to support a
20 critical manufacturing industry.

21 (D) In awarding Federal financial assist-
22 ance to covered entities under this paragraph,
23 the Secretary shall give priority to covered enti-
24 ties that support the resiliency of semiconductor

1 supply chains for critical manufacturing indus-
2 tries in the United States.

3 (E) In this paragraph, the term “critical
4 manufacturing industry”—

5 (i) means an industry that is assigned
6 a North American Industry Classification
7 System code beginning with 31, 32, or 33,
8 and for which the industry components
9 that are assigned a North American Indus-
10 try Classification System code beginning
11 with the same 4 digits as the industry—

12 (I) manufacture primary prod-
13 ucts and parts, the sum of which ac-
14 count for not less than 5 percent of
15 the manufacturing value added by in-
16 dustry gross domestic product of the
17 United States; and

18 (II) employ individuals for pri-
19 mary products and parts manufac-
20 turing activities that, combined, ac-
21 count for not less than 5 percent of
22 manufacturing employment in the
23 United States; and

24 (ii) may include any other manufac-
25 turing industry designated by the Sec-

1 retary based on the relevance of the manu-
2 facturing industry to the national and eco-
3 nomic security of the United States, in-
4 cluding the impacts of job losses.

5 (F) In this paragraph, the term “mature
6 technology node” has the meaning given the
7 term by the Secretary of Commerce.

8 (4) ALLOCATION AUTHORITY.—

9 (A) SUBMISSION OF COST ESTIMATES.—

10 The President shall submit to Congress detailed
11 account, program, and project allocations of the
12 full amount made available under subsection
13 (a)(2)—

14 (i) for fiscal years 2022 and 2023, not
15 later than 90 days after the date of enact-
16 ment of this Act; and

17 (ii) for each subsequent fiscal year
18 through 2026, as part of the annual budg-
19 et submission of the President under sec-
20 tion 1105(a) of title 31, United States
21 Code.

22 (B) ALTERNATE ALLOCATION.—

23 (i) IN GENERAL.—The Committees on
24 Appropriations of the House of Represent-
25 atives and the Senate may provide for al-

1 ternate allocation of amounts made avail-
2 able under subsection (a)(2), including by
3 account, program, and project.

4 (ii) ALLOCATION BY PRESIDENT.—

5 (I) NO ALTERNATE ALLOCA-
6 TIONS.—If Congress has not enacted
7 legislation establishing alternate allo-
8 cations, including by account, pro-
9 gram, and project, by the date on
10 which the Act making full-year appro-
11 priations for the Department of Com-
12 merce, Justice, Science, and Related
13 Agencies for the applicable fiscal year
14 is enacted into law, only then shall
15 amounts made available under sub-
16 section (a)(2) be allocated by the
17 President or apportioned or allotted
18 by account, program, and project pur-
19 suant to title 31, United States Code.

20 (II) INSUFFICIENT ALTERNATE
21 ALLOCATION.—If Congress enacts leg-
22 islation establishing alternate alloca-
23 tions, including by account, program,
24 and project, for amounts made avail-
25 able under subsection (a)(2) that are

1 less than the full amount appropriated
2 under that subsection, the difference
3 between the amount appropriated and
4 the alternate allocation shall be allo-
5 cated by the President and appor-
6 tioned and allotted by account, pro-
7 gram, and project pursuant to title
8 31, United States Code.

9 (b) CHIPS FOR AMERICA DEFENSE FUND.—

10 (1) ESTABLISHMENT.—There is established in
11 the Treasury of the United States a fund to be
12 known as the “Creating Helpful Incentives to
13 Produce Semiconductors (CHIPS) for America De-
14 fense Fund” (referred to in this subsection as the
15 “Fund”) to provide for research, development, test
16 and evaluation, workforce development, and other re-
17 quirements that are unique to the Department of
18 Defense and the intelligence community, including
19 those requirements that are necessary to carry out
20 section 9903(b) of the William M. (Mac) Thornberry
21 National Defense Authorization Act for Fiscal Year
22 2021 (Public Law 116–283). Amounts in the Fund
23 shall be transferred to and merged with accounts
24 within the Department of Defense to be used for
25 such purposes. Amounts in the Fund or transferred

1 to and merged with accounts within the Department
2 of Defense may not be used for construction of fa-
3 cilities.

4 (2) APPROPRIATION.—In addition to amounts
5 otherwise available for such purposes, there is appro-
6 priated to the Fund established in subsection (b)(1),
7 out of amounts in the Treasury not otherwise appro-
8 priated—

9 (A) for fiscal year 2022, \$400,000,000, to
10 remain available until September 30, 2022;

11 (B) for fiscal year 2023, \$400,000,000, to
12 remain available until September 30, 2023;

13 (C) for fiscal year 2024, \$400,000,000, to
14 remain available until September 30, 2024;

15 (D) for fiscal year 2025, \$400,000,000, to
16 remain available until September 30, 2025; and

17 (E) for fiscal year 2026, \$400,000,000, to
18 remain available until September 30, 2026.

19 (3) ALLOCATION AUTHORITY.—

20 (A) SUBMISSION OF COST ESTIMATES.—
21 The President shall submit to Congress detailed
22 account, program element, and project alloca-
23 tions of the full amount made available under
24 subsection (b)(2)—

1 (i) for fiscal years 2022 and 2023, not
2 later than 90 days after the date of enact-
3 ment of this Act; and

4 (ii) for each subsequent fiscal year
5 through 2026, as part of the annual budg-
6 et submission of the President under sec-
7 tion 1105(a) of title 31, United States
8 Code.

9 (B) ALTERNATE ALLOCATION.—

10 (i) IN GENERAL.—The Committees on
11 Appropriations of the House of Represent-
12 atives and the Senate may provide for al-
13 ternate allocation of amounts made avail-
14 able under subsection (b)(2), including by
15 account, program element, and project.

16 (ii) ALLOCATION BY PRESIDENT.—

17 (I) NO ALTERNATE ALLOCA-
18 TIONS.—If Congress has not enacted
19 legislation establishing alternate allo-
20 cations, including by account, pro-
21 gram element, and project, by the
22 date on which the Act making full-
23 year appropriations for the Depart-
24 ment of Defense for the applicable fis-
25 cal year is enacted into law, only then

1 shall amounts made available under
2 subsection (b)(2) be allocated by the
3 President or apportioned or allotted
4 by account, program element, and
5 project pursuant to title 31, United
6 States Code.

7 (II) INSUFFICIENT ALTERNATE
8 ALLOCATION.—If Congress enacts leg-
9 islation establishing alternate alloca-
10 tions, including by account, program
11 element, and project, for amounts
12 made available under subsection
13 (b)(2) that are less than the full
14 amount appropriated under that sub-
15 section, the difference between the
16 amount appropriated and the alter-
17 nate allocation shall be allocated by
18 the President and apportioned and al-
19 lotted by account, program element,
20 and project pursuant to title 31,
21 United States Code.

22 (c) CHIPS FOR AMERICA INTERNATIONAL TECH-
23 NOLOGY SECURITY AND INNOVATION FUND.—

24 (1) ESTABLISHMENT.—There is established in
25 the Treasury of the United States a fund to be

1 known as the “Creating Helpful Incentives to
2 Produce Semiconductors (CHIPS) for America
3 International Technology Security and Innovation
4 Fund” (referred to in this subsection as the
5 “Fund”) to provide for international information
6 and communications technology security and semi-
7 conductor supply chain activities, including to sup-
8 port the development and adoption of secure and
9 trusted telecommunications technologies, secure
10 semiconductors, secure semiconductors supply
11 chains, and other emerging technologies and to carry
12 out sections 9905 and 9202(a)(2) of the William M.
13 (Mac) Thornberry National Defense Authorization
14 Act for Fiscal Year 2021 (Public Law 116–283), as
15 appropriate. Amounts in the Fund shall be trans-
16 ferred by the Secretary of State to accounts within
17 the Department of State, the United States Agency
18 for International Development, the Export-Import
19 Bank, and the United States International Develop-
20 ment Finance Corporation, as appropriate, to be
21 used for such purposes and under the terms and
22 conditions of the account to which transferred.

23 (2) APPROPRIATION.—

24 (A) In addition to amounts otherwise avail-
25 able for such purposes, there is appropriated to

1 the Fund established in subsection (c)(1), out
2 of amounts in the Treasury not otherwise ap-
3 propriated—

4 (i) for fiscal year 2022, \$100,000,000,
5 to remain available until September 30,
6 2026;

7 (ii) for fiscal year 2023,
8 \$100,000,000, to remain available until
9 September 30, 2027;

10 (iii) for fiscal year 2024,
11 \$100,000,000, to remain available until
12 September 30, 2028;

13 (iv) for fiscal year 2025,
14 \$100,000,000, to remain available until
15 September 30, 2029; and

16 (v) for fiscal year 2026,
17 \$100,000,000, to remain available until
18 September 30, 2030.

19 (B) In carrying out this subsection, the
20 Secretary of State may use up to \$5,000,000 of
21 the amounts made available in each fiscal year
22 for the Fund for salaries and expenses, admin-
23 istration, and oversight purposes, of which
24 \$500,000 in each of fiscal years 2022 through
25 2026 shall be transferred to the Office of In-

1 spectator General of the Department of State to
2 oversee expenditures under the Fund.

3 (3) ALLOCATION AUTHORITY.—

4 (A) SUBMISSION OF COST ESTIMATES.—

5 The President shall submit to Congress detailed
6 account, program, project, and activity alloca-
7 tions of the full amount made available under
8 subsection (c)(2)—

9 (i) for fiscal years 2022 and 2023, not
10 later than 90 days after the date of enact-
11 ment of this Act; and

12 (ii) for each subsequent fiscal year
13 through 2026, as part of the annual budg-
14 et submission of the President under sec-
15 tion 1105(a) of title 31, United States
16 Code.

17 (B) ALTERNATE ALLOCATION.—

18 (i) IN GENERAL.—The Committees on
19 Appropriations of the House of Represent-
20 atives and the Senate may provide for al-
21 ternate allocation of amounts made avail-
22 able under subsection (c)(2), including by
23 account, program, project, and activity.

24 (ii) ALLOCATION BY PRESIDENT.—

1 (I) NO ALTERNATE ALLOCA-
2 TIONS.—If Congress has not enacted
3 legislation establishing alternate allo-
4 cations, including by account, pro-
5 gram, project, and activity, by the
6 date on which the Act making full-
7 year appropriations for the Depart-
8 ment of State, Foreign Operations,
9 and Related Programs for the applica-
10 ble fiscal year is enacted into law,
11 only then shall amounts made avail-
12 able under subsection (c)(2) be allo-
13 cated by the President or apportioned
14 or allotted by account, program,
15 project, and activity pursuant to title
16 31, United States Code.

17 (II) INSUFFICIENT ALTERNATE
18 ALLOCATION.—If Congress enacts leg-
19 islation establishing alternate alloca-
20 tions, including by account, program,
21 project, and activity, for amounts
22 made available under subsection
23 (c)(2) that are less than the full
24 amount appropriated under that sub-
25 section, the difference between the

1 amount appropriated and the alter-
2 nate allocation shall be allocated by
3 the President and apportioned and al-
4 lotted by account, program, project,
5 and activity pursuant to title 31,
6 United States Code.

7 (d) SEQUESTRATION.—Section 255(g)(1)(A) of the
8 Balanced Budget and Emergency Deficit Control Act of
9 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting
10 after “Continuing Fund, Southwestern Power Administra-
11 tion (89–5649–0–2–271).” the following:

12 “Creating Helpful Incentives to Produce
13 Semiconductors (CHIPS) for America Fund.

14 “Creating Helpful Incentives to Produce
15 Semiconductors (CHIPS) for America Defense
16 Fund.

17 “Creating Helpful Incentives to Produce
18 Semiconductors (CHIPS) for America Inter-
19 national Technology Security and Innovation
20 Fund.”.

21 (e) STATUTORY PAYGO SCORECARDS.—The budg-
22 etary effects of this section shall not be entered on either
23 PAYGO scorecard maintained pursuant to section 4(d) of
24 the Statutory Pay-As-You-Go Act of 2010.

1 (f) LIMITATION ON USING AMOUNTS FOR STOCK
2 BUYBACKS OR THE PAYMENT OF DIVIDENDS.—

3 (1) IN GENERAL.—A person receiving amounts
4 appropriated under this section or from a covered
5 fund may not use such amounts—

6 (A) to purchase an equity security that is
7 listed on a national securities exchange of such
8 person or any parent company of such person;
9 or

10 (B) to pay dividends or make other capital
11 distributions with respect to the common stock
12 (or equivalent interest) of the person.

13 (2) COVERED FUND.—In this subsection, the
14 term “covered fund” means—

15 (A) the Creating Helpful Incentives to
16 Produce Semiconductors (CHIPS) for America
17 Fund;

18 (B) the Creating Helpful Incentives to
19 Produce Semiconductors (CHIPS) for America
20 Defense Fund; and

21 (C) the Creating Helpful Incentives to
22 Produce Semiconductors (CHIPS) for America
23 International Technology Security and Innova-
24 tion Fund.

1 **SEC. 10002. SEMICONDUCTOR INCENTIVES.**

2 (a) DEFINITIONS.—Section 9901 of the William M.
3 (Mac) Thornberry National Defense Authorization Act for
4 Fiscal Year 2021 (Public Law 116–283) is amended—

5 (1) in paragraph (2)—

6 (A) by inserting “production,” before “or
7 research and development”; and

8 (B) by striking “of semiconductors.” and
9 inserting “of semiconductors, materials used to
10 manufacture semiconductors, or semiconductor
11 manufacturing equipment.”;

12 (2) by redesignating paragraphs (4), (5), (6),
13 (7), (8), and (9) as paragraphs (5), (6), (7), (8),
14 (10), and (11), respectively;

15 (3) by inserting after paragraph (3) the fol-
16 lowing:

17 “(4) The term ‘critical manufacturing indus-
18 try’—

19 “(A) means an industry—

20 “(i) that is assigned a North Amer-
21 ican Industry Classification System code
22 beginning with 31, 32, or 33; and

23 “(ii) for which the industry compo-
24 nents that are assigned a North American
25 Industry Classification System code begin-

1 ning with the same 4 digits as the indus-
2 try—

3 “(I) manufacture primary prod-
4 ucts and parts, the sum of which ac-
5 count for not less than 5 percent of
6 the manufacturing value added by in-
7 dustry gross domestic product of the
8 United States; and

9 “(II) employ individuals for pri-
10 mary products and parts manufac-
11 turing activities that, combined, ac-
12 count for not less than 5 percent of
13 manufacturing employment in the
14 United States; and

15 “(B) may include any other manufacturing
16 industry designated by the Secretary based on
17 the relevance of the manufacturing industry to
18 the national and economic security of the
19 United States, including the impacts of job
20 losses.”; and

21 (4) by inserting after paragraph (8), as so re-
22 designated, the following:

23 “(9) The term ‘mature technology node’ has the
24 meaning given the term by the Secretary.”.

1 (b) SEMICONDUCTOR PROGRAM.—Section 9902 of
2 the William M. (Mac) Thornberry National Defense Au-
3 thorization Act for Fiscal Year 2021 (Public Law 116–
4 283) is amended—

5 (1) in subsection (a)(1)—

6 (A) by striking “for semiconductor fabrica-
7 tion” and inserting “for the fabrication”;

8 (B) by inserting “production,” before “or
9 research and development”; and

10 (C) by striking the period at the end and
11 inserting “of semiconductors, materials used to
12 manufacture semiconductors, or semiconductor
13 manufacturing equipment.”; and

14 (2) in subsection (a)(2)—

15 (A) in subparagraph (B)(ii)—

16 (i) in subclause (III), by striking
17 “and” at the end;

18 (ii) in subclause (IV), by striking the
19 period at the end and inserting “and”; and

20 (iii) by adding at the end the fol-
21 lowing:

22 “(V) determined—

23 “(aa) the type of semicon-
24 ductor technology the covered en-

1 tity will produce at the facility
2 described in clause (i); and

3 “(bb) the customers to
4 which the covered entity plans to
5 sell the semiconductor technology
6 described in item (aa).”;

7 (B) in subparagraph (C)—

8 (i) in clause (i)—

9 (I) in subclause (II), by striking
10 “is in the interest of the United
11 States” and inserting “is in the eco-
12 nomic and national security interests
13 of the United States”; and

14 (II) in subclause (III), by strik-
15 ing “and” at the end;

16 (ii) in clause (ii)(IV), by striking
17 “and” at the end;

18 (iii) by redesignating clause (iii) as
19 clause (iv); and

20 (iv) by inserting after clause (ii) the
21 following:

22 “(iii) the Secretary shall consider the
23 type of semiconductor technology produced
24 by the covered entity and whether that
25 semiconductor technology advances the

1 economic and national security interests of
2 the United States; and”;

3 (C) by redesignating subparagraph (D) as
4 subparagraph (E) and by inserting at the end
5 of such subparagraph the following: “Any appli-
6 cant with more than 100 employees shall pro-
7 vide data to the Secretary on the racial diver-
8 sity of their workforce.”; and

9 (D) by inserting after subparagraph (C)
10 the following:

11 “(D) PRIORITY.—In awarding Federal fi-
12 nancial assistance to covered entities under sub-
13 section (a), the Secretary shall give priority to
14 ensuring that a covered entity receiving finan-
15 cial assistance will—

16 “(i) manufacture semiconductors nec-
17 essary to address gaps and vulnerabilities
18 in the domestic supply chain across a di-
19 verse range of technology and process
20 nodes; and

21 “(ii) provide a secure supply of semi-
22 conductors necessary for the national secu-
23 rity, manufacturing, critical infrastructure,
24 and technology leadership of the United

1 States and other essential elements of the
2 economy of the United States.”;

3 (3) in paragraph (4)(A), by striking “used for
4 semiconductors” and inserting “used for the pur-
5 poses”;

6 (4) in subsection (c)(1)(B)—

7 (A) in clause (i), by striking “; and” and
8 inserting a semicolon; and

9 (B) by adding at the end the following:

10 “(iii) the Federal Government could
11 take specific actions to address shortages
12 in the semiconductor supply chain, includ-
13 ing—

14 “(I) demand-side incentives, in-
15 cluding incentives related to the infor-
16 mation and communications tech-
17 nology supply chain; and

18 “(II) additional incentives, at na-
19 tional and global scales, to accelerate
20 utilization of leading-edge semicon-
21 ductor nodes to address shortages in
22 mature semiconductor nodes; and”;

23 (5) in subsection (c)(1)(C)(iii), by striking “in-
24 cluding efforts to hire individuals from disadvan-
25 taged populations; and” and inserting “including—

1 “(I) efforts to hire individuals
2 from disadvantaged populations; and

3 “(II) the aggregated racial diver-
4 sity of workforce data for applicants
5 who received awards made under the
6 program and separately for applicants
7 who unsuccessfully applied for such
8 an award; and”;

9 (6) by adding at the end the following:

10 “(d) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that, in carrying out subsection (a), the Secretary
12 should allocate funds in a manner that—

13 “(1) strengthens the security and resilience of
14 the semiconductor supply chain, including by miti-
15 gating gaps and vulnerabilities;

16 “(2) provides a supply of secure semiconductors
17 relevant for national security;

18 “(3) strengthens the leadership of the United
19 States in semiconductor technology;

20 “(4) grows the economy of the United States
21 and supports job creation in the United States;

22 “(5) in consultation with the Director of the
23 Minority Business Development Agency, adequately
24 addresses the inclusion of economically disadvan-

1 tagged individuals and similarly-situated small busi-
2 nesses; and

3 “(6) improves the resiliency of the semicon-
4 ductor supply chains of critical manufacturing in-
5 dustries.

6 “(e) ADDITIONAL ASSISTANCE FOR MATURE TECH-
7 NOLOGY NODES.—

8 “(1) IN GENERAL.—The Secretary shall estab-
9 lish within the program established under subsection
10 (a) an additional program that provides Federal fi-
11 nancial assistance to covered entities to incentivize
12 investment in facilities and equipment in the United
13 States for the fabrication, assembly, testing, or ad-
14 vanced packaging of semiconductors at mature tech-
15 nology nodes.

16 “(2) ELIGIBILITY AND REQUIREMENTS.—In
17 order for an entity to qualify to receive Federal fi-
18 nancial assistance under this subsection, the covered
19 entity shall—

20 “(A) submit an application under sub-
21 section (a)(2)(A);

22 “(B) meet the eligibility requirements
23 under subsection (a)(2)(B);

24 “(C)(i) provide equipment or materials for
25 the fabrication, assembly, testing, or advanced

1 packaging of semiconductors at mature tech-
2 nology nodes in the United States; or

3 “(ii) fabricate, assemble using advanced
4 packaging, or test semiconductors at mature
5 technology nodes in the United States;

6 “(D) commit to using any Federal finan-
7 cial assistance received under this section to in-
8 crease the production of semiconductors at ma-
9 ture technology nodes; and

10 “(E) be subject to the considerations de-
11 scribed in subsection (a)(2)(C).

12 “(3) PROCEDURES.—In granting Federal finan-
13 cial assistance to covered entities under this sub-
14 section, the Secretary may use the procedures estab-
15 lished under subsection (a).

16 “(4) CONSIDERATIONS.—In addition to the con-
17 siderations described in subsection (a)(2)(C), in
18 granting Federal financial assistance under this sub-
19 section, the Secretary may consider whether a cov-
20 ered entity produces or supplies equipment or mate-
21 rials used in the fabrication, assembly, testing, or
22 advanced packaging of semiconductors at mature
23 technology nodes that are necessary to support a
24 critical manufacturing industry.

1 “(5) PRIORITY.—In awarding Federal financial
2 assistance to covered entities under this subsection,
3 the Secretary shall give priority to covered entities
4 that support the resiliency of semiconductor supply
5 chains for critical manufacturing industries in the
6 United States.

7 “(6) AUTHORIZATION OF APPROPRIATIONS.—
8 There are authorized to be appropriated to the Sec-
9 retary to carry out this subsection \$2,000,000,000,
10 which shall remain available until expended.

11 “(f) CONSTRUCTION PROJECTS.—Section 602 of the
12 Public Works and Economic Development Act of 1965 (42
13 U.S.C. 3212) shall apply to a construction project that
14 receives financial assistance from the Secretary under this
15 section.”.

16 (c) ADVANCED MICROELECTRONICS RESEARCH AND
17 DEVELOPMENT.—Section 9906 of the William M. (Mac)
18 Thornberry National Defense Authorization Act for Fiscal
19 Year 2021 (Public Law 116–283) is amended—

20 (1) in subsection (a)(3)(A)(ii)(II), by inserting
21 “, including for technologies based on organic and
22 inorganic materials” before the semicolon at the end;
23 and

24 (2) by adding at the end the following:

1 “(h) INFRASTRUCTURE GRANTS.—Section 602 of the
2 Public Works and Economic Development Act of 1965 (42
3 U.S.C. 3212) shall apply to a construction project that
4 receives financial assistance from the Secretary under this
5 section.”.

6 (d) LOAN GUARANTEE AUTHORITIES.—Section 9902
7 of the William M. (Mac) Thornberry National Defense Au-
8 thorization Act for Fiscal Year 2021 (Public Law 116–
9 283) is amended by adding at the end the following:

10 “(d) LOANS AND LOAN GUARANTEES.—Subject to
11 the requirements of subsection (a) of this section, the Sec-
12 retary of Commerce is authorized to make or guarantee
13 loans to covered entities as financial assistance under this
14 section. Loans made or guaranteed under this section will
15 be on such terms and conditions as the Secretary may pre-
16 scribe.”.

17 (e) ADMINISTRATIVE CHANGES.—Section 9906 of the
18 William M. (Mac) Thornberry National Defense Author-
19 ization Act for Fiscal Year 2021 (Public Law 116–283)
20 is amended—

21 (1) in subsection (c)(1) by adding at the end
22 the following: “The Secretary may make financial
23 assistance awards in support of the center.”;

24 (2) in subsection (c)(2)(B) by inserting “and
25 capitalize” before “an investment fund”;

1 (3) in subsection (d) by—

2 (A) striking “the Manufacturing USA in-
3 stitute” and inserting “a Manufacturing USA
4 institute”; and

5 (B) adding to the end the following: “The
6 Director may make financial assistance awards
7 in support of the Program.”; and

8 (4) in subsection (f) by—

9 (A) striking “a Manufacturing USA Insti-
10 tute” and inserting “one or more Manufac-
11 turing USA Institutes”;

12 (B) striking “is focused on semiconductor
13 manufacturing” and inserting “are focused on
14 semiconductor manufacturing”;

15 (C) inserting “The Secretary may also pro-
16 vide financial assistance to any Manufacturing
17 USA institute for work related to semicon-
18 ductor manufacturing.” after “focused on semi-
19 conductor manufacturing.”; and

20 (D) striking “Such institute may empha-
21 size” and inserting “Such institutes may em-
22 phasize”.

23 (f) ADDITIONAL AUTHORITIES.—The William M.
24 (Mac) Thornberry National Defense Authorization Act for

1 Fiscal Year 2021 (Public Law 116–283) is amended by
2 adding at the end the following:

3 **“SEC. 9909. ADDITIONAL AUTHORITIES.**

4 “In carrying out the responsibilities of the Depart-
5 ment of Commerce under this Act, the Secretary of Com-
6 merce may—

7 “(1) enter into agreements, including contracts,
8 grants and cooperative agreements, and other trans-
9 actions as may be necessary and on such terms as
10 the Secretary considers appropriate;

11 “(2) make advance payments under agreements
12 and other transactions authorized by paragraph (1)
13 without regard to section 3324 of title 31, United
14 States Code;

15 “(3) include a clause that requires a person or
16 other entity to make payments to the Department of
17 Commerce as a condition for receiving support
18 through an award of assistance or other transaction,
19 and any funds received shall be credited to and
20 merged with the account from which such support
21 was made;

22 “(4) procure temporary and intermittent serv-
23 ices of experts and consultants in accordance with
24 section 3109 of title 5, United States Code;

1 “(5) notwithstanding section 3104 of title 5,
2 United States Code, or the provisions of any other
3 law relating to the appointment, number, classifica-
4 tion, or compensation of employees, make appoint-
5 ments of scientific, engineering, and professional
6 personnel, and fix the basic pay of such personnel at
7 a rate to be determined by the Secretary at rates not
8 in excess of the highest total annual compensation
9 payable at the rate determined under section 104 of
10 title 3, United States Code, except that the Sec-
11 retary shall appoint not more than 25 personnel
12 under this paragraph; and

13 “(6) with the consent of another Federal agen-
14 cy, enter into an agreement with that Federal agen-
15 cy to utilize, with or without reimbursement, any
16 service, equipment, personnel, or facility of that Fed-
17 eral agency.”.

18 (g) CONFORMING AMENDMENT.—The analysis for
19 the William M. (Mac) Thornberry National Defense Au-
20 thorization Act for Fiscal Year 2021 (Public Law 116–
21 283) is amended by adding after the item relating to sec-
22 tion 9908 the following:

 “9909. Additional authorities.”.

23 **SEC. 10003. OFFICE OF OPPORTUNITY AND INCLUSION.**

24 (a) ESTABLISHMENT.—Not later than 6 months after
25 the date of the enactment of this Act, the Secretary of

1 Commerce shall establish an Office of Opportunity and In-
2 clusion in the Department of Commerce, within the pro-
3 gram established under section 9902 of the William M.
4 (Mac) Thornberry National Defense Authorization Act for
5 Fiscal Year 2021 (Public Law 116–283), that shall be re-
6 sponsible for carrying out this section using existing ap-
7 propriated funds.

8 (b) DIRECTOR.—

9 (1) IN GENERAL.—The Director shall be ap-
10 pointed by, and shall report to, the Secretary or the
11 designee of the Secretary. The position of Director
12 shall be a career reserved position in the Senior Ex-
13 ecutive Service, as that position is defined in section
14 3132 of title 5, United State Code, or an equivalent
15 designation.

16 (2) DUTIES.—The Director shall assist the Sec-
17 retary by developing standards for—

18 (A) assessing the eligibility of a covered
19 entity for financial assistance for a project as it
20 relates to section 9902(a)(2)(B)(ii)(II) and
21 (III) of the William M. (Mac) Thornberry Na-
22 tional Defense Authorization Act for Fiscal
23 Year 2021 (Public Law 116–283);

24 (B) ensuring a covered entity has carried
25 out the commitments of the covered entity to

1 economically disadvantaged individuals as de-
2 scribed in its application by the target dates for
3 completion set by the Secretary in section
4 9902(a)(5)(A) of such Act; and

5 (C) increased participation of and outreach
6 to economically disadvantaged individuals, mi-
7 nority-owned businesses, veteran-owned busi-
8 nesses and women-owned businesses in the geo-
9 graphic area of a project under such section
10 9902 and serve as a resource for those individ-
11 uals, businesses, and covered entity.

12 (c) STAFF.—The Office of Opportunity and Inclusion
13 shall be staffed at the appropriate levels to carry out the
14 functions and responsibilities of the Office under this sec-
15 tion at least until 12 months after 95 percent of funds
16 have been expended.

17 (d) REPORT.—The Secretary shall submit to Con-
18 gress and make publicly available on its website an annual
19 report regarding the actions taken by the Department of
20 Commerce and the Office under this section.

21 **SEC. 10004. ADDITIONAL GAO REPORTING REQUIREMENT.**

22 Section 9902(c)(1)(C) of William M. (Mac) Thorn-
23 berry National Defense Authorization Act for Fiscal Year
24 2021 (Public Law 116–283) is amended—

1 (1) in clause (iii), by striking “; and” and in-
2 serting a semicolon; and

3 (2) by inserting after clause (iv) the following
4 new clause:

5 “(v) how projects are supporting the
6 semiconductor needs of critical infrastruc-
7 ture industries in the United States, in-
8 cluding those industries designated by the
9 Cybersecurity and Infrastructure Security
10 Agency as essential infrastructure indus-
11 tries; and”.

12 **SEC. 10005. COMPTROLLER GENERAL REPORT.**

13 Not later than September 30, 2023, the Comptroller
14 General of the United States shall submit to Congress a
15 report on the number and amount of awards made pursu-
16 ant to sections 9902 and 9202(a)(1) of the William M.
17 (Mac) Thornberry National Defense Authorization Act for
18 Fiscal Year 2021 (Public Law 116–283), disaggregated
19 by recipients of each such award that are majority owned
20 and controlled by minority individuals and majority owned
21 and controlled by women.

22 **SEC. 10006. MODIFICATION TO CERTAIN GAO REPORTS.**

23 (a) SEMICONDUCTOR INCENTIVES.—Section
24 9902(c)(1) of the William M. (Mac) Thornberry National

1 Defense Authorization Act for Fiscal Year 2021 (Public
2 Law 116–283) is amended—

3 (1) in subparagraph (B)(ii), by striking “and”
4 at the end;

5 (2) by adding at the end the following new sub-
6 paragraph:

7 “(D) the number and amount of contracts
8 and subcontracts awarded by a covered entity
9 using funds made available under subsection (a)
10 disaggregated by recipients of each such con-
11 tract or subcontracts that are majority owned
12 and controlled by minority individuals and ma-
13 jority owned and controlled by women; and”.

14 (b) DEPARTMENT OF DEFENSE.—Section
15 9202(a)(1)(G)(ii)(I) of the William M. (Mac) Thornberry
16 National Defense Authorization Act for Fiscal Year 2021
17 (Public Law 116–283) is amended by inserting “(includ-
18 ing whether recipients are majority owned and controlled
19 by minority individuals and majority owned and controlled
20 by women)” after “to whom”.

21 **SEC. 10007. EXPANDING THE SEMICONDUCTOR INCENTIVE**
22 **PROGRAM TO INCLUDE NONPROFITS.**

23 Section 9901(2) of William M. (Mac) Thornberry Na-
24 tional Defense Authorization Act for Fiscal Year 2021

1 (Public Law 116–283) is amended by inserting “a non-
2 profit entity” before “a private entity”.

3 **DIVISION B—RESEARCH AND**
4 **INNOVATION**
5 **TITLE I—DEPARTMENT OF EN-**
6 **ERGY SCIENCE FOR THE FU-**
7 **TURE**

8 **SEC. 10101. MISSION OF THE OFFICE OF SCIENCE.**

9 Section 209 of the Department of Energy Organiza-
10 tion Act (42 U.S.C. 7139) is amended by adding at the
11 end the following:

12 “(d) **USER FACILITIES.**—The Director shall carry
13 out the construction, operation, and maintenance of user
14 facilities to support the mission described in subsection
15 (c). As practicable, these facilities shall serve the needs
16 of the Department, industry, the academic community,
17 and other relevant entities for the purposes of advancing
18 the missions of the Department, improving the competi-
19 tiveness of the United States, protecting public health and
20 safety, and addressing other national priorities including
21 emergencies.

22 “(e) **COORDINATION.**—

23 “(1) **IN GENERAL.**—The Secretary—

1 “(A) shall ensure the coordination of the
2 Office of Science with the other activities of the
3 Department;

4 “(B) shall support joint activities among
5 the programs of the Department;

6 “(C) shall coordinate with other relevant
7 Federal agencies in supporting advancements in
8 related research areas as appropriate; and

9 “(D) may form partnerships to enhance
10 the utilization of and ensure access to user fa-
11 cilities by other Federal agencies.

12 “(2) OFFICE OF SCIENCE.—The Director—

13 “(A) shall ensure the coordination of pro-
14 grams and activities carried out by the Office of
15 Science; and

16 “(B) shall direct all programs which have
17 not recently completed a future planning road-
18 map consistent with the funding of such pro-
19 grams authorized under the America COM-
20 PETES Act of 2022 to complete such a road-
21 map.”.

22 **SEC. 10102. BASIC ENERGY SCIENCES PROGRAM.**

23 (a) DEPARTMENT OF ENERGY RESEARCH AND INNO-
24 VATION ACT.—Section 303 of the Department of Energy

1 Research and Innovation Act (42 U.S.C. 18641) is amend-
2 ed—

3 (1) by redesignating subsections (a) through (e)
4 as subsections (c) through (g), respectively; and

5 (2) by inserting before subsection (c), as so re-
6 designated, the following:

7 “(a) PROGRAM.—As part of the activities authorized
8 under section 209 of the Department of Energy Organiza-
9 tion Act (42 U.S.C. 7139), the Director shall carry out
10 a research and development program in basic energy
11 sciences, including materials sciences and engineering,
12 chemical sciences, physical biosciences, geosciences, and
13 other disciplines, to understand, model, and control matter
14 and energy at the electronic, atomic, and molecular levels
15 in order to provide the foundations for new energy tech-
16 nologies, address scientific grand challenges, and support
17 the energy, environment, and national security missions
18 of the Department.

19 “(b) SUSTAINABLE CHEMISTRY.—In carrying out
20 chemistry-related research and development activities
21 under this section, the Director shall prioritize research
22 and development of sustainable chemistry to support
23 clean, safe, and economic alternatives and methodologies
24 to traditional chemical products and processes.”;

25 (3) in subsection (d), as so redesignated—

1 (A) in paragraph (3)—

2 (i) subparagraph (C), by striking
3 “and” at the end;

4 (ii) by redesignating subparagraph
5 (D) as subparagraph (E); and

6 (iii) by inserting after subparagraph
7 (C) the following:

8 “(D) autonomous chemistry and materials
9 synthesis and characterization facilities that le-
10 verage advances in artificial intelligence; and”;
11 and

12 (B) by adding at the end the following:

13 “(4) ADVANCED PHOTON SOURCE UPGRADE.—

14 “(A) DEFINITIONS.—In this paragraph:

15 “(i) FLUX.—The term ‘flux’ means
16 the rate of flow of photons.

17 “(ii) HARD X-RAY.—The term ‘hard
18 x-ray’ means a photon with energy greater
19 than 20 kiloelectron volts.

20 “(B) IN GENERAL.—The Secretary shall
21 provide for the upgrade to the Advanced Pho-
22 ton Source described in the publication ap-
23 proved by the Basic Energy Sciences Advisory
24 Committee on June 9, 2016, titled ‘Report on
25 Facility Upgrades’, including the development

1 of a multi-bend achromat lattice to produce a
2 high flux of coherent x-rays within the hard x-
3 ray energy region and a suite of beamlines opti-
4 mized for this source.

5 “(C) START OF OPERATIONS.—The Sec-
6 retary shall, subject to the availability of appro-
7 priations, ensure that the start of full oper-
8 ations of the upgrade under this paragraph oc-
9 curs before March 31, 2026.

10 “(D) FUNDING.—Out of funds authorized
11 to be appropriated under subsection (j), there
12 are authorized to be appropriated to the Sec-
13 retary to carry out the upgrade under this
14 paragraph \$101,000,000 for fiscal year 2022
15 and \$56,000,000 for fiscal year 2023.

16 “(5) SPALLATION NEUTRON SOURCE PROTON
17 POWER UPGRADE.—

18 “(A) IN GENERAL.—The Secretary shall
19 provide for the proton power upgrade to the
20 Spallation Neutron Source.

21 “(B) PROTON POWER UPGRADE DE-
22 FINED.—For the purposes of this paragraph,
23 the term ‘proton power upgrade’ means the
24 Spallation Neutron Source power upgrade de-
25 scribed in—

1 “(i) the publication titled ‘Facilities
2 for the Future of Science: A Twenty-Year
3 Outlook’, published by the Office of
4 Science of the Department of Energy in
5 December, 2003;

6 “(ii) the publication titled ‘Four Years
7 Later: An Interim Report on Facilities for
8 the Future of Science: A Twenty-Year
9 Outlook’, published by the Office of
10 Science of the Department of Energy in
11 August, 2007; and

12 “(iii) the publication approved by the
13 Basic Energy Sciences Advisory Committee
14 on June 9, 2016, titled ‘Report on Facility
15 Upgrades’.

16 “(C) START OF OPERATIONS.—The Sec-
17 retary shall, subject to the availability of appro-
18 priations, ensure that the start of full oper-
19 ations of the upgrade under this paragraph oc-
20 curs before July 30, 2028, with the option for
21 early operation in 2025.

22 “(D) FUNDING.—Out of funds authorized
23 to be appropriated under subsection (j), there
24 are authorized to be appropriated to the Sec-

1 retary to carry out the upgrade under this
2 paragraph \$49,800,000 for fiscal year 2022.

3 “(6) SPALLATION NEUTRON SOURCE SECOND
4 TARGET STATION.—

5 “(A) IN GENERAL.—The Secretary shall
6 provide for a second target station for the
7 Spallation Neutron Source.

8 “(B) SECOND TARGET STATION DE-
9 FINED.—For the purposes of this paragraph,
10 the term ‘second target station’ means the
11 Spallation Neutron Source second target station
12 described in—

13 “(i) the publication titled, ‘Facilities
14 for the Future of Science: A Twenty-Year
15 Outlook’, published by the Office of
16 Science of the Department of Energy in
17 December, 2003;

18 “(ii) the publication titled, ‘Four
19 Years Later: An Interim Report on Facili-
20 ties for the Future of Science: A Twenty-
21 Year Outlook’, published by the Office of
22 Science of the Department of Energy in
23 August, 2007; and

24 “(iii) the publication approved by the
25 Basic Energy Sciences Advisory Committee

1 on June 9, 2016, titled ‘Report on Facility
2 Upgrades’.

3 “(C) START OF OPERATIONS.—The Sec-
4 retary shall, subject to the availability of appro-
5 priations, ensure that the start of full oper-
6 ations of the second target station under this
7 paragraph occurs before December 31, 2033,
8 with the option for early operation in 2029.

9 “(D) FUNDING.—Out of funds authorized
10 to be appropriated under subsection (j), there
11 are authorized to be appropriated to the Sec-
12 retary to carry out the activities under this
13 paragraph, including construction—

14 “(i) \$70,000,000 for fiscal year 2022;

15 “(ii) \$127,000,000 for fiscal year
16 2023;

17 “(iii) \$204,000,000 for fiscal year
18 2024;

19 “(iv) \$279,000,000 for fiscal year
20 2025; and

21 “(v) \$300,000,000 for fiscal year
22 2026.

23 “(7) ADVANCED LIGHT SOURCE UPGRADE.—

24 “(A) DEFINITIONS.—In this paragraph:

1 “(i) FLUX.—The term ‘flux’ means
2 the rate of flow of photons.

3 “(ii) SOFT X-RAY.—The term ‘soft x-
4 ray’ means a photon with energy in the
5 range from 50 to 2,000 electron volts.

6 “(B) IN GENERAL.—The Secretary shall
7 provide for the upgrade to the Advanced Light
8 Source described in the publication approved by
9 the Basic Energy Sciences Advisory Committee
10 on June 9, 2016, titled ‘Report on Facility Up-
11 grades’, including the development of a
12 multibend achromat lattice to produce a high
13 flux of coherent x-rays within the soft x-ray en-
14 ergy region.

15 “(C) START OF OPERATIONS.—The Sec-
16 retary shall, subject to the availability of appro-
17 priations, ensure that the start of full oper-
18 ations of the upgrade under this paragraph oc-
19 curs before September 30, 2029.

20 “(D) FUNDING.—Out of funds authorized
21 to be appropriated under subsection (j), there
22 are authorized to be appropriated to the Sec-
23 retary to carry out the upgrade under this
24 paragraph—

25 “(i) \$75,100,000 for fiscal year 2022;

1 “(ii) \$135,000,000 for fiscal year
2 2023;

3 “(iii) \$102,500,000 for fiscal year
4 2024;

5 “(iv) \$25,000,000 for fiscal year
6 2025; and

7 “(v) \$25,000,000 for fiscal year 2026.

8 “(8) LINAC COHERENT LIGHT SOURCE II HIGH
9 ENERGY UPGRADE.—

10 “(A) DEFINITIONS.—In this paragraph:

11 “(i) HIGH ENERGY X-RAY.—The term
12 ‘high energy x-ray’ means a photon with
13 an energy in the 5 to 13 kiloelectron volt
14 range.

15 “(ii) HIGH REPETITION RATE.—The
16 term ‘high repetition rate’ means the deliv-
17 ery of x-ray pulses up to 1 million pulses
18 per second.

19 “(iii) ULTRA-SHORT PULSE X-RAYS.—
20 The term ‘ultra-short pulse x-rays’ means
21 x-ray bursts capable of durations of less
22 than 100 femtoseconds.

23 “(B) IN GENERAL.—The Secretary shall—

24 “(i) provide for the upgrade to the
25 Linac Coherent Light Source II facility de-

1 scribed in the publication approved by the
2 Basic Energy Sciences Advisory Committee
3 on June 9, 2016, titled ‘Report on Facility
4 Upgrades’, including the development of
5 experimental capabilities for high energy x-
6 rays to reveal fundamental scientific dis-
7 coveries; and

8 “(ii) ensure such upgrade enables the
9 production and use of high energy, ultra-
10 short pulse x-rays delivered at a high rep-
11 etition rate.

12 “(C) START OF OPERATIONS.—The Sec-
13 retary shall, subject to the availability of appro-
14 priations, ensure that the start of full oper-
15 ations of the upgrade under this paragraph oc-
16 curs before December 31, 2026.

17 “(D) FUNDING.—Out of funds authorized
18 to be appropriated under subsection (j), there
19 are authorized to be appropriated to the Sec-
20 retary to carry out the upgrade under this
21 paragraph—

22 “(i) \$106,925,000 for fiscal year
23 2022;

24 “(ii) \$125,925,000 for fiscal year
25 2023;

1 “(iii) \$115,000,000 for fiscal year
2 2024;

3 “(iv) \$89,000,000 for fiscal year
4 2025; and

5 “(v) \$49,344,000 for fiscal year 2026.

6 “(9) CRYOMODULE REPAIR AND MAINTENANCE
7 FACILITY.—

8 “(A) IN GENERAL.—The Secretary shall
9 provide for the construction of a cryomodule re-
10 pair and maintenance facility to service the
11 Linac Coherent Light Source II and upgrades
12 to the facility. The Secretary shall consult with
13 the private sector, universities, National Lab-
14 oratories, and relevant Federal agencies to en-
15 sure that this facility has the capability to
16 maintain, repair, and test superconducting ra-
17 diofrequency accelerator components.

18 “(B) FUNDING.—Out of funds authorized
19 to be appropriated under subsection (j), there
20 are authorized to be appropriated to the Sec-
21 retary to carry out the activities under this
22 paragraph—

23 “(i) \$19,000,000 for fiscal year 2022;

24 “(ii) \$25,000,000 for fiscal year 2023;

1 “(iii) \$25,000,000 for fiscal year
2 2024; and

3 “(iv) \$17,000,000 for fiscal year
4 2025.

5 “(10) NANOSCALE SCIENCE RESEARCH CENTER
6 RECAPITALIZATION PROJECT.—

7 “(A) IN GENERAL.—The Secretary shall
8 provide for the recapitalization of the Nanoscale
9 Science Research Centers, to include the up-
10 grade of equipment at each Center supported
11 by the Office of Science on the date of enact-
12 ment of the America COMPETES Act of 2022,
13 to accelerate advances in the various fields of
14 science including nanoscience, materials, chem-
15 istry, biology, and quantum information science.

16 “(B) FUNDING.—Out of funds authorized
17 to be appropriated under subsection (j), there
18 are authorized to be appropriated to the Sec-
19 retary to carry out the recapitalization under
20 this paragraph—

21 “(i) \$20,000,000 for fiscal year 2022;

22 “(ii) \$30,000,000 for fiscal year 2023;

23 “(iii) \$20,000,000 for fiscal year
24 2024; and

1 “(iv) \$20,000,000 for fiscal year
2 2025.”; and

3 (4) by adding at the end the following:

4 “(h) COMPUTATIONAL MATERIALS AND CHEMICAL
5 SCIENCES.—

6 “(1) IN GENERAL.—The Director shall support
7 a program of research and development for the ap-
8 plication of advanced computing practices to
9 foundational and emerging research problems in
10 chemistry and materials science. Research activities
11 shall include—

12 “(A) chemical catalysis research and devel-
13 opment;

14 “(B) the use of large data sets to model
15 materials phenomena, including through ad-
16 vanced characterization of materials, materials
17 synthesis, processing, and innovative use of ex-
18 perimental and theoretical data;

19 “(C) co-design of chemical system and
20 chemistry modeling software with advanced
21 computing systems and hardware technologies;
22 and

23 “(D) modeling of chemical processes, as-
24 semblies, and reactions such as molecular dy-

1 namics and quantum chemistry, including
2 through novel computing methods.

3 “(2) COMPUTATIONAL MATERIALS AND CHEM-
4 ICAL SCIENCES CENTERS.—

5 “(A) IN GENERAL.—In carrying out the
6 activities authorized under paragraph (1), the
7 Director shall select and establish up to six
8 computational materials and chemical sciences
9 centers to—

10 “(i) develop open-source, robust, and
11 validated computational codes and user-
12 friendly software, coupled with innovative
13 use of experimental and theoretical data,
14 to enable the design, discovery, and devel-
15 opment of new materials and chemical sys-
16 tems; and

17 “(ii) focus on overcoming challenges
18 and maximizing the benefits of exascale
19 and other high performance computing
20 underpinned by accelerated node tech-
21 nologies.

22 “(B) SELECTION.—The Director shall se-
23 lect centers under subparagraph (A) on a com-
24 petitive, merit-reviewed basis. The Director
25 shall consider applications from the National

1 Laboratories, institutes of higher education,
2 multi-institutional collaborations, and other ap-
3 propriate entities.

4 “(C) DURATION.—

5 “(i) A center selected under subpara-
6 graph (A) shall receive support for a pe-
7 riod of not more than 5 years beginning on
8 the date of establishment of that center,
9 subject to the availability of appropria-
10 tions.

11 “(ii) A center already in existence on
12 the date of enactment of the America
13 COMPETES Act of 2022 may continue to
14 receive support for a period of not more
15 than 5 years beginning on the date of es-
16 tablishment of that center.

17 “(D) RENEWAL.—Upon the expiration of
18 any period of support of a center under this
19 subsection, the Director may renew support for
20 the center, on a merit-reviewed basis, for a pe-
21 riod of not more than 5 years.

22 “(E) TERMINATION.—Consistent with the
23 existing authorities of the Department, the Di-
24 rector may terminate an underperforming cen-
25 ter for cause during the performance period.

1 “(i) MATERIALS RESEARCH DATABASE.—

2 “(1) IN GENERAL.—The Director shall support
3 the development of a web-based platform to develop
4 and provide access to a database of computed infor-
5 mation on known and predicted materials properties
6 and computational tools to accelerate breakthroughs
7 in materials discovery and design.

8 “(2) PROGRAM.—In carrying out this sub-
9 section, the Director shall—

10 “(A) conduct cooperative research with in-
11 dustry, academia, and other research institu-
12 tions to advance understanding, prediction, and
13 manipulation of materials and facilitate the de-
14 sign of novel materials;

15 “(B) develop and maintain data infrastruc-
16 ture at user facilities that generate data to col-
17 lect, analyze, label, and otherwise prepare the
18 data for inclusion in the database;

19 “(C) leverage existing high performance
20 computing systems to conduct high throughput
21 calculations, and develop computational and
22 data mining algorithms for the prediction of
23 material properties;

24 “(D) strengthen the foundation for new
25 technologies and advanced manufacturing; and

1 “(E) drive the development of advanced
2 materials for applications that span the Depart-
3 ment’s missions in energy, environment, and
4 national security.

5 “(3) COORDINATION.—In carrying out this sub-
6 section, the Director shall leverage programs and ac-
7 tivities across the Department, including computa-
8 tional materials and chemical sciences centers estab-
9 lished under subsection (h).

10 “(4) FUNDING.—Out of funds authorized to be
11 appropriated under subsection (j), there are author-
12 ized to be appropriated to the Secretary to carry out
13 activities under this subsection \$10,000,000 for each
14 of the fiscal years 2022 through 2026.

15 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to the Secretary to carry
17 out the activities described in this section—

18 “(1) \$2,727,705,000 for fiscal year 2022;

19 “(2) \$2,828,896,600 for fiscal year 2023;

20 “(3) \$3,019,489,612 for fiscal year 2024;

21 “(4) \$3,161,698,885 for fiscal year 2025; and

22 “(5) \$3,291,651,600 for fiscal year 2026.”.

23 “(b) ARTIFICIAL PHOTOSYNTHESIS.—Section 973 of
24 the Energy Policy Act of 2005 (42 U.S.C. 16313) is
25 amended—

1 (1) in subsection (b), by striking paragraph (4)
2 and inserting:

3 “(4) FUNDING.—From within funds authorized
4 to be appropriated for Basic Energy Sciences, there
5 are authorized to be appropriated to the Secretary
6 for carrying out activities under this subsection
7 \$50,000,000 for each of fiscal years 2022 through
8 2026.”; and

9 (2) in subsection (c), by striking paragraph (4)
10 and inserting:

11 “(4) FUNDING.—From within funds authorized
12 to be appropriated in section 316 of the Department
13 of Energy Research and Innovation Act, there are
14 authorized to be appropriated to the Secretary for
15 carrying out activities under this subsection
16 \$50,000,000 for each of fiscal years 2022 through
17 2026.”.

18 (c) ELECTRICITY STORAGE RESEARCH INITIATIVE.—
19 Section 975 of the Energy Policy Act of 2005 (42 U.S.C.
20 16315) is amended—

21 (1) in subsection (b), by striking paragraph (4)
22 and inserting:

23 “(4) FUNDING.—From within funds authorized
24 to be appropriated for Basic Energy Sciences, there
25 are authorized to be appropriated to the Secretary

1 for carrying out activities under this subsection
2 \$50,000,000 for each of fiscal years 2022 through
3 2026.”;

4 (2) in subsection (c), by striking paragraph (4)
5 and inserting:

6 “(4) FUNDING.—From within funds authorized
7 to be appropriated in section 316 of the Department
8 of Energy Research and Innovation Act, there are
9 authorized to be appropriated to the Secretary for
10 carrying out activities under this subsection
11 \$50,000,000 for each of fiscal years 2022 through
12 2026.”; and

13 (3) in subsection (d), by striking paragraph (4)
14 and inserting:

15 “(4) FUNDING.—From within funds authorized
16 to be appropriated in section 316 of the Department
17 of Energy Research and Innovation Act, there are
18 authorized to be appropriated to the Secretary for
19 carrying out activities under this subsection
20 \$20,000,000 for each of fiscal years 2022 through
21 2026.”.

22 **SEC. 10103. BIOLOGICAL AND ENVIRONMENTAL RESEARCH.**

23 (a) PROGRAM; BIOLOGICAL SYSTEMS; BIOMOLEC-
24 ULAR CHARACTERIZATION AND IMAGING SCIENCE.—Sec-

1 tion 306 of the Department of Energy Research and Inno-
2 vation Act (42 U.S.C. 18644) is amended—

3 (1) by striking subsection (a) and inserting the
4 following:

5 “(a) PROGRAM.—As part of the duties of the Director
6 authorized under section 209 of the Department of En-
7 ergy Organization Act (42 U.S.C. 7139), and coordinated
8 with the activities authorized under sections 303 and 304
9 of this Act, the Director shall carry out a program of re-
10 search and development in the areas of biological systems
11 science and climate and environmental science, including
12 subsurface science, relevant to the development of new en-
13 ergy technologies and to support the energy, environ-
14 mental, and national security missions of the Department.

15 “(b) BIOLOGICAL SYSTEMS.—The Director shall
16 carry out research and development activities in genomic
17 science including fundamental research on plants and mi-
18 crobes to increase systems-level understanding of the com-
19 plex biological systems, which may include activities to—

20 “(1) accelerate breakthroughs and new knowl-
21 edge that would enable the cost-effective, sustainable
22 production of—

23 “(A) biomass-based liquid transportation
24 fuels;

25 “(B) bioenergy; and

1 “(C) biobased materials from renewable
2 biomass;

3 “(2) improve fundamental understanding of
4 plant and microbial processes impacting the global
5 carbon cycle, including processes for removing car-
6 bon dioxide from the atmosphere, through photosyn-
7 thesis and other biological processes, for sequestra-
8 tion and storage;

9 “(3) understand the microbiome mechanisms
10 used to transform, immobilize, or remove contami-
11 nants from subsurface environments;

12 “(4) develop the computational approaches and
13 integrated platforms for open access collaborative
14 science;

15 “(5) leverage tools and approaches across the
16 Office of Science to expand research to include novel
17 processes, methods, and science to develop bio-based
18 chemicals, polymers, inorganic materials, including
19 research to—

20 “(A) advance biosystems design research
21 to advance the understanding of how CRISPR
22 tools and other gene editing tools and tech-
23 nologies work in nature, in the laboratory, and
24 in practice;

1 “(B) deepen genome-enabled knowledge of
2 root architecture and growth in crops, including
3 trees; and

4 “(C) develop biosystems design methods
5 and tools to increase the efficiency of photosyn-
6 thesis in plants; and

7 “(6) develop other relevant methods and pro-
8 cesses as determined by the Director.

9 “(c) BIOMOLECULAR CHARACTERIZATION AND IMAG-
10 ING SCIENCE.—The Director shall carry out research and
11 development activities in biomolecular characterization
12 and imaging science, including development of integrative
13 imaging and analysis platforms and biosensors to under-
14 stand the expression, structure, and function of genome
15 information encoded within cells and for real-time meas-
16 urements in ecosystems and field sites of relevance to the
17 mission of the Department of Energy.”; and

18 (2) by redesignating subsections (b) through (d)
19 as subsections (d) through (f), respectively.

20 (b) BIOENERGY RESEARCH CENTERS.—Section
21 977(f) of the Energy Policy Act of 2005 (42 U.S.C.
22 16317(f)) is amended to read as follows:

23 “(f) BIOENERGY RESEARCH CENTERS.—

24 “(1) IN GENERAL.—In carrying out the pro-
25 gram under section 306(a) of the Department of

1 Energy Research and Innovation Act (42 U.S.C.
2 18644(a)), the Director shall support up to six bio-
3 energy research centers to conduct fundamental re-
4 search in plant and microbial systems biology, bio-
5 logical imaging and analysis, and genomics, and to
6 accelerate advanced research and development of
7 biomass-based liquid transportation fuels, bioenergy,
8 or biobased materials, chemicals, and products that
9 are produced from a variety of regionally diverse
10 feedstocks, and to facilitate the translation of re-
11 search results to industry. The activities of the cen-
12 ters authorized under this subsection may include—

13 “(A) accelerating the domestication of bio-
14 energy-relevant plants, microbes, and associated
15 microbial communities to enable high-impact,
16 value-added coproduct development at multiple
17 points in the bioenergy supply chain;

18 “(B) developing the science and techno-
19 logical advances to ensure process sustainability
20 is considered in the creation of biofuels and bio-
21 products from lignocellulose; and

22 “(C) using the latest tools in genomics,
23 molecular biology, catalysis science, chemical
24 engineering, systems biology, and computational
25 and robotics technologies to sustainably produce

1 and transform biomass into biofuels and bio-
2 products.

3 “(2) SELECTION AND DURATION.—

4 “(A) IN GENERAL.—A center established
5 under paragraph (1) shall be selected on a com-
6 petitive, merit-reviewed basis for a period of not
7 more than 5 years, subject to the availability of
8 appropriations, beginning on the date of estab-
9 lishment of that center.

10 “(B) APPLICATIONS.—The Director shall
11 consider applications from National Labora-
12 tories, multi-institutional collaborations, and
13 other appropriate entities.

14 “(C) EXISTING CENTERS.—A center al-
15 ready in existence on the date of enactment of
16 the America COMPETES Act of 2022 may
17 continue to receive support for a period of not
18 more than 5 years beginning on the date of es-
19 tablishment of that center.

20 “(3) RENEWAL.—After the end of either period
21 described in paragraph (2), the Director may renew
22 support for the center for a period of not more than
23 5 years on a merit-reviewed basis. For a center in
24 operation for 10 years after its previous selection on
25 a competitive, merit-reviewed basis, the Director

1 may renew support for the center on a competitive,
2 merit-reviewed basis for a period of not more than
3 5 years, and may subsequently provide an additional
4 renewal on a merit-reviewed basis for a period of not
5 more than 5 years.

6 “(4) TERMINATION.—Consistent with the exist-
7 ing authorities of the Department, the Director may
8 terminate an underperforming center for cause dur-
9 ing the performance period.

10 “(5) ACTIVITIES.—Centers shall undertake re-
11 search activities to accelerate the production of
12 biofuels and bioproducts from advanced biomass re-
13 sources by identifying the most suitable species of
14 plants for use as energy crops; and improving meth-
15 ods of breeding, propagation, planting, producing,
16 harvesting, storage and processing. Activities may
17 include the following:

18 “(A) Research activities to increase sus-
19 tainability, including—

20 “(i) advancing knowledge of how bio-
21 energy crop interactions with biotic and
22 abiotic environmental factors influence
23 crop growth, yield, and quality;

1 “(ii) identifying the most impactful
2 research areas that address the economics
3 of biofuels and bioproducts production; and

4 “(iii) utilizing multiscale modeling to
5 advance predictive understanding of biofuel
6 cropping ecosystems.

7 “(B) Research activities to further feed-
8 stock development, including lignocellulosic,
9 algal, gaseous wastes including carbon oxides
10 and methane, and direct air capture of single
11 carbon gases via plants and microbes, includ-
12 ing—

13 “(i) developing genetic and genomic
14 tools, high-throughput analytical tools, and
15 biosystems design approaches to enhance
16 bioenergy feedstocks and their associated
17 microbiomes;

18 “(ii) conducting field testing of new
19 potential bioenergy feedstock crops under
20 environmentally benign and geographically
21 diverse conditions to assess viability and
22 robustness; and

23 “(iii) developing quantitative models
24 informed by experimentation to predict

1 how bioenergy feedstocks perform under
2 diverse conditions.

3 “(C) Research activities to improve
4 lignocellulosic deconstruction and separation
5 methods, including—

6 “(i) developing feedstock-agnostic
7 deconstruction processes capable of effi-
8 ciently fractionating biomass into targeted
9 output streams;

10 “(ii) gaining a detailed understanding
11 of plant cell wall biosynthesis, composition,
12 structure, and properties during
13 deconstruction; and

14 “(iii) improving enzymes and ap-
15 proaches for biomass breakdown and cel-
16 lulose, hemicellulose, and lignin processing.

17 “(D) Research activities to improve the
18 feedstock conversion process for advanced
19 biofuels and bioproducts, including—

20 “(i) developing high-throughput meth-
21 ods to screen or select high-performance
22 microbial strains and communities to im-
23 prove product formation rates, yields, and
24 selectivity;

1 “(ii) establishing a broad set of plat-
2 form microorganisms and microbial com-
3 munities suitable for metabolic engineering
4 to produce biofuels and bioproducts, as
5 well as high-throughput methods for exper-
6 imental validation of gene function;

7 “(iii) developing techniques to en-
8 hance microbial robustness for tolerating
9 toxins to improve biofuel and bioproduct
10 yields and to gain a better understanding
11 of the cellular and molecular bases of toler-
12 ance for major chemical classes of inhibi-
13 tors found in these processes;

14 “(iv) advancing technologies for the
15 use of batch, continuous, as well as con-
16 solidated bioprocessing;

17 “(v) identifying, creating, and opti-
18 mizing microbial and chemical pathways to
19 produce promising, atom-economical inter-
20 mediates and final bioproducts from bio-
21 mass with considerations given to environ-
22 mentally benign processes;

23 “(vi) developing high-throughput,
24 real-time, in situ analytical techniques to
25 understand and characterize the pre- and

1 post-bioproduct separation streams in de-
2 tail;

3 “(vii) creating methodologies for effi-
4 ciently identifying viable target molecules,
5 identifying high-value bioproducts in exist-
6 ing biomass streams, and utilizing current
7 byproduct streams;

8 “(viii) identifying and improving plant
9 feedstocks with enhanced extractable levels
10 of desired bioproducts or bioproduct pre-
11 cursors, including lignin streams; and

12 “(ix) developing integrated biological
13 and chemical catalytic approaches to
14 valorize and produce a diverse portfolio of
15 advanced fuels and bioproducts.

16 “(6) INDUSTRY PARTNERSHIPS.—Centers shall
17 establish industry partnerships to translate research
18 results to commercial applications.

19 “(7) COORDINATION.—In coordination with the
20 Bioenergy Technologies Office of the Department,
21 the Director shall support interdisciplinary research
22 activities to improve the capacity, efficiency, resil-
23 ience, security, reliability, and affordability, of the
24 production and use of biofuels and bioproducts, as
25 well as activities to enable positive impacts and avoid

1 the potential negative impacts that the production
2 and use of biofuels and bioproducts may have on
3 ecosystems, people, and historically marginalized
4 communities.

5 “(8) FUNDING.—Out of funds authorized to be
6 appropriated under section 306(l) of the Department
7 of Energy Research and Innovation Act (42 U.S.C.
8 18644(l)), there are authorized to be appropriated to
9 the Secretary \$30,000,000, for each center in exist-
10 ence or established under this subsection, for each of
11 fiscal years 2022 through 2026.”.

12 (c) LOW-DOSE RADIATION RESEARCH PROGRAM.—
13 Section 306(e)(8) of the Department of Energy Research
14 and Innovation Act (42 U.S.C. 18644(e)(8)), as redesign-
15 nated under subsection (a), is amended—

16 (1) in subparagraph (C), by striking “and”;

17 (2) in subparagraph (D), by striking the period
18 at the end and inserting a semicolon; and

19 (3) by adding at the end the following:

20 “(E) \$40,000,000 for fiscal year 2025; and

21 “(F) \$50,000,000 for fiscal year 2026.”.

22 (d) LOW-DOSE RADIATION AND SPACE RADIATION
23 RESEARCH PROGRAM.—Section 306(f) of the Department
24 of Energy Research and Innovation Act (42 U.S.C.

1 18644(d)), as redesignated under subsection (a), is
2 amended to read as follows:

3 “(f) LOW-DOSE RADIATION AND SPACE RADIATION
4 RESEARCH PROGRAM.—

5 “(1) IN GENERAL.—The Secretary of Energy,
6 in consultation with the Administrator of the Na-
7 tional Aeronautics and Space Administration, shall
8 carry out a basic research program on the similar-
9 ities and differences between the effects of exposure
10 to low-dose radiation on Earth, in low Earth orbit,
11 and in the space environment.

12 “(2) PURPOSE.—The purpose of this program
13 is to accelerate breakthroughs in low-dose and low
14 dose-rate radiation research and development as de-
15 scribed in subsection (e) and to inform the advance-
16 ment of new tools, technologies, and advanced mate-
17 rials needed to facilitate long-duration space explo-
18 ration.”.

19 (e) CLIMATE, ENVIRONMENTAL SCIENCE, AND
20 OTHER ACTIVITIES.—Section 306 of the Department of
21 Energy Research and Innovation Act (42 U.S.C. 18644)
22 is further amended by adding at the end the following:

23 “(g) EARTH AND ENVIRONMENTAL SYSTEMS
24 SCIENCES ACTIVITIES.—

1 “(1) IN GENERAL.—As part of the activities au-
2 thorized under subsection (a), and in coordination
3 with activities carried out under subsection (b), the
4 Director shall carry out earth and environmental
5 systems science research, in consultation with the
6 National Oceanic and Atmospheric Administration
7 and other relevant agencies, which may include ac-
8 tivities to—

9 “(A) understand, observe, and model the
10 response of Earth’s atmosphere and biosphere
11 to increased concentrations of greenhouse gas
12 emissions and any associated changes in cli-
13 mate, including frequency and intensity of ex-
14 treme weather events;

15 “(B) understand the coupled physical,
16 chemical, and biological processes to transform,
17 immobilize, remove, or move carbon, nitrogen,
18 and other energy production-derived contami-
19 nants such as radionuclides and heavy metals,
20 and understand the process of sequestration
21 and transformation of these, carbon dioxide,
22 and other relevant molecules in subsurface envi-
23 ronments;

24 “(C) understand, observe, and model the
25 cycling of water, carbon, and nutrients in ter-

1 restrial systems and at scales relevant to re-
2 sources management;

3 “(D) understand the biological, biogeo-
4 chemical, and physical processes across the
5 multiple scales that control the flux of environ-
6 mentally relevant compounds between the ter-
7 restrial surface and the atmosphere; and

8 “(E) inform potential natural mitigation
9 and adaptation options for increased concentra-
10 tions of greenhouse gas emissions and any asso-
11 ciated changes in climate.

12 “(2) PRIORITIZATION.—In carrying out the
13 program authorized under paragraph (1), the Direc-
14 tor shall prioritize—

15 “(A) the development of software and algo-
16 rithms to enable the productive application of
17 environmental systems and extreme weather in
18 climate and Earth system prediction models in
19 high-performance computing systems; and

20 “(B) capabilities that support the Depart-
21 ment’s mission needs for energy and infrastruc-
22 ture security, resilience, and reliability.

23 “(3) ENVIRONMENTAL SYSTEMS SCIENCE RE-
24 SEARCH.—

1 “(A) IN GENERAL.—As part of the activi-
2 ties described in paragraph (1), the Director
3 shall carry out research to advance an inte-
4 grated, robust, and scale-aware predictive un-
5 derstanding of environmental systems, including
6 the role of hydrobiogeochemistry, from the sub-
7 surface to the top of the vegetative canopy that
8 considers effects of seasonal to interannual vari-
9 ability and change.

10 “(B) CLEAN WATER AND WATERSHED RE-
11 SEARCH.—As part of the activities described in
12 subparagraph (A), the Director shall—

13 “(i) support interdisciplinary research
14 to significantly advance our understanding
15 of water availability, quality, and the im-
16 pact of human activity and a changing cli-
17 mate on urban and rural watershed sys-
18 tems, including in freshwater environ-
19 ments;

20 “(ii) consult with the Interagency Re-
21 search, Development, and Demonstration
22 Coordination Committee on the Nexus of
23 Energy and Water for Sustainability estab-
24 lished under section 1010 of the Energy
25 Act of 2020 (division Z of the Consolidated

1 Appropriations Act, 2021 (Public Law
2 116–260)) on energy-water nexus research
3 activities; and

4 “(iii) engage with representatives of
5 research and academic institutions, non-
6 profit organizations, State, territorial,
7 local, and tribal governments, and indus-
8 try, who have expertise in technologies,
9 technological innovations, or practices re-
10 lating to the energy-water nexus, as appli-
11 cable.

12 “(C) COORDINATION.—

13 “(i) DIRECTOR.—The Director shall
14 carry out activities under this paragraph in
15 accordance with priorities established by
16 the Secretary to support and accelerate the
17 decontamination of relevant facilities man-
18 aged by the Department.

19 “(ii) SECRETARY.—The Secretary
20 shall ensure the coordination of activities
21 of the Department, including activities
22 under this paragraph, to support and ac-
23 celerate the decontamination of relevant fa-
24 cilities managed by the Department.

1 “(4) CLIMATE AND EARTH MODELING.—As
2 part of the activities described in paragraph (1), the
3 Director, in collaboration with the Advanced Sci-
4 entific Computing Research program described in
5 section 304 and other programs carried out by the
6 Department, as applicable, and in consultation with
7 the National Oceanic and Atmospheric Administra-
8 tion and other relevant agencies, shall carry out re-
9 search to develop, evaluate, and use high-resolution
10 regional climate, global climate, Earth system, and
11 other relevant models to inform decisions on reduc-
12 ing greenhouse gas emissions and the resulting im-
13 pacts of a changing global climate. Such modeling
14 shall include—

15 “(A) integrated capabilities for modeling
16 multisectoral interactions, including socio-
17 economic factors as appropriate, which may in-
18 clude the impacts of climate policies on social
19 and regional equity and well-being, and the
20 interdependencies and risks at the energy-
21 water-land nexus;

22 “(B) greenhouse gas emissions, air quality,
23 energy supply and demand, and other critical
24 elements; and

1 “(C) interaction among human and Earth
2 systems informed by interdisciplinary research,
3 including the economic and social sciences.

4 “(5) MID-SCALE FUNDING MECHANISM.—

5 “(A) IN GENERAL.—Any of the activities
6 authorized in this subsection may be carried out
7 by competitively selected mid-scale, multi-insti-
8 tutional research centers in lieu of individual re-
9 search grants, or large-scale experiments or
10 user facilities.

11 “(B) CONSIDERATION.—The Biological
12 and Environmental Research Advisory Com-
13 mittee shall provide recommendations to the Di-
14 rector on projects most suitable for the research
15 centers described in subparagraph (A).

16 “(h) BIOLOGICAL AND ENVIRONMENTAL RESEARCH
17 USER FACILITIES.—

18 “(1) IN GENERAL.—The Director shall carry
19 out a program for the development, construction, op-
20 eration, and maintenance of user facilities to en-
21 hance the collection and analysis of observational
22 data related to complex biological, climate, and envi-
23 ronmental systems.

24 “(2) FACILITY REQUIREMENTS.—To the max-
25 imum extent practicable, the user facilities devel-

1 oped, constructed, operated, or maintained under
2 paragraph (1) shall include—

3 “(A) distributed field research and obser-
4 vation platforms for understanding earth sys-
5 tem processes;

6 “(B) analytical techniques, instruments,
7 and modeling resources for understanding the
8 physical, chemical, and cellular processes of bio-
9 logical and environmental systems;

10 “(C) integrated high-throughput sequenc-
11 ing, advanced bioanalytic techniques, DNA de-
12 sign and synthesis, metabolomics, and computa-
13 tional analysis; and

14 “(D) such other facilities as the Director
15 considers appropriate, consistent with section
16 209 of the Department of Energy Organization
17 Act (42 U.S.C. 7139).

18 “(3) EXISTING FACILITIES.—In carrying out
19 the program established in paragraph (1), the Direc-
20 tor is encouraged to evaluate the capabilities of ex-
21 isting user facilities and, to the maximum extent
22 practicable, invest in modernization of those capa-
23 bilities to address emerging research priorities.

24 “(4) USER FACILITIES INTEGRATION AND COL-
25 LABORATION PROGRAM.—

1 “(A) IN GENERAL.—The Director shall
2 support a program of collaboration between
3 user facilities as defined under this subsection
4 to encourage and enable researchers to more
5 readily integrate the tools, expertise, resources,
6 and capabilities of multiple Office of Science
7 user facilities (as described in section 209(d) of
8 the Department of Energy Organization Act
9 (42 U.S.C. 7139)) to further research and ad-
10 vance emerging technologies.

11 “(B) ACTIVITIES.—The program shall ad-
12 vance the integration of automation, robotics,
13 computational biology, bioinformatics, bio-
14 sensing, cellular platforms and other relevant
15 emerging technologies as determined by the Di-
16 rector to enhance productivity and scientific im-
17 pact of user facilities.

18 “(5) EARTH AND ENVIRONMENTAL SYSTEMS
19 SCIENCES USER FACILITIES.—

20 “(A) IN GENERAL.—In carrying out the
21 activities authorized under paragraph (1), the
22 Director shall establish and operate user facili-
23 ties to advance the collection, validation, and
24 analysis of atmospheric data, including activi-
25 ties to advance knowledge and improve model

1 representations and measure the impact of at-
2 mospheric gases, aerosols, and clouds on earth
3 and environmental systems.

4 “(B) SELECTION.—The Director shall se-
5 lect user facilities under paragraph (1) on a
6 competitive, merit-reviewed basis. The Director
7 shall consider applications from the National
8 Laboratories, institutes of higher education,
9 multi-institutional collaborations, and other ap-
10 propriate entities.

11 “(C) EXISTING FACILITIES.—To the max-
12 imum extent practicable, the Director shall uti-
13 lize existing facilities to carry out this sub-
14 section.

15 “(6) COORDINATION.—In carrying out the pro-
16 gram authorized in paragraph (1), the Director shall
17 ensure that the Office of Science—

18 “(A) consults and coordinates with the Na-
19 tional Oceanic Atmospheric Administration, the
20 Environmental Protection Agency, the National
21 Aeronautics and Space Administration, the De-
22 partment of Agriculture, the Department of the
23 Interior, and any other relevant Federal agency
24 on the collection, validation, and analysis of at-
25 mospheric data; and

1 “(B) coordinates with relevant stake-
2 holders, including institutes of higher education,
3 nonprofit research institutions, industry, State,
4 territorial, local, and tribal governments, and
5 other appropriate entities to ensure access to
6 the best available relevant atmospheric and his-
7 torical weather data.

8 “(i) COASTAL ZONE RESEARCH INITIATIVE.—

9 “(1) IN GENERAL.—The Director shall carry
10 out a research program, in consultation with the Na-
11 tional Oceanic and Atmospheric Administration, to
12 enhance the understanding of coastal ecosystems. In
13 carrying out this program, the Director shall
14 prioritize efforts to enhance the collection of obser-
15 vational data, and shall develop models to analyze
16 the ecological, biogeochemical, hydrological and
17 physical processes that interact in coastal zones.

18 “(2) NATIONAL SYSTEM FOR COASTAL DATA
19 COLLECTION.—The Director shall establish, in con-
20 sultation with the National Oceanic and Atmospheric
21 Administration and other relevant agencies, an inte-
22 grated system of geographically diverse field re-
23 search sites in order to improve the quantity and
24 quality of observational data, and that encompass

1 the major land water interfaces of the United
2 States, including—

3 “(A) the Great Lakes region;

4 “(B) the Pacific coast;

5 “(C) the Atlantic coast;

6 “(D) the Arctic; and

7 “(E) the Gulf coast.

8 “(3) EXISTING INFRASTRUCTURE.—In carrying
9 out the programs and establishing the field research
10 sites under paragraph (1) and (2), the Secretary
11 shall leverage existing research and development in-
12 frastructure supported by the Department, including
13 the Department’s existing marine and coastal re-
14 search lab.

15 “(4) COORDINATION.—For the purposes of car-
16 rying out the programs and establishing the field re-
17 search sites under the Initiative, the Secretary may
18 enter into agreements with Federal Departments
19 and agencies with complementary capabilities.

20 “(5) REPORT.—Not less than 2 years after the
21 date of the enactment of the America COMPETES
22 Act of 2022, the Director shall provide to the Com-
23 mittee on Science, Space, and Technology and the
24 Committee on Appropriations of the House of Rep-
25 resentatives and the Committee on Energy and Nat-

1 ural Resources and the Committee on Appropria-
2 tions of the Senate a report examining whether the
3 system described in this section should be estab-
4 lished as a National User Facility.

5 “(j) TECHNOLOGY DEVELOPMENT.—The Director
6 shall support a technology research program for the devel-
7 opment of instrumentation and other research tools re-
8 quired to meet the missions of the Department and to pro-
9 vide platform technologies for the broader scientific com-
10 munity. Technologies shall include but are not limited to—

11 “(1) cryo-electron microscopy;

12 “(2) fabricated ecosystems;

13 “(3) next generation sensors including quantum
14 sensors for biological integration and bioproduction;

15 “(4) technologies to accelerate data analysis;

16 and

17 “(5) plant and microbial phenotyping for gene
18 discovery.

19 “(k) EMERGING TECHNOLOGIES.—

20 “(1) IN GENERAL.—The Secretary shall estab-
21 lish within the Biological and Environmental Re-
22 search program an initiative focused on the develop-
23 ment of engineered ecosystems through the applica-
24 tion of artificial intelligence, novel sensing capabili-
25 ties, and other emerging technologies.

1 “(2) INTERAGENCY COORDINATION.—The Sec-
2 retary shall coordinate with the Director of the Na-
3 tional Science Foundation, the Administrator of the
4 National Oceanic and Atmospheric Administration,
5 the Director of the U.S. Geological Survey, and
6 other relevant officials to avoid duplication of re-
7 search and observational activities and to ensure
8 that activities carried out under this initiative are
9 complimentary to those currently being undertaken
10 by other agencies.

11 “(3) REPORT.—Not later than 180 days after
12 the enactment of this Act, the Secretary shall pro-
13 vide a report to the Committee on Science, Space,
14 and Technology of the House, and the Committee on
15 Energy and Natural Resources of the Senate, on the
16 activity mandated in subsection (k).

17 “(1) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to the Secretary to carry
19 out the activities described in this section—

20 “(1) \$820,360,000 for fiscal year 2022;

21 “(2) \$886,385,200 for fiscal year 2023;

22 “(3) \$956,332,164 for fiscal year 2024;

23 “(4) \$1,020,475,415 for fiscal year 2025; and

24 “(5) \$1,099,108,695 for fiscal year 2026.”.

1 **SEC. 10104. ADVANCED SCIENTIFIC COMPUTING RESEARCH**
2 **PROGRAM.**

3 (a) ADVANCED SCIENTIFIC COMPUTING RE-
4 SEARCH.—Section 304 of the Department of Energy Re-
5 search and Innovation Act (42 U.S.C. 18642) is amend-
6 ed—

7 (1) by redesignating subsections (a) through (c)
8 as subsections (b) through (d), respectively; and

9 (2) by inserting before subsection (b), as so re-
10 designated, the following:

11 “(a) IN GENERAL.—As part of the activities author-
12 ized under section 209 of the Department of Energy Orga-
13 nization Act (42 U.S.C. 7139), the Director shall carry
14 out, in coordination with academia and relevant public and
15 private sector entities, a research, development, and dem-
16 onstration program to—

17 “(1) steward applied mathematics, computa-
18 tional science, and computer science research rel-
19 evant to the missions of the Department and the
20 competitiveness of the United States;

21 “(2) develop modeling, simulation, and other
22 computational tools relevant to other scientific dis-
23 ciplines and to the development of new energy tech-
24 nologies and other technologies;

25 “(3) advance computing and networking capa-
26 bilities for data-driven discovery; and

1 “(4) develop advanced scientific computing
2 hardware and software tools for science and engi-
3 neering.”;

4 (3) in subsection (c) (as redesignated under
5 paragraph (1))—

6 (A) by striking “The Director” and insert-
7 ing the following:

8 “(1) DIRECTOR.—The Director”; and

9 (B) by adding at the end the following:

10 “(2) COORDINATION.—The Under Secretary for
11 Science shall ensure the coordination of the activities
12 of the Department, including activities under this
13 section, to determine and meet the computational
14 and networking research and facility needs of the
15 Office of Science and all other relevant energy tech-
16 nology and energy efficiency programs within the
17 Department and with other Federal agencies as ap-
18 propriate.”;

19 (4) by amending subsection (d), as so redesign-
20 ated, to read as follows:

21 “(d) APPLIED MATHEMATICS AND SOFTWARE DE-
22 VELOPMENT FOR HIGH-END COMPUTING SYSTEMS AND
23 COMPUTER SCIENCES RESEARCH.—

24 “(1) IN GENERAL.—The Director shall carry
25 out activities to develop, test, and support—

1 “(A) mathematics, statistics, and algo-
2 rithms for modeling complex systems relevant
3 to the missions of the Department, including on
4 advanced computing architectures; and

5 “(B) tools, languages, programming envi-
6 ronments, and operations for high-end com-
7 puting systems (as defined in section 2 of the
8 American Super Computing Leadership Act (15
9 U.S.C. 5541).

10 “(2) PORTFOLIO BALANCE.—

11 “(A) IN GENERAL.—The Director shall
12 maintain a balanced portfolio within the ad-
13 vanced scientific computing research and devel-
14 opment program established under section 976
15 of the Energy Policy Act of 2005 (42 U.S.C.
16 16316) that supports robust investment in—

17 “(i) applied mathematical, computa-
18 tional, and computer sciences research
19 needs relevant to the mission of the De-
20 partment, including foundational areas
21 that are critical to the advancement of en-
22 ergy sciences and technologies and new
23 and emerging computing technologies; and

24 “(ii) associated high-performance
25 computing hardware and facilities.

1 “(B) EXASCALE ECOSYSTEM
2 SUSTAINMENT.—

3 “(i) SENSE OF CONGRESS.—It is the
4 sense of Congress that the Exascale Com-
5 puting Project has successfully created a
6 broad ecosystem that provides shared soft-
7 ware packages, novel evaluation systems,
8 and applications relevant to the science
9 and engineering requirements of the De-
10 partment, and that such products must be
11 maintained and improved in order that the
12 full potential of the deployed systems can
13 be continuously realized.

14 “(ii) IN GENERAL.—The Secretary
15 shall seek to sustain and evolve the eco-
16 system referenced in clause (i) to ensure
17 that the exascale software stack and other
18 research software will continue to be main-
19 tained, hardened, and otherwise optimized
20 for long-term use on exascale systems and
21 beyond and reliable availability to the user
22 community.”; and

23 (5) by inserting after subsection (d) the fol-
24 lowing:

25 “(e) NEXT GENERATION COMPUTING PROGRAM.—

1 “(1) IN GENERAL.—The Secretary shall estab-
2 lish a program to develop and implement a strategy
3 for achieving computing systems with capabilities be-
4 yond exascale computing systems. In establishing
5 this program, the Secretary shall—

6 “(A) maintain foundational research pro-
7 grams in mathematical, computational, and
8 computer sciences focused on new and emerging
9 computing needs within the mission of the De-
10 partment, including post-Moore’s law computing
11 architectures, novel approaches to modeling and
12 simulation, artificial intelligence and scientific
13 machine learning, quantum computing, edge
14 computing, extreme heterogeneity, and distrib-
15 uted high-performance computing;

16 “(B) retain best practices and maintain
17 support for essential hardware, applications,
18 and software elements of the Exascale Com-
19 puting Program that are necessary for sus-
20 taining the vitality of a long-term capable soft-
21 ware ecosystem for exascale and beyond; and

22 “(C) develop a Department-wide strategy
23 for balancing on-premises and cloud-based com-
24 puting and scientific data management.

1 “(2) REPORT.—Not later than one year after
2 the date of the enactment of the America COM-
3 PETES Act of 2022, the Secretary shall submit to
4 the Committee on Science, Space, and Technology of
5 the House of Representatives, and the Committee on
6 Energy and Natural Resources of the Senate, a re-
7 port on the development and implementation of the
8 strategy outlined in paragraph (1).

9 “(f) ARCHITECTURAL RESEARCH IN HETERO-
10 GENEOUS COMPUTING SYSTEMS.—

11 “(1) IN GENERAL.—The Secretary shall carry
12 out a program of research and development in het-
13 erogeneous and reconfigurable computing systems to
14 expand understanding of the potential for hetero-
15 geneous and reconfigurable computing systems to
16 deliver high performance, high efficiency computing
17 for Department of Energy mission challenges. This
18 shall include research and development that explores
19 the convergence of big data analytics, simulations,
20 and artificial intelligence to drive the design of het-
21 erogenous computing system architectures.

22 “(2) COORDINATION.—In carrying out this pro-
23 gram, the Secretary shall ensure coordination be-
24 tween research activities undertaken by the Ad-
25 vanced Scientific Computing Research program and

1 materials research supported by the Basic Energy
2 Sciences program within the Department of Energy
3 Office of Science.

4 “(g) ENERGY EFFICIENT COMPUTING PROGRAM.—

5 “(1) IN GENERAL.—The Secretary shall sup-
6 port a program of fundamental research, develop-
7 ment, and demonstration of energy efficient com-
8 puting and data center technologies relevant to ad-
9 vanced computing applications, including high per-
10 formance computing, artificial intelligence, and sci-
11 entific machine learning.

12 “(2) EXECUTION.—

13 “(A) PROGRAM.—In carrying out the pro-
14 gram under paragraph (1), the Secretary
15 shall—

16 “(i) establish a partnership for Na-
17 tional Laboratories, industry partners, and
18 institutions of higher education for co-
19 design of energy efficient hardware, tech-
20 nology, software, and applications across
21 all applicable program offices of the De-
22 partment, and provide access to energy ef-
23 ficient computing resources to such part-
24 ners;

1 “(ii) develop hardware and software
2 technologies that decrease the energy needs
3 of advanced computing practices, including
4 through data center co-design;

5 “(iii) consider multiple heterogeneous
6 computing architectures in collaboration
7 with the program established under sub-
8 section (f) including neuromorphic com-
9 puting, persistent computing, and ultrafast
10 networking; and

11 “(iv) provide, as appropriate, on a
12 competitive, merit-reviewed basis, access
13 for researchers from institutions of higher
14 education, National Laboratories, industry,
15 and other Federal agencies to the energy
16 efficient computing technologies developed
17 pursuant to clause (i).

18 “(B) SELECTION OF PARTNERS.—In se-
19 lecting participants for the partnership estab-
20 lished under subparagraph (A)(i), the Secretary
21 shall select participants through a competitive,
22 merit review process.

23 “(C) REPORT.—Not later than one year
24 after the date of the enactment of the America
25 COMPETES Act of 2022, the Secretary shall

1 submit to the Committee on Science, Space,
2 and Technology of the House of Representa-
3 tives, and the Committee on Energy and Nat-
4 ural Resources of the Senate, a report on—

5 “(i) the activities conducted under
6 subparagraph (A); and

7 “(ii) the coordination and manage-
8 ment of the program under subparagraph
9 (A) to ensure an integrated research pro-
10 gram across the Department.

11 “(h) ENERGY SCIENCES NETWORK.—

12 “(1) IN GENERAL.—The Secretary shall provide
13 for upgrades to the Energy Sciences Network user
14 facility in order to meet the research needs of the
15 Department for highly reliable data transport capa-
16 bilities optimized for the requirements of large-scale
17 science.

18 “(2) CAPABILITIES.—In carrying out paragraph
19 (1), the Secretary shall ensure the following capabili-
20 ties:

21 “(A) To provide high bandwidth scientific
22 networking across the continental United States
23 and the Atlantic Ocean.

24 “(B) To ensure network reliability.

1 “(C) To protect the network infrastructure
2 from cyber-attacks.

3 “(D) To manage transport of exponentially
4 increasing levels of data from the Department’s
5 National Laboratories and sites, user facilities,
6 experiments, and sensors.

7 “(E) To contribute to the integration of
8 heterogeneous computing frameworks and sys-
9 tems.

10 “(i) COMPUTATIONAL SCIENCE GRADUATE FELLOW-
11 SHIP.—

12 “(1) IN GENERAL.—The Secretary shall sup-
13 port the Computational Science Graduate Fellowship
14 program in order to facilitate collaboration between
15 graduate students and researchers at the National
16 Laboratories, and contribute to the development of
17 a diverse and inclusive computational workforce to
18 help advance research in areas relevant to the mis-
19 sion of the Department.

20 “(2) FUNDING.—From within funds authorized
21 to be appropriated for Advanced Scientific Com-
22 puting Research Program, there are authorized to be
23 appropriated to the Secretary for carrying out the
24 activities under this section—

25 “(A) \$21,000,000 for fiscal year 2022;

1 “(B) \$22,050,000 for fiscal year 2023;
2 “(C) \$23,152,500 for fiscal year 2024;
3 “(D) \$24,310,125 for fiscal year 2025;
4 and
5 “(E) \$25,525,631 for fiscal year 2026.

6 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to the Secretary to carry
8 out the activities described in this section—

9 “(1) \$1,126,350,000 for fiscal year 2022;
10 “(2) \$1,222,674,500 for fiscal year 2023;
11 “(3) \$1,324,320,715 for fiscal year 2024;
12 “(4) \$1,431,660,115 for fiscal year 2025; and
13 “(5) \$1,535,090,121 for fiscal year 2026.”.

14 (b) QUANTUM SCIENCE NETWORK.—

15 (1) DEFINITIONS.—Section 2 of the National
16 Quantum Initiative Act (15 U.S.C. 8801) is amend-
17 ed—

18 (A) by redesignating paragraph (7) as
19 paragraph (8); and

20 (B) by inserting after paragraph (6) the
21 following:

22 “(7) QUANTUM NETWORK INFRASTRUCTURE.—
23 The term ‘quantum network infrastructure’ means
24 any facility, expertise, or capability that is necessary

1 to enable the development and deployment of scal-
2 able and diverse quantum network technologies.”.

3 (2) DEPARTMENT OF ENERGY QUANTUM NET-
4 WORK INFRASTRUCTURE RESEARCH AND DEVELOP-
5 MENT PROGRAM.—(A) Title IV of the National
6 Quantum Initiative Act (15 U.S.C. 8851 et seq.) is
7 amended by adding at the end the following:

8 **“SEC. 403. DEPARTMENT OF ENERGY QUANTUM NETWORK**
9 **INFRASTRUCTURE RESEARCH AND DEVELOP-**
10 **MENT PROGRAM.**

11 “(a) IN GENERAL.—The Secretary of Energy (re-
12 ferred to in this section as the ‘Secretary’) shall carry out
13 a research, development, and demonstration program to
14 accelerate innovation in quantum network infrastructure
15 in order to—

16 “(1) facilitate the advancement of distributed
17 quantum computing systems through the internet
18 and intranet;

19 “(2) improve the precision of measurements of
20 scientific phenomena and physical imaging tech-
21 nologies;

22 “(3) develop secure national quantum commu-
23 nications technologies and strategies; and

1 “(4) demonstrate these capabilities utilizing the
2 Department of Energy’s Energy Sciences Network
3 User Facility.

4 “(b) PROGRAM.—In carrying out this section, the
5 Secretary shall—

6 “(1) coordinate with—

7 “(A) the Director of the National Science
8 Foundation;

9 “(B) the Director of the National Institute
10 of Standards and Technology;

11 “(C) the Chair of the Subcommittee on
12 Quantum Information Science of the National
13 Science and Technology Council established
14 under section 103(a); and

15 “(D) the Chair of the Subcommittee on the
16 Economic and Security Implications of Quan-
17 tum Science;

18 “(2) conduct cooperative research with indus-
19 try, National Laboratories, institutions of higher
20 education, and other research institutions to facili-
21 tate new quantum infrastructure methods and tech-
22 nologies, including—

23 “(A) quantum-limited detectors, ultra-low
24 loss optical channels, space-to-ground connec-

1 tions, and classical networking and cybersecu-
2 rity protocols;

3 “(B) entanglement and hyper-entangled
4 state sources and transmission, control, and
5 measurement of quantum states;

6 “(C) quantum interconnects that allow
7 short range local connections between quantum
8 processors;

9 “(D) transducers for quantum sources and
10 signals between optical and telecommunications
11 regimes and quantum computer-relevant do-
12 mains, including microwaves;

13 “(E) development of quantum memory
14 buffers and small-scale quantum computers
15 that are compatible with photon-based quantum
16 bits in the optical or telecommunications wave-
17 lengths;

18 “(F) long-range entanglement distribution
19 at both the terrestrial and space-based level
20 using quantum repeaters, allowing entangle-
21 ment-based protocols between small- and large
22 scale quantum processors;

23 “(G) quantum routers, multiplexers, re-
24 peaters, and related technologies necessary to

1 create secure long-distance quantum commu-
2 nication; and

3 “(H) integration of systems across the
4 quantum technology stack into traditional com-
5 puting networks, including the development of
6 remote controlled, high performance, and reli-
7 able implementations of key quantum network
8 components by leveraging the expertise, infra-
9 structure and supplemental investments in the
10 Energy Sciences Network User Facility;

11 “(3) engage with the Quantum Economic De-
12 velopment Consortium (QED-C) to transition com-
13 ponent technologies to help facilitate as appropriate
14 the development of a quantum supply chain for
15 quantum network technologies;

16 “(4) advance basic research in advanced sci-
17 entific computing, particle and nuclear physics, and
18 material science to enhance the understanding, pre-
19 diction, and manipulation of materials, processes,
20 and physical phenomena relevant to quantum net-
21 work infrastructure;

22 “(5) develop experimental tools and testbeds in
23 collaboration with the Department of Energy’s En-
24 ergy Sciences Network User Facility necessary to
25 support cross-cutting fundamental research and de-

1 velopment activities with diverse stakeholders from
2 industry, National Laboratories, and institutions of
3 higher education; and

4 “(6) consider quantum network infrastructure
5 applications that span the Department of Energy’s
6 missions in energy, environment, and national secu-
7 rity.

8 “(c) LEVERAGING.—In carrying out this section, the
9 Secretary shall leverage resources, infrastructure, and ex-
10 pertise across the Department of Energy and from—

11 “(1) the National Institute of Standards and
12 Technology;

13 “(2) the National Science Foundation;

14 “(3) the National Aeronautics and Space Ad-
15 ministration;

16 “(4) other relevant Federal agencies;

17 “(5) the National Laboratories;

18 “(6) industry stakeholders;

19 “(7) institutions of higher education; and

20 “(8) the National Quantum Information
21 Science Research Centers.

22 “(d) RESEARCH PLAN.—Not later than 180 days
23 after the date of the enactment of the America COM-
24 PETES Act of 2022, the Secretary shall submit to the
25 Committee on Science, Space, and Technology of the

1 House of Representatives and the Committee on Energy
2 and Natural Resources of the Senate, a 4-year research
3 plan that identifies and prioritizes basic research needs re-
4 lating to quantum network infrastructure.

5 “(e) STANDARD OF REVIEW.—The Secretary shall
6 review activities carried out under this section to deter-
7 mine the achievement of technical milestones.

8 “(f) FUNDING.—Out of funds authorized to be appro-
9 priated for the Department of Energy’s Office of Science,
10 there shall be made available to the Secretary to carry out
11 the activities under this section, \$100,000,000 for each
12 of fiscal years 2022 through 2026.

13 **“SEC. 404. DEPARTMENT OF ENERGY QUANTUM USER EX-**
14 **PANSION FOR SCIENCE AND TECHNOLOGY**
15 **PROGRAM.**

16 “(a) IN GENERAL.—The Secretary of Energy (re-
17 ferred to in this section as the ‘Secretary’) shall establish
18 and carry out a program (to be known as the ‘Quantum
19 User Expansion for Science and Technology program’ or
20 ‘QUEST program’) to encourage and facilitate access to
21 United States quantum computing hardware and quantum
22 computing clouds for research purposes to—

23 “(1) enhance the United States quantum re-
24 search enterprise;

1 “(2) educate the future quantum computing
2 workforce; and

3 “(3) accelerate the advancement of United
4 States quantum computing capabilities.

5 “(b) PROGRAM.—In carrying out this section, the
6 Secretary shall—

7 “(1) coordinate with—

8 “(A) the Director of the National Science
9 Foundation;

10 “(B) the Director of the National Institute
11 of Standards and Technology;

12 “(C) the Chair of the Subcommittee on
13 Quantum Information Science of the National
14 Science and Technology Council established
15 under section 103(a); and

16 “(D) the Chair of the Subcommittee on the
17 Economic and Security Implications of Quan-
18 tum Science;

19 “(2) provide researchers based within the
20 United States with access to, and use of, United
21 States quantum computing resources through a com-
22 petitive, merit-reviewed process;

23 “(3) consider applications from the National
24 Laboratories, multi-institutional collaborations, insti-
25 tutions of higher education, industry stakeholders,

1 and any other entities that the Secretary determines
2 are appropriate to provide national leadership on
3 quantum computing related issues; and

4 “(4) consult and coordinate with private sector
5 stakeholders, the user community, and interagency
6 partners on program development and best manage-
7 ment practices.

8 “(c) LEVERAGING.—In carrying out this section, the
9 Secretary shall leverage resources and expertise across the
10 Department of Energy and from—

11 “(1) the National Institute of Standards and
12 Technology;

13 “(2) the National Science Foundation;

14 “(3) the National Aeronautics and Space Ad-
15 ministration;

16 “(4) other relevant Federal agencies;

17 “(5) the National Laboratories;

18 “(6) industry stakeholders;

19 “(7) institutions of higher education; and

20 “(8) the National Quantum Information
21 Science Research Centers.

22 “(d) SECURITY.—In carrying out the activities au-
23 thorized by this section, the Secretary, in consultation
24 with the Director of the National Science Foundation and
25 the Director of the National Institute of Standards and

1 Technology, shall ensure proper security controls are in
2 place to protect sensitive information, as appropriate.

3 “(e) FUNDING.—Out of funds authorized to be ap-
4 propriated for the Department of Energy’s Office of
5 Science, there are authorized to be appropriated to the
6 Secretary to carry out the activities under this section—

7 “(1) \$30,000,000 for fiscal year 2022;

8 “(2) \$50,000,000 for fiscal year 2023;

9 “(3) \$70,000,000 for fiscal year 2024;

10 “(4) \$90,000,000 for fiscal year 2025; and

11 “(5) \$100,000,000 for fiscal year 2026.

12 “(f) EQUITABLE USE OF HIGH-PERFORMANCE COM-
13 PUTING CAPABILITIES.—

14 “(1) SENSE OF CONGRESS.—It is the sense of
15 Congress that machine learning algorithms can ex-
16 hibit biases that cause harm to historically
17 marginalized communities.

18 “(2) POLICY.—In leveraging high-performance
19 computing systems for research purposes, including
20 through the use of machine learning algorithms for
21 data analysis, the Secretary shall ensure that such
22 capabilities are employed in a manner that mitigates
23 and, to the maximum extent practicable, avoids
24 harmful algorithmic bias and equitably addresses

1 challenges impacting different populations, including
2 historically marginalized communities.”.

3 (B) The table of contents in section 1(b) of the
4 National Quantum Initiative Act is amended by in-
5 serting after the item relating to section 402 the fol-
6 lowing items:

“Sec. 403. Department of energy quantum network infrastructure research and
development program.

“Sec. 404. Department of energy quantum user expansion for science and tech-
nology program.”.

7 **SEC. 10105. FUSION ENERGY RESEARCH.**

8 (a) FUSION ENERGY RESEARCH.—Section 307 of the
9 Department of Energy Research and Innovation Act (42
10 U.S.C. 18645) is amended—

11 (1) in subsection (b)—

12 (A) in the matter preceding paragraph (1),
13 by striking “As part of” and inserting the fol-
14 lowing:

15 “(1) IN GENERAL.—As part of”;

16 (B) by redesignating—

17 (i) paragraphs (1) and (2) as sub-
18 paragraphs (A) and (B), respectively (and
19 by adjusting the margins of such subpara-
20 graphs accordingly); and

21 (ii) in subparagraph (B) (as redesign-
22 ated by clause (i)), subparagraphs (A)
23 and (B) as clauses (i) and (ii), respectively

1 (and by adjusting the margins of such
2 clauses accordingly); and

3 (C) by adding at the end the following:

4 “(2) AUTHORIZATION OF APPROPRIATIONS.—

5 Out of funds authorized to be appropriated under
6 subsection (r), there are authorized to be appro-
7 priated to the Secretary to carry out activities de-
8 scribed in paragraph (1) \$100,000,000 for each of
9 fiscal years 2022 through 2026.”;

10 (2) in subsection (d)(3)—

11 (A) by striking the period at the end and
12 inserting “and \$40,000,000 for fiscal year
13 2026.”; and

14 (B) by striking “(o)” and inserting “(r)”;
15 and

16 (3) in subsection (e)(4)—

17 (A) by striking the period at the end and
18 inserting “and \$75,000,000 for fiscal year
19 2026.”; and

20 (B) by striking “(o)” and inserting “(r)”;

21 (4) in subsection (i)(10)—

22 (A) In the matter preceding subparagraph
23 (A), by striking “(o)” and inserting “(r)”;

24 (B) in subparagraph (C), strike
25 “\$105,000,000” and insert “\$150,000,000”;

1 (C) in subparagraph (D), strike
2 “65,000,000 for fiscal year 2024; and” and in-
3 sert “\$250,000,000 for fiscal year 2024;”;

4 (D) in subparagraph (E), strike
5 “\$45,000,000 for fiscal year 2025.” and insert
6 “\$250,000,000 for fiscal year 2025; and”; and

7 (E) by adding at the end the following:

8 “(F) \$150,000,000 for fiscal year 2026.”;
9 (5) in subsection (j)—

10 (A) by striking “The Director” and all
11 that follows through the period and inserting
12 the following:

13 “(1) IN GENERAL.—

14 “(A) ESTABLISHMENT.—Within 180 days
15 of enactment of the America COMPETES Act
16 of 2022, the Director shall establish at least 2
17 national teams, including public-private part-
18 nerships, that will develop conceptual pilot plant
19 designs and technology roadmaps and lead to
20 an engineering design of a pilot plant that will
21 bring fusion to commercial viability.

22 “(B) COMPOSITION.—The national teams
23 shall be composed of developers, manufacturers,
24 universities, national laboratories, and engineer-

1 ing, procurement, and construction industries.”;
2 and

3 (B) by adding at the end the following:

4 “(2) AUTHORIZATION OF APPROPRIATIONS.—
5 There are authorized to be appropriated to carry out
6 activities described in paragraph (1)—

7 “(A) \$20,000,000 for fiscal year 2022;

8 “(B) \$35,000,000 for fiscal year 2023;

9 “(C) \$50,000,000 for fiscal year 2024;

10 “(D) \$65,000,000 for fiscal year 2025;

11 and

12 “(E) \$80,000,000 for fiscal year 2026.”;

13 (6) in subsection (l)—

14 (A) by striking “sense of Congress that the
15 United States should support” and inserting
16 “sense of Congress that—”;

17 “(1) the United States should support”;

18 (B) in paragraph (1) (as so designated by
19 subparagraph (A) of this paragraph), by strik-
20 ing the period at the end and inserting “; and”;
21 and

22 (C) by adding at the end the following:

23 “(2) the Director shall incorporate the findings
24 and recommendations of the report of the Fusion
25 Energy Sciences Advisory Committee entitled

1 ‘Powering the Future: Fusion and Plasmas’ and the
2 report of the National Academies of Science, Engi-
3 neering, and Medicine entitled “Bringing Fusion to
4 the U.S. Grid” into the planning process of the De-
5 partment, including the development of future budg-
6 et requests to Congress.”;

7 (7) by redesignating subsection (o) as sub-
8 section (r);

9 (8) by inserting after subsection (n) the fol-
10 lowing:

11 “(o) HIGH-PERFORMANCE COMPUTATION COLLABO-
12 RATIVE RESEARCH PROGRAM.—

13 “(1) IN GENERAL.—The Secretary shall carry
14 out a program to conduct and support collaborative
15 research, development, and demonstration of fusion
16 energy technologies, through high-performance com-
17 putation modeling and simulation techniques, in
18 order to—

19 “(A) support fundamental research in plas-
20 mas and matter at very high temperatures and
21 densities;

22 “(B) inform the development of a broad
23 range of fusion energy systems; and

24 “(C) facilitate the translation of research
25 results in fusion energy science to industry.

1 “(2) COORDINATION.—In carrying out the pro-
2 gram under paragraph (1), the Secretary shall co-
3 ordinate with relevant Federal agencies, and
4 prioritize the following objectives:

5 “(A) Using expertise from the private sec-
6 tor, institutions of higher education, and the
7 National Laboratories to leverage existing, and
8 develop new, computational software and capa-
9 bilities that prospective users may use to accel-
10 erate research and development of fusion energy
11 systems.

12 “(B) Developing computational tools to
13 simulate and predict fusion energy science phe-
14 nomena that may be validated through physical
15 experimentation.

16 “(C) Increasing the utility of the research
17 infrastructure of the Department by coordi-
18 nating with the Advanced Scientific Computing
19 Research program within the Office of Science.

20 “(D) Leveraging experience from existing
21 modeling and simulation entities sponsored by
22 the Department.

23 “(E) Ensuring that new experimental and
24 computational tools are accessible to relevant
25 research communities, including private sector

1 entities engaged in fusion energy technology de-
2 velopment.

3 “(F) Ensuring that newly developed com-
4 putational tools are compatible with modern vir-
5 tual engineering and visualization capabilities to
6 accelerate the realization of fusion energy tech-
7 nologies and systems.

8 “(3) DUPLICATION.—The Secretary shall en-
9 sure the coordination of, and avoid unnecessary du-
10 plication of, the activities of this program with the
11 activities of—

12 “(A) other research entities of the Depart-
13 ment, including the National Laboratories, the
14 Advanced Research Projects Agency–Energy,
15 the Advanced Scientific Computing Research
16 program; and

17 “(B) industry.

18 “(4) HIGH-PERFORMANCE COMPUTING FOR FU-
19 SION INNOVATION CENTER.—In carrying out the
20 program under paragraph (1), the Secretary shall,
21 in coordination with the Innovation Network for Fu-
22 sion Energy, establish and operate a national High-
23 Performance Computing for Fusion Innovation Cen-
24 ter (referred to in this subsection as the ‘Center’),
25 to support the program under paragraph (1) by pro-

1 viding, to the extent practicable, a centralized entity
2 for multidisciplinary, collaborative, fusion energy re-
3 search and development through high performance
4 computing and advanced data analytics technologies
5 and processes.

6 “(5) SELECTION.—The Secretary shall select
7 the Center under this subsection on a competitive,
8 merit-reviewed basis. The Secretary shall consider
9 applications from National Laboratories, institutions
10 of higher education, multi-institutional collabora-
11 tions, and other appropriate entities.

12 “(6) EXISTING ACTIVITIES.—The Center may
13 incorporate existing research activities that are con-
14 sistent with the program described in paragraph (1).

15 “(7) DURATION.—The Center established under
16 this subsection shall receive support for a period of
17 not more than 5 years, subject to the availability of
18 appropriations.

19 “(8) RENEWAL.—Upon the expiration of any
20 period of support of the Center, the Secretary may
21 renew support for the Center, on a merit-reviewed
22 basis, for a period of not more than 5 years.

23 “(9) TERMINATION.—Consistent with the exist-
24 ing authorities of the Department, the Secretary

1 may terminate the Center for cause during the per-
2 formance period.

3 “(p) MATERIAL PLASMA EXPOSURE EXPERIMENT.—

4 “(1) IN GENERAL.—The Secretary shall con-
5 struct a Material Plasma Exposure Experiment fa-
6 cility as described in the 2020 publication approved
7 by the Fusion Energy Sciences Advisory Committee
8 titled ‘Powering the Future: Fusion and Plasmas’.
9 The Secretary shall consult with the private sector,
10 universities, National Laboratories, and relevant
11 Federal agencies to ensure that this facility is capa-
12 ble of meeting Federal research needs for steady
13 state, high-heat-flux and plasma-material interaction
14 testing of fusion materials over a range of fusion en-
15 ergy relevant parameters.

16 “(2) FACILITY CAPABILITIES.—The Secretary
17 shall ensure that the facility described in paragraph
18 (1) will provide the following capabilities:

19 “(A) A magnetic field at the target of 1
20 Tesla.

21 “(B) An energy flux at the target of 10
22 MW/m².

23 “(C) The ability to expose previously irra-
24 diated plasma facing material samples to plas-
25 ma.

1 “(3) START OF OPERATIONS.—The Secretary
2 shall, subject to the availability of appropriations,
3 ensure that the start of full operations of the facility
4 under this section occurs before December 31, 2027.

5 “(4) FUNDING.—Out of funds authorized to be
6 appropriated for Fusion Energy Sciences, there are
7 funds authorized to be appropriated to the Secretary
8 for the Office of Fusion Energy Sciences to carry
9 out to completion the construction of the facility
10 under this section:

11 “(A) \$32,800,000 for fiscal year 2022;

12 “(B) \$13,400,000 for fiscal year 2023;

13 “(C) \$12,600,000 for fiscal year 2024; and

14 “(D) \$400,000 for fiscal year 2025.

15 “(q) MATTER IN EXTREME CONDITIONS INSTRU-
16 MENT UPGRADE.—

17 “(1) IN GENERAL.—The Secretary shall provide
18 for the upgrade to the Matter in Extreme Conditions
19 endstation at the Linac Coherent Light Source as
20 described in the 2020 publication approved by the
21 Fusion Energy Sciences Advisory Committee titled
22 ‘Powering the Future: Fusion and Plasmas’. The
23 Secretary shall consult with the private sector, uni-
24 versities, National Laboratories, and relevant Fed-
25 eral agencies to ensure that this facility is capable

1 of meeting Federal research needs for understanding
2 physical and chemical changes to plasmas at funda-
3 mental timescales, and explore new regimes of dense
4 material physics, astrophysics, planetary physics,
5 and short-pulse laser-plasma interactions.

6 “(2) START OF OPERATIONS.—The Secretary
7 shall, subject to the availability of appropriations,
8 ensure that the start of full operations of the facility
9 under this section occurs before December 31,
10 2028.”; and

11 (9) in subsection (r), as so redesignated, by
12 striking paragraphs (2) through (5) and inserting
13 the following:

14 “(2) \$1,002,900,000 for fiscal year 2022;

15 “(3) \$1,190,707,000 for fiscal year 2023;

16 “(4) \$1,364,368,490 for fiscal year 2024;

17 “(5) \$1,404,042,284 for fiscal year 2025; and

18 “(6) \$1,398,097,244 for fiscal year 2026.”.

19 (b) ITER CONSTRUCTION.—Section 972 of the En-
20 ergy Policy Act of 2005 (42 U.S.C. 16312) is amended
21 in subsection (c)(3)—

22 (1) in subparagraph (A), by striking “and” at
23 the end; and

24 (2) by striking subparagraph (B) and inserting
25 the following:

1 “(B) \$300,000,000 for fiscal year 2022;
2 “(C) \$325,000,000 for fiscal year 2023;
3 “(D) \$350,000,000 for fiscal year 2024;
4 “(E) \$350,000,000 for fiscal year 2025;
5 and
6 “(F) \$350,000,000 for fiscal year 2026.”.

7 **SEC. 10106. HIGH ENERGY PHYSICS PROGRAM.**

8 (a) PROGRAM.—Section 305 of the Department of
9 Energy Research and Innovation Act (42 U.S.C. 18643)
10 is amended—

11 (1) by redesignating subsections (b) through (d)
12 as subsections (d) through (f), respectively; and

13 (2) by inserting the following after subsection
14 (a):

15 “(b) PROGRAM.—As part of the activities authorized
16 under section 209 of the Department of Energy Organiza-
17 tion Act (42 U.S.C. 7139), the Director shall carry out
18 a research program in elementary particle physics and ad-
19 vanced technology research and development to improve
20 the understanding of the fundamental properties of the
21 universe, including constituents of matter and energy and
22 the nature of space and time.

23 “(c) HIGH ENERGY FRONTIER RESEARCH.—As part
24 of the program described in subsection (b), the Director
25 shall carry out research using high energy accelerators

1 and advanced detectors, including accelerators and detec-
2 tors that will function as national user facilities, to create
3 and study interactions of elementary particles and inves-
4 tigate fundamental forces.”.

5 (b) INTERNATIONAL COLLABORATION.—Section
6 305(d) of the Department of Energy Research and Inno-
7 vation Act (42 U.S.C. 18643(d)), as redesignated under
8 subsection (a), is amended to read as follows:

9 “(d) INTERNATIONAL COLLABORATION.—The Direc-
10 tor shall—

11 “(1) as practicable and in coordination with
12 other appropriate Federal agencies as necessary, en-
13 sure the access of United States researchers to the
14 most advanced accelerator facilities and research ca-
15 pabilities in the world, including the Large Hadron
16 Collider;

17 “(2) to the maximum extent practicable, con-
18 tinue to leverage United States participation in the
19 Large Hadron Collider, and prioritize expanding
20 international partnerships and investments in the
21 Long-Baseline Neutrino Facility and Deep Under-
22 ground Neutrino Experiment; and

23 “(3) to the maximum extent practicable,
24 prioritize engagement in collaborative efforts in sup-
25 port of future international facilities that would pro-

1 vide access to the most advanced accelerator facili-
2 ties in the world to United States researchers.”.

3 (c) COSMIC FRONTIER RESEARCH.—Section 305(f)
4 of the Department of Energy Research and Innovation Act
5 (42 U.S.C. 18645(f)), as redesignated by subsection (a),
6 is amended to read as follows:

7 “(f) COSMIC FRONTIER RESEARCH.—The Director
8 shall carry out research activities on the nature of the pri-
9 mary contents of the universe, including the nature of
10 dark energy and dark matter. These activities shall, to the
11 maximum extent practicable, be consistent with the re-
12 search priorities identified by the High Energy Physics
13 Advisory Panel or the National Academy of Sciences, and
14 may include—

15 “(1) collaborations with the National Aero-
16 nautics and Space Administration, the National
17 Science Foundation, or international partners on rel-
18 evant projects; and

19 “(2) the development of space-based, land-
20 based, water-based, and underground facilities and
21 experiments.”.

22 (d) FURTHER ACTIVITIES.—Section 305 of the De-
23 partment of Energy Research and Innovation Act (42
24 U.S.C. 18645) is further amended by adding at the end
25 the following:

1 “(g) FACILITY CONSTRUCTION AND MAJOR ITEMS
2 OF EQUIPMENT.—

3 “(1) PROJECTS.—Consistent with the Office of
4 Science’s project management practices, the Director
5 shall, to the maximum extent practicable, incor-
6 porate the findings and recommendations of the
7 2014 Particle Physics Project Prioritization Panel
8 (P5) report titled ‘Building for Discovery’, and sup-
9 port construction or fabrication of—

10 “(A) an international Long-Baseline Neu-
11 trino Facility based in the United States;

12 “(B) the Proton Improvement Plan II;

13 “(C) Second Generation Dark Matter ex-
14 periments;

15 “(D) the Legacy Survey of Space and
16 Time camera;

17 “(E) upgrades to detectors and other com-
18 ponents of the Large Hadron Collider; and

19 “(F) other high priority projects rec-
20 ommended in the most recent report of the Par-
21 ticle Physics Project Prioritization Panel of the
22 High Energy Physics Advisory Panel.

23 “(2) LONG-BASELINE NEUTRINO FACILITY.—

24 “(A) IN GENERAL.—The Secretary shall
25 support construction of a Long-Baseline Neu-

1 trino Facility to facilitate the international
2 Deep Underground Neutrino Experiment to ex-
3 amine the fundamental properties of neutrinos,
4 explore physics beyond the Standard Model,
5 and better clarify the existence and nature of
6 antimatter.

7 “(B) FACILITY CAPABILITIES.—The Sec-
8 retary shall ensure that the facility described in
9 subparagraph (A) will provide, at a minimum,
10 the following capabilities:

11 “(i) A neutrino beam with wideband
12 capability of 1.2 megawatts (MW) of beam
13 power and upgradable to 2.4 MW of beam
14 power.

15 “(ii) Three caverns excavated for a 70
16 kiloton fiducial detector mass and sup-
17 porting surface buildings and utilities.

18 “(iii) Cryogenic systems to support
19 neutrino detectors.

20 “(C) START OF OPERATIONS.—The Sec-
21 retary shall, subject to the availability of appro-
22 priations, ensure that the start of full oper-
23 ations of the facility under this subsection oc-
24 curs before December 31, 2031.

1 “(D) FUNDING.—Out of funds authorized
2 to be appropriated under subsection (k), there
3 are authorized to be appropriated to the Sec-
4 retary to carry out construction of the facility
5 under this subsection—

6 “(i) \$200,000,000 for fiscal year
7 2022;

8 “(ii) \$325,000,000 for fiscal year
9 2023;

10 “(iii) \$400,000,000 for fiscal year
11 2024;

12 “(iv) \$375,000,000 for fiscal year
13 2025; and

14 “(v) \$250,000,000 for fiscal year
15 2026.

16 “(3) PROTON IMPROVEMENT PLAN—II ACCEL-
17 ERATOR UPGRADE PROJECT.—

18 “(A) IN GENERAL.—The Secretary of En-
19 ergy shall support construction of the Proton
20 Improvement Plan II, an upgrade to the
21 Fermilab accelerator complex identified in the
22 2014 Particle Physics Project Prioritization
23 Panel (P5) report titled ‘Building for Dis-
24 covery’, to provide the world’s most intense
25 beam of neutrinos to the international Long

1 Baseline Neutrino Facility as well as abroad
2 range of future high energy physics experi-
3 ments. The Secretary of Energy shall work with
4 international partners to enable further signifi-
5 cant contributions to the capabilities of this
6 project.

7 “(B) FACILITY CAPABILITIES.—The Sec-
8 retary shall ensure that the facility described in
9 paragraph (1) will provide, at a minimum, the
10 following capabilities:

11 “(i) A state-of-the-art 800
12 megaelectron volt (MeV) superconducting
13 linear accelerator.

14 “(ii) Proton beam power of 1.2 MW
15 at the start of LBNF/DUNE, upgradeable
16 to 2.4 MW of beam power.

17 “(iii) A flexible design to enable high
18 power beam delivery to multiple users si-
19 multaneously and customized beams tai-
20 lored to specific scientific needs.

21 “(iv) Sustained high reliability oper-
22 ation of the Fermilab accelerator complex.

23 “(C) START OF OPERATIONS.—The Sec-
24 retary shall, subject to the availability of appro-
25 priations, ensure that the start of full oper-

1 ations of the facility under this section occurs
2 before December 31, 2028.

3 “(D) FUNDING.—Out of funds authorized
4 to be appropriated under subsection (k), there
5 are authorized to be appropriated to the Sec-
6 retary to carry out construction of the facility
7 under this subsection—

8 “(i) \$191,000,000 for fiscal year
9 2022;

10 “(ii) \$150,000,000 for fiscal year
11 2023;

12 “(iii) \$120,000,000 for fiscal year
13 2024;

14 “(iv) \$120,000,000 for fiscal year
15 2025; and

16 “(v) \$100,000,000 for fiscal year
17 2026.

18 “(4) COSMIC MICROWAVE BACKGROUND STAGE
19 4.—

20 “(A) IN GENERAL.—The Secretary of En-
21 ergy, in partnership with the Director of the
22 National Science Foundation, shall support con-
23 struction of the Cosmic Microwave Background
24 Stage 4 project to survey the cosmic microwave
25 background to test theories of cosmic inflation

1 as described in the 2014 Particle Physics
2 Prioritization Panel (P5) report titled ‘Building
3 for Discovery: Strategic Plan for U.S. Particle
4 Physics in the Global Context.’.

5 “(B) CONSULTATION.—The Secretary
6 shall consult with the private sector, univer-
7 sities, National Laboratories, and relevant Fed-
8 eral agencies to ensure that this experiment is
9 capable of meeting Federal research needs in
10 accessing the ultra-high energy physics of infla-
11 tion and important neutrino properties.

12 “(C) EXPERIMENTAL CAPABILITIES.—The
13 Secretary shall ensure to the maximum extent
14 practicable that the facility described in sub-
15 section (a) will provide at minimum, 500,000
16 superconducting detectors deployed on an array
17 of mm wave telescopes with the required range
18 in frequency, sensitivity, and survey speed
19 which will provide sufficient capability to enable
20 an order of magnitude advance in observations
21 of the Cosmic Microwave Background, deliv-
22 ering transformative discoveries in fundamental
23 physics, cosmology, and astrophysics.

24 “(D) START OF OPERATIONS.—The Sec-
25 retary shall, subject to the availability of appro-

1 priations, ensure that the start of full oper-
2 ations of the facility under this section occurs
3 before December 31, 2030.

4 “(E) FUNDING.—Out of funds authorized
5 to be appropriated under subsection (k), there
6 are authorized to be appropriated to the Sec-
7 retary to carry out construction of the facility
8 under this subsection—

9 “(i) \$37,000,000 for fiscal year 2022;

10 “(ii) \$50,000,000 for fiscal year 2023;

11 “(iii) \$70,000,000 for fiscal year
12 2024;

13 “(iv) \$80,000,000 for fiscal year
14 2025; and

15 “(v) \$90,000,000 for fiscal year 2026.

16 “(h) ACCELERATOR AND DETECTOR UPGRADES.—

17 The Director shall upgrade accelerator facilities and detec-
18 tors, as necessary and appropriate, to increase beam
19 power, sustain high reliability, and improve precision
20 measurement to advance the highest priority particle phys-
21 ics research programs. In carrying out facility upgrades,
22 the Director shall continue to work with international
23 partners, when appropriate and in the United States’ in-
24 terest, to leverage investments and expertise in critical

1 technologies to help build and upgrade accelerator and de-
2 tector facilities in the United States.

3 “(i) ACCELERATOR AND DETECTOR RESEARCH AND
4 DEVELOPMENT.—As part of the program described in
5 subsection (b), the Director shall carry out research and
6 development in particle beam physics, accelerator science
7 and technology, and particle and radiation detection with
8 relevance to the specific needs of the High Energy Physics
9 program, in coordination with the Accelerator Research
10 and Development program authorized in section 310.

11 “(j) UNDERGROUND SCIENCE.—The Director shall—

12 “(1) support an underground science program
13 consistent with the missions of the Department and
14 the scientific needs of the High Energy Physics pro-
15 gram, including those articulated in the most recent
16 report of the Particle Physics Project Prioritization
17 Panel of the High Energy Physics Advisory Panel,
18 that leverages the capabilities of relevant under-
19 ground science and engineering facilities; and

20 “(2) carry out a competitive grant program to
21 award scientists and engineers at institutions of
22 higher education, nonprofit institutions, and Na-
23 tional Laboratories to conduct research in under-
24 ground science and engineering.

1 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary to carry
3 out the activities described in this section—

4 “(1) \$1,355,690,000 for fiscal year 2022;

5 “(2) \$1,517,628,300 for fiscal year 2023;

6 “(3) \$1,652,112,281 for fiscal year 2024;

7 “(4) \$1,711,460,141 for fiscal year 2025; and

8 “(5) \$1,656,012,351 for fiscal year 2026.”.

9 **SEC. 10107. NUCLEAR PHYSICS PROGRAM.**

10 (a) PROGRAM.—Section 308 of the Department of
11 Energy Research and Innovation Act (42 U.S.C. 18646)
12 is amended—

13 (1) by redesignating subsection (b) as sub-
14 section (d); and

15 (2) by striking subsection (a) and inserting the
16 following:

17 “(a) PROGRAM.—As part of the activities authorized
18 under section 209 of the Department of Energy Organiza-
19 tion Act (42 U.S.C. 7139), the Director shall carry out
20 a research program, and support relevant facilities, to dis-
21 cover and understand various forms of nuclear matter.

22 “(b) USER FACILITIES.—

23 “(1) FACILITY FOR RARE ISOTOPE BEAMS.—

24 “(A) IN GENERAL.—The Secretary shall
25 support construction of a Facility for Rare Iso-

1 tope Beams to advance the understanding of
2 rare nuclear isotopes and the evolution of the
3 cosmos.

4 “(B) FUNDING.—Out of funds authorized
5 to be appropriated under subsection (c), there
6 are authorized to be appropriated to the Sec-
7 retary to carry out construction of the facility
8 under this subsection \$2,000,000 for fiscal year
9 2022.

10 “(C) START OF OPERATIONS.—The Sec-
11 retary shall, subject to the availability of appro-
12 priations, ensure that the start of full oper-
13 ations of the facility under this section occurs
14 before March 1, 2022.

15 “(2) ELECTRON-ION COLLIDER.—

16 “(A) IN GENERAL.—The Secretary shall
17 support construction of an Electron Ion Collider
18 as described in the 2015 Long Range Plan of
19 the Nuclear Science Advisory Committee and
20 the report from the National Academies of
21 Science, Engineering, and Medicine titled ‘An
22 Assessment of U.S.-Based Electron-Ion Collider
23 Science’, in order to measure the internal struc-
24 ture of the proton and the nucleus and answer

1 fundamental questions about the nature of visi-
2 ble matter.

3 “(B) FACILITY CAPABILITY.—The Sec-
4 retary shall ensure that the facility meets the
5 requirements in the 2015 Long Range Plan, in-
6 cluding—

7 “(i) at least 70 percent polarized
8 beams of electrons and light ions;

9 “(ii) ion beams from deuterium to the
10 heaviest stable nuclei;

11 “(iii) variable center of mass energy
12 from 20 to 140 GeV;

13 “(iv) high collision luminosity of
14 $10^{33-34}\text{cm}^{-2}\text{s}^{-1}$; and

15 “(v) the possibility of more than one
16 interaction region.

17 “(C) START OF OPERATIONS.—The Sec-
18 retary shall, subject to the availability of appro-
19 priations, ensure that the start of full oper-
20 ations of the facility under this section occurs
21 before December 31, 2030.

22 “(D) FUNDING.—Out of funds authorized
23 to be appropriated under subsection (c), there
24 are authorized to be appropriated to the Sec-

1 retary to carry out construction of the facility
2 under this subsection—

3 “(i) \$101,000,000 for fiscal year
4 2022;

5 “(ii) \$155,000,000 for fiscal year
6 2023;

7 “(iii) \$250,000,000 for fiscal year
8 2024;

9 “(iv) \$300,000,000 for fiscal year
10 2025; and

11 “(v) \$305,000,000 for fiscal year
12 2026.

13 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Secretary to carry
15 out the activities described in this section—

16 “(1) \$780,000,000 for fiscal year 2022;

17 “(2) \$879,390,000 for fiscal year 2023;

18 “(3) \$1,025,097,300 for fiscal year 2024;

19 “(4) \$1,129,354,111 for fiscal year 2025; and

20 “(5) \$1,192,408,899 for fiscal year 2026.”.

21 **SEC. 10108. ACCELERATOR RESEARCH AND DEVELOPMENT.**

22 The Department of Energy Research and Innovation
23 Act (42 U.S.C. 18601 et seq.) is amended by adding after
24 section 309 the following:

1 **“SEC. 310. ACCELERATOR RESEARCH AND DEVELOPMENT.**

2 “(a) PROGRAM.—As part of the activities authorized
3 under section 209 of the Department of Energy Organiza-
4 tion Act (42 U.S.C. 7139), the Director shall carry out
5 a research program to—

6 “(1) advance accelerator science and technology
7 relevant to the Department, other Federal agencies,
8 and U.S. industry;

9 “(2) foster partnerships to develop, dem-
10 onstrate, and enable the commercial application of
11 accelerator technologies;

12 “(3) support the development of a skilled, di-
13 verse, and inclusive accelerator workforce; and

14 “(4) provide access to accelerator design and
15 engineering resources.

16 “(b) ACCELERATOR RESEARCH.—In carrying out the
17 program authorized under subsection (a), the Director
18 shall support—

19 “(1) research activities in cross-cutting accel-
20 erator technologies including superconducting
21 magnets and accelerators, beam physics, data ana-
22 lytics-based accelerator controls, simulation software,
23 new particle sources, advanced laser technology, and
24 transformative research; and

25 “(2) optimal operation of the Accelerator Test
26 Facility.

1 “(c) ACCELERATOR DEVELOPMENT.—In carrying out
2 the program authorized under subsection (a), the Director
3 shall support partnerships to foster the development, dem-
4 onstration, and commercial application of accelerator tech-
5 nologies including, advanced superconducting wire and
6 cable, superconducting RF cavities, and high efficiency ra-
7 diofrequency power sources for accelerators.

8 “(d) RESEARCH COLLABORATIONS.—In developing
9 accelerator technologies under the program authorized in
10 subsection (a), the Director shall—

11 “(1) consider the requirements necessary to
12 support translational research and development for
13 medical, industrial, security, and defense applica-
14 tions; and

15 “(2) leverage investments in accelerator tech-
16 nologies and fundamental research in particle phys-
17 ics by partnering with institutes of higher education,
18 industry, and other Federal agencies to enable the
19 commercial application of advanced accelerator tech-
20 nologies.

21 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to the Secretary to carry
23 out the activities described in this section—

24 “(1) \$24,000,000 for fiscal year 2022;

25 “(2) \$25,680,000 for fiscal year 2023;

1 “(3) \$27,477,600 for fiscal year 2024;
2 “(4) \$29,401,032 for fiscal year 2025; and
3 “(5) \$31,459,104 for fiscal year 2026.”.

4 **SEC. 10109. ISOTOPE DEVELOPMENT AND PRODUCTION**
5 **FOR RESEARCH APPLICATIONS.**

6 The Department of Energy Research and Innovation
7 Act (42 U.S.C. 18601 et seq.) is amended by adding after
8 section 310 as added by this title, the following:

9 **“SEC. 311. ISOTOPE DEVELOPMENT AND PRODUCTION FOR**
10 **RESEARCH APPLICATIONS.**

11 “(a) IN GENERAL.—The Director—

12 “(1) shall carry out a program in coordination
13 with other relevant programs across the Department
14 for the production of isotopes, including the develop-
15 ment of techniques to produce isotopes, that the Sec-
16 retary determines are needed for research, medical,
17 industrial, or related purposes, to the maximum ex-
18 tent practicable, in accordance with the 2015 Nu-
19 clear Science Advisory Committee ‘Meeting Isotope
20 Needs and Capturing Opportunities For The Fu-
21 ture’ report; and

22 “(2) shall ensure that isotope production activi-
23 ties carried out under the program under this para-
24 graph do not compete with private industry unless
25 the Director determines that critical national inter-

1 ests require the involvement of the Federal Govern-
2 ment.

3 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out the pro-
5 gram under this section—

6 “(1) \$90,000,000 for fiscal year 2022;

7 “(2) \$96,300,000 for fiscal year 2023;

8 “(3) \$103,041,000 for fiscal year 2024;

9 “(4) \$110,253,870 for fiscal year 2025; and

10 “(5) \$117,971,641 for fiscal year 2026.”.

11 **SEC. 10110. SCIENCE LABORATORIES INFRASTRUCTURE**
12 **PROGRAM.**

13 (a) PROGRAM.—Section 309 of the Department of
14 Energy Research and Innovation Act (42 U.S.C. 18647)
15 is amended by adding at the end the following:

16 “(c) APPROACH.—In carrying out this section, the
17 Director shall utilize all available approaches and mecha-
18 nisms, including capital line items, minor construction
19 projects, energy savings performance contracts, and utility
20 energy service contracts, alternative financing and expense
21 funding, as appropriate.

22 “(d) ALTERNATIVE FINANCING OF RESEARCH FA-
23 CILITIES AND INFRASTRUCTURE.—

24 “(1) IN GENERAL.—Consistent with section
25 161(g) of the Atomic Energy Act of 1954 (42

1 U.S.C. 2201(g)), the Management and Operating
2 contractors of the Department may enter into the
3 lease-purchase of research facilities and infrastruc-
4 ture under the scope of their contract with the De-
5 partment with the approval of the Secretary or their
6 designee.

7 “(2) LIMITATIONS.—To carry out lease-pur-
8 chases approved by the Secretary under subsection
9 (a), the Department shall only be required to have
10 budget authority in an amount sufficient to cover
11 the minimum required lease payments through the
12 period required to exercise a termination provision in
13 the lease agreement, plus any associated lease termi-
14 nation penalties, regardless of whether such leased
15 facility and infrastructure is on or off Government
16 land, and if—

17 “(A) the Department has established a
18 mission need for the facility or infrastructure to
19 be leased;

20 “(B) the facility or infrastructure is gen-
21 eral purpose, including offices, laboratories,
22 cafeterias, utilities, and data centers;

23 “(C) the Department is not a party to and
24 has no financial obligations under the lease-pur-
25 chase transaction entered into by the Manage-

1 ment and Operating contractor, other than al-
2 lowability of the lease cost and conveyance of
3 Government land, if needed;

4 “(D) the lease-purchase has an advance
5 notice termination provision with reasonable
6 pre-defined penalties that the Management and
7 Operating contractor may exercise, at the direc-
8 tion of the Department, if funding for the lease
9 is no longer available or the mission need ceases
10 to exist;

11 “(E) there is an option for a no cost trans-
12 fer of ownership to the Government once the
13 underlying financing is retired, but neither the
14 Management and Operating contractor nor the
15 Department are obligated to purchase the facil-
16 ity or infrastructure at any time during or after
17 the lease term;

18 “(F) the lease-purchase transaction, as-
19 suming exercise of the ownership option, is
20 demonstrated to be the lowest lifecycle cost al-
21 ternative for the Government; and

22 “(G) the cumulative annual base rent for
23 all lease-purchases of facilities and infrastruc-
24 ture, inclusive of any transactions under consid-
25 eration, does not exceed 2 percent of the Man-

1 agement and Operating contract operating
2 budget for the year the commitment is made for
3 the lease.

4 “(3) REPORTING.—Not later than 1 year after
5 the date of the enactment of the America COM-
6 PETES Act of 2022, and biennially thereafter, the
7 Department shall submit to the Committee on
8 Science, Space, and Technology and the Committee
9 on Appropriations of the House of Representatives,
10 and the Committee on Energy and Natural Re-
11 sources and the Committee on Appropriations of the
12 Senate, a report on the lease-purchase transactions
13 that the Management and Operating contractors of
14 the Department entered into under subsection (a)
15 that includes—

16 “(A) a list of the lease-purchase trans-
17 actions entered into by each Management and
18 Operating contractor and their respective costs;

19 “(B) the annual percentage of each Man-
20 agement and Operating contract operating
21 budget that is used for lease-purchase trans-
22 actions for the year the commitments were
23 made; and

24 “(C) any other information the Secretary
25 determines to be appropriate.

1 “(4) AUTHORIZATION PERIOD.—The lease-pur-
2 chases authorized under paragraph (1) may be en-
3 tered into only during fiscal years 2022 through
4 2026.

5 “(e) MID-SCALE INSTRUMENTATION PROGRAM.—
6 The Director, in coordination with each of the programs
7 carried out by the Office of Science, shall establish a mid-
8 scale instrumentation program to enable the development
9 and acquisition of novel, state-of-the-art instruments rang-
10 ing in cost from \$1 million to \$20 million each that would
11 significantly accelerate scientific breakthroughs at user fa-
12 cilities.

13 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Secretary to carry
15 out the activities described in this section \$500,000,000
16 for each of fiscal years 2022 through 2026.”.

17 **SEC. 10111. INCREASED COLLABORATION WITH TEACHERS**
18 **AND SCIENTISTS.**

19 (a) IN GENERAL.—The Department of Energy Re-
20 search and Innovation Act (42 U.S.C. 18601 et seq.) is
21 amended by adding after section 311, as added by this
22 title, the following:

1 **“SEC. 312. INCREASED COLLABORATION WITH TEACHERS**
2 **AND SCIENTISTS.**

3 “The Director shall support the development of a sci-
4 entific workforce through programs that facilitate collabo-
5 ration between K–12, university students, early-career re-
6 searchers, faculty, and the National Laboratories, includ-
7 ing through the use of proven techniques to expand the
8 number of individuals from underrepresented groups pur-
9 suing and attaining skills or undergraduate and graduate
10 degrees relevant to the Office’s mission.”.

11 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section
12 3169 of the Department of Energy Science Education En-
13 hancement Act (42 U.S.C. 7381e) is amended—

14 (1) by striking, “programs”, and inserting
15 “programs, including the NSF INCLUDES Na-
16 tional Network,”; and

17 (2) by striking, “year 1991”, and inserting
18 “years 2022 through 2026”.

19 (c) **BROADENING PARTICIPATION IN WORKFORCE**
20 **DEVELOPMENT FOR TEACHERS AND SCIENTISTS.**—

21 (1) **IN GENERAL.**—The Department of Energy
22 Science Education Enhancement Act (42 U.S.C.
23 7381 et seq.) is amended by inserting the following
24 sections after section 3167 (42 U.S.C. 7381c–1):

1 **“SEC. 3167A. BROADENING PARTICIPATION FOR TEACHERS**
2 **AND SCIENTISTS.**

3 “(a) IN GENERAL.—The Secretary shall expand op-
4 portunities to increase the number and the diversity, eq-
5 uity, and inclusion of highly skilled science, technology, en-
6 gineering, and mathematics (STEM) professionals work-
7 ing in Department of Energy mission-relevant disciplines
8 and broaden the recruitment pool to increase diversity, in-
9 cluding expanded partnerships with Historically Black
10 Colleges, Tribal Colleges, Minority Serving Institutions,
11 emerging research institutions, institutions in rural and
12 remote areas, and scientific societies.

13 “(b) PLAN.—Not later than 1 year after the date of
14 enactment of the America COMPETES Act of 2022, the
15 Secretary shall submit to the Committee on Science,
16 Space, and Technology of the House of Representatives
17 and the Committee on Energy and Natural Resources and
18 the Committee on Commerce, Science, and Transportation
19 of the Senate and make available to the public a plan for
20 broadening participation of underrepresented groups in
21 science, technology, engineering, and mathematics in pro-
22 grams supported by the Department programs, includ-
23 ing—

24 “(1) a plan for supporting and leveraging the
25 National Science Foundation INCLUDES National
26 Network;

1 “(2) metrics for assessing the participation of
2 underrepresented groups in Department programs;

3 “(3) experienced and potential barriers to
4 broadening participation of underrepresented groups
5 in Department programs, including recommended
6 solutions; and

7 “(4) any other activities the Secretary finds ap-
8 propriate.

9 “(c) AUTHORIZATION OF APPROPRIATIONS.—Of the
10 amounts authorized to be appropriated in section 3169
11 (42 U.S.C. 7381e), at least \$2,000,000 are authorized to
12 be appropriated each fiscal year for the activities described
13 under this subsection.

14 **“SEC. 3167B. EXPANDING OPPORTUNITIES TO INCREASE**
15 **THE DIVERSITY, EQUITY, AND INCLUSION OF**
16 **HIGHLY SKILLED SCIENCE, TECHNOLOGY,**
17 **ENGINEERING, AND MATHEMATICS (STEM)**
18 **PROFESSIONALS.**

19 “(a) IN GENERAL.—The Secretary shall expand op-
20 portunities to increase the number and the diversity, eq-
21 uity, and inclusion of highly skilled science, technology, en-
22 gineering, and mathematics (STEM) professionals work-
23 ing in Department of Energy mission-relevant disciplines
24 and broaden the recruitment pool to increase diversity, in-
25 cluding expanded partnerships with Historically Black

1 Colleges, Tribal Colleges, Minority Serving Institutions,
2 emerging research institutions, and scientific societies.

3 “(b) PLAN AND OUTREACH STRATEGY.—

4 “(1) PLAN.—Not later than 6 months after the
5 date of enactment of the America COMPETES Act
6 of 2022, the Secretary shall submit to the Com-
7 mittee on Science, Space, and Technology of the
8 House of Representatives and the Committee on En-
9 ergy and Natural Resources of the Senate a 10-year
10 educational plan to fund and expand new or existing
11 programs administered by the Office of Science and
12 sited at the National Laboratories and Department
13 of Energy user facilities to expand educational and
14 workforce opportunities for underrepresented high
15 school, undergraduate, and graduate students as
16 well as recent graduates, teachers and faculty in
17 STEM fields. This may include paid internships, fel-
18 lowships, temporary employment, training programs,
19 visiting student and faculty programs, sabbaticals,
20 and research support.

21 “(2) OUTREACH CAPACITY.—The Secretary
22 shall include in the plan under paragraph (1) an
23 outreach strategy to improve the advertising, recruit-
24 ment, and promotion of educational and workforce
25 programs to community colleges, Historically Black

1 Colleges and Universities, Tribal Colleges, Minority
2 Serving Institutions, and emerging research institu-
3 tions.

4 “(c) BUILDING RESEARCH CAPACITY.—The Sec-
5 retary shall develop programs that strengthen the research
6 capacity relevant to Office of Science disciplines at emerg-
7 ing research institutions, including minority-serving insti-
8 tutions, tribal colleges and universities, Historically Black
9 Colleges and Universities, and colleges and universities.
10 This may include enabling mutually beneficial and jointly
11 managed partnerships between research-intensive institu-
12 tions and emerging research institutions, and soliciting re-
13 search proposals, fellowships, training programs, and re-
14 search support directly from emerging research institu-
15 tions.

16 “(d) TRAINEESHIPS.—The Secretary shall establish
17 a university-led Traineeship Program to address workforce
18 training needs in STEM fields relevant to the Depart-
19 ment. The focus should be on supporting training and re-
20 search experiences for underrepresented undergraduate
21 and graduate students and increasing participation from
22 underrepresented populations. The traineeships should in-
23 clude opportunities to build the next-generation workforce
24 in research areas critical to maintaining core competencies
25 across the Office of Science’s programs.

1 “(e) EVALUATION.—The Secretary shall establish key
2 performance indicators to measure and monitor progress
3 of education and workforce programs and expand Depart-
4 mental activities for data collection and analysis. The Sec-
5 retary shall submit a report 2 years after the date of en-
6 actment of the America COMPETES Act of 2022, and
7 every 2 years thereafter, to the Committee on Science,
8 Space, and Technology of the House of Representatives
9 and the Committee on Energy and Natural Resources of
10 the Senate summarizing progress toward meeting key per-
11 formance indicators.

12 “(f) DEFINITIONS.—In this section:

13 “(1) MINORITY-SERVING INSTITUTION.—The
14 term ‘minority-serving institution’ includes the enti-
15 ties described in any of paragraphs (1) through (7)
16 of section 371(a) of the Higher Education Act of
17 1965 (20 U.S.C. 1067q(a)).

18 “(2) HISTORICALLY BLACK COLLEGE AND UNI-
19 VERSITIES.—The term ‘Historically Black Colleges
20 and Universities’ has the meaning given in ‘part B
21 institution’ in section 322 of the Higher Education
22 Act of 1965 (20 U.S.C. 1061).

23 “(3) STEM.—The term ‘STEM’ means the
24 field or disciplines listed in section 2 of the STEM
25 Education Act of 2015 (42 U.S.C. 6621 note).

1 “(4) TRIBAL COLLEGES AND UNIVERSITIES.—
2 The term ‘Tribal College or University’ has the
3 meaning given in section 316 of the Higher Edu-
4 cation Act of 1965 (20 U.S.C. 1059c).”.

5 (2) CLERICAL AMENDMENT.—The table of con-
6 tents in section 2(b) of the National Defense Au-
7 thorization Act for Fiscal Year 1991 is amended by
8 inserting after the item relating to section 3167 the
9 following:

“Sec. 3167A. Broadening participation for teachers and scientists.

“Sec. 3167B. Expanding opportunities to increase the diversity, equity, and in-
 clusion of highly skilled science, technology, engineering, and
 mathematics (STEM) professionals.”.

10 **SEC. 10112. HIGH INTENSITY LASER RESEARCH INITIATIVE;**
11 **OFFICE OF SCIENCE EMERGING INFECTIOUS**
12 **DISEASE COMPUTING RESEARCH INITIATIVE;**
13 **HELIUM CONSERVATION PROGRAM; AUTHOR-**
14 **IZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—The Department of Energy Re-
16 search and Innovation Act (42 U.S.C. 18601 et seq.) is
17 amended by adding at the end the following:

18 **“SEC. 313. HIGH INTENSITY LASER RESEARCH INITIATIVE.**

19 “(a) IN GENERAL.—The Director shall establish a
20 high intensity laser research initiative consistent with the
21 recommendations of the National Academies report, ‘Op-
22 portunities in Intense Ultrafast Lasers: Reaching for the
23 Brightest Light’, and the report from the Brightest Light

1 Initiative workshop on ‘The Future of Intense Ultrafast
2 Lasers in the U.S.’. This initiative should include research
3 and development of petawatt-scale and of high average
4 power laser technologies necessary for future facility needs
5 in discovery science and to advance energy technologies,
6 as well as support for a user network of academic and
7 national laboratory high intensity laser facilities.

8 “(b) LEVERAGE.—The Director shall leverage new
9 laser technologies for more compact, less complex, and
10 low-cost accelerator systems needed for science applica-
11 tions.

12 “(c) COORDINATION.—The Director shall coordinate
13 this initiative among all relevant programs within the Of-
14 fice of Science, and the Under Secretary for Science shall
15 coordinate this initiative with other relevant programs
16 within the Department as well as within other Federal
17 agencies.

18 “(d) AUTHORIZATION OF APPROPRIATIONS.—Out of
19 funds authorized to be appropriated for the Office of
20 Science there are authorized to be appropriated to the Sec-
21 retary to carry out the activities described in this sec-
22 tion—

23 “(1) \$50,000,000 for fiscal year 2022;

24 “(2) \$100,000,000 for fiscal year 2023;

25 “(3) \$150,000,000 for fiscal year 2024;

1 “(4) \$200,000,000 for fiscal year 2025; and

2 “(5) \$250,000,000 for fiscal year 2026.

3 **“SEC. 314. HELIUM CONSERVATION PROGRAM.**

4 “(a) IN GENERAL.—The Secretary shall establish a
5 program to reduce the consumption of helium for Depart-
6 ment grant recipients and facilities and encourage helium
7 recycling and reuse. The program shall competitively
8 award grants for—

9 “(1) the purchase of equipment to capture,
10 reuse, and recycle helium;

11 “(2) the installation, maintenance, and repair
12 of new and existing helium capture, reuse, and recy-
13 cling equipment; and

14 “(3) helium alternatives research and develop-
15 ment activities.

16 “(b) REPORT.—In carrying out the program under
17 this section, the Director shall submit to the Committee
18 on Science, Space, and Technology of House of Represent-
19 atives and the Committee on Energy and Natural Re-
20 sources of the Senate a report, not later than two years
21 after the date of enactment of the America COMPETES
22 Act of 2022, and every 3 years thereafter, on the purchase
23 of helium as part of research projects and facilities sup-
24 ported by the Department. The report shall include—

1 “(1) the quantity of helium purchased for
2 projects and facilities supported by Department
3 grants;

4 “(2) a cost-analysis for such helium;

5 “(3) the predominant production sources for
6 such helium;

7 “(4) expected or experienced impacts of helium
8 supply shortages or prices on the research projects
9 and facilities supported by the Department; and

10 “(5) recommendations for reducing Department
11 grant recipients’ exposure to volatile helium prices.

12 “(c) COORDINATION.—In carrying out the program
13 under this section, the Director shall coordinate with the
14 National Science Foundation and other relevant Federal
15 agencies on helium conservation activities.

16 “(d) DURATION.—The program established under
17 this section shall receive support for a period of not more
18 than 5 years, subject to the availability of appropriations.

19 “(e) RENEWAL.—Upon expiration of any period of
20 support of the program under this section, the Director
21 may renew support for the program for a period of not
22 more than 5 years.

1 **“SEC. 315. OFFICE OF SCIENCE EMERGING INFECTIOUS**
2 **DISEASE COMPUTING RESEARCH INITIATIVE.**

3 “(a) IN GENERAL.—The Secretary, in coordination
4 with the Director of the National Science Foundation, the
5 Secretary of Health and Human Services, and the Admin-
6 istrator of the National Aeronautics and Space Adminis-
7 tration, shall establish within the Office of Science, a
8 cross-cutting research initiative to leverage the Federal
9 Government’s innovative analytical resources and tools,
10 user facilities, and advanced computational and net-
11 working capabilities in order to prevent, prepare for, and
12 respond to emerging infectious diseases, including
13 COVID–19. The Secretary shall carry out this initiative
14 through a competitive, merit-reviewed process, and con-
15 sider applications from National Laboratories, institutions
16 of higher education, multi-institutional collaborations, in-
17 dustry partners and other appropriate entities.

18 “(b) ACTIVITIES.—In carrying out the initiative es-
19 tablished under subsection (a), the Secretary shall coordi-
20 nate with programs across the Office of Science and with
21 relevant Federal agencies to determine a comprehensive
22 set of technical milestones for these research activities and
23 prioritize the following objectives—

24 “(1) supporting fundamental research and de-
25 velopment in advanced analytics, experimental stud-
26 ies, materials synthesis, high-performance computing

1 technologies needed to characterize, model, simulate,
2 and predict complex phenomena and biological mate-
3 rials related to emerging infectious diseases, includ-
4 ing COVID–19 challenges, including a focus on test-
5 ing and diagnostics, experimental data acquisition,
6 sharing and management, advanced manufacturing,
7 and molecular design and modeling;

8 “(2) using expertise from the private sector, in-
9 stitutions of higher education, and the National
10 Laboratories to develop computational software and
11 capabilities that prospective users may accelerate
12 emerging infectious diseases research and develop-
13 ment;

14 “(3) leveraging the research infrastructure of
15 the Department, including scientific computing user
16 facilities, x-ray light sources, neutron scattering fa-
17 cilities, nanoscale science research centers, and se-
18 quencing and bio-characterization facilities by co-
19 ordinating with the Advanced Scientific Computing
20 Research, Basic Energy Sciences, and Biological and
21 Environmental Research programs within the Office
22 of Science;

23 “(4) leveraging experience from existing mod-
24 eling and simulation research and work sponsored by
25 the Department and promoting collaboration and

1 data sharing between National Laboratories, re-
2 search entities, and user facilities of the Department
3 by providing the necessary access and secure data
4 transfer capabilities; and

5 “(5) ensuring that new experimental and com-
6 putational tools are accessible to relevant research
7 communities, including private sector entities to ad-
8 dress emerging infectious diseases, including
9 COVID–19 challenges.

10 “(c) COORDINATION.—In carrying out this initiative,
11 the Secretary shall ensure, to the maximum extent prac-
12 ticable, coordination of these activities with the Depart-
13 ment of Energy National Laboratories, institutions of
14 higher education, and the private sector.

15 “(d) EMERGING INFECTIOUS DISEASES HIGH PER-
16 FORMANCE COMPUTING RESEARCH CONSORTIUM.—

17 “(1) IN GENERAL.—The Secretary in coordina-
18 tion with the Director of the National Science Foun-
19 dation, the Secretary of Health and Human Serv-
20 ices, and the Director of the Office of Science and
21 Technology Policy shall establish and operate an
22 Emerging Infectious Diseases High Performance
23 Computing Research Consortium (referred to in this
24 section as the ‘Consortium’), to support the initiative
25 under subsection (a) by providing, to the extent

1 practicable, a centralized entity for multidisciplinary,
2 collaborative, emerging infectious disease research
3 and development through high performance com-
4 puting and advanced data analytics technologies and
5 processes.

6 “(2) MEMBERSHIP.—The members of such con-
7 sortium may include representatives from relevant
8 Federal agencies, the private sector, institutions of
9 higher education, which can each contribute relevant
10 compute time, capabilities, or other resources.

11 “(3) ACTIVITIES.—The Consortium shall—

12 “(A) match applicants with available Fed-
13 eral and private sector computing resources;

14 “(B) consider supplemental awards for
15 computing partnerships with Consortium mem-
16 bers to qualifying entities on a competitive
17 merit-review basis;

18 “(C) encourage collaboration and commu-
19 nication among member representatives of the
20 consortium and awardees;

21 “(D) make available the high-performance
22 computing capabilities, expertise, and user fa-
23 cilities of the Department and the National
24 Laboratories; and

1 “(E) submit an annual report to the Sec-
2 retary summarizing the activities of the Consor-
3 tium, including—

4 “(i) describing each project under-
5 taken by the Consortium;

6 “(ii) detailing organizational expendi-
7 tures; and

8 “(iii) evaluating contribution to the
9 achievement of technical milestones as de-
10 termined in subsection (a).

11 “(4) COORDINATION.—The Secretary shall en-
12 sure the coordination of, and avoid unnecessary du-
13 plication of, the activities of the Consortium with the
14 activities of other research entities of the Depart-
15 ment, institutions of higher education and the pri-
16 vate sector.

17 “(e) REPORT.—Not later than 2 years after the date
18 of enactment of the America COMPETES Act of 2022,
19 the Secretary shall submit to the Committee on Science,
20 Space, and Technology of the House of Representatives,
21 the Committee on Energy and Commerce of the House
22 of Representatives, the Committee on Energy and Natural
23 Resources of the Senate, and the Committee on Com-
24 merce, Science, and Transportation of the Senate a report
25 detailing the effectiveness of—

1 “(1) the interagency coordination between each
2 Federal agency involved in the research initiative
3 carried out under this section;

4 “(2) the collaborative research achievements of
5 the initiative, including the achievement of the tech-
6 nical milestones determined under subsection (a);
7 and

8 “(3) potential opportunities to expand the tech-
9 nical capabilities of the Department.

10 “(f) FUNDING.—From within funds authorized to be
11 appropriated for the Department’s Office of Science, there
12 are authorized to be appropriated to the Secretary to carry
13 out the activities under this subsection, \$50,000,000 for
14 fiscal years 2022 and 2023.

15 “(g) PROHIBITION.—

16 “(1) IN GENERAL.—In carrying out this Act,
17 the Secretary may not carry out gain-of-function re-
18 search of concern.

19 “(2) GAIN-OF-FUNCTION RESEARCH DE-
20 FINED.—For the purposes of this subsection, ‘gain-
21 of-function research of concern’ means research ac-
22 tivities with the potential to generate pathogens with
23 high transmissibility and high virulence in humans.

1 **“SEC. 316. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to the Sec-
3 retary to carry out the activities described in this title—

4 “(1) \$8,801,915,000 for fiscal year 2022;

5 “(2) \$9,546,015,300 for fiscal year 2023;

6 “(3) \$10,395,677,621 for fiscal year 2024;

7 “(4) \$10,948,625,004 for fiscal year 2025; and

8 “(5) \$11,300,798,345 for fiscal year 2026.”.

9 (b) TABLE OF CONTENTS.—Section 1(b) of the De-
10 partment of Energy Research and Innovation Act is
11 amended in the table of contents by inserting after the
12 item relating to section 309 the following:

“Sec. 310. Accelerator research and development.

“Sec. 311. Isotope Development and Production for Research Applications.

“Sec. 312. Increased collaboration with teachers and scientists.

“Sec. 313. High intensity laser research initiative.

“Sec. 314. Helium conservation program.

“Sec. 315. Office of Science Emerging Infectious Disease Computing Research
Initiative.

“Sec. 316. Authorization of appropriations.”.

13 **SEC. 10113. STATE-OWNED ENTERPRISES PROHIBITION.**

14 (a) INNOVATE IN AMERICA.—In carrying out this
15 title or the amendments made by this title, the Secretary
16 may not award a contract, subcontract, grant, or loan to
17 an entity that—

18 (1) is owned or controlled by, is a subsidiary of,
19 or is otherwise related legally or financially to a cor-
20 poration based in a country that—

21 (A) is identified as a nonmarket economy
22 country (as defined in section 771(18) of the

1 Tariff Act of 1930 (19 U.S.C. 1677(18))) as of
2 the date of enactment of this Act;

3 (B) was identified by the United States
4 Trade Representative in the most recent report
5 required by section 182 of the Trade Act of
6 1974 (19 U.S.C. 2242) as a priority foreign
7 country under subsection (a)(2) of that section;
8 and

9 (C) is subject to monitoring by the Trade
10 Representative under section 306 of the Trade
11 Act of 1974 (19 U.S.C. 2416); or

12 (2) is listed pursuant to section 9(b)(3) of the
13 Uyghur Human Rights Policy Act of 2020 (Public
14 Law 116–145).

15 (b) EXCEPTION.—For purposes of subsection (a), the
16 Secretary may issue a waiver, to be made publicly avail-
17 able, to an entity in which the legal or financial connection
18 to a corporation is a minority relationship or investment.

19 (c) INTERNATIONAL AGREEMENTS.—This section
20 shall be applied in a manner consistent with the obliga-
21 tions of the United States under international agreements.

22 **SEC. 10114. DETERMINATION OF BUDGETARY EFFECTS.**

23 The budgetary effects of this title, for the purpose
24 of complying with the Statutory Pay-As-You-Go Act of
25 2010, shall be determined by reference to the latest state-

1 ment titled “Budgetary Effects of PAYGO Legislation”
2 for this title, submitted for printing in the Congressional
3 Record by the Chairman of the House Budget Committee,
4 provided that such statement has been submitted prior to
5 the vote on passage.

6 **SEC. 10115. NATIONAL VIRTUAL BIOTECHNOLOGY LABORA-**
7 **TORY.**

8 The Office of Science may allocate any funds author-
9 ized under this title to the National Virtual Biotechnology
10 Laboratory so long as such allocation is in conformity with
11 the purpose and any other requirements of such authoriza-
12 tion.

13 **SEC. 10116. ADDITIONAL RESEARCH.**

14 (a) IN GENERAL.—The Secretary of Energy shall
15 support research to advance adoption of integrated rooftop
16 solar, distributed solar, and microgrid technologies.

17 (b) FUNDING.—There is authorized to be appro-
18 priated to carry out this section \$50,000,000.

19 **TITLE II—NATIONAL INSTITUTE**
20 **OF STANDARDS AND TECH-**
21 **NOLOGY FOR THE FUTURE**
22 **ACT OF 2021**

23 **SEC. 10201. DEFINITIONS.**

24 In this title:

1 (1) DIRECTOR.—The term “Director” means
2 the Director of the National Institute of Standards
3 and Technology.

4 (2) FRAMEWORK.—The term “Framework”
5 means the Framework for Improving Critical Infra-
6 structure Cybersecurity developed by the National
7 Institute of Standards and Technology and referred
8 to in Executive Order No. 13800 issued on May 11,
9 2017 (82 Fed. Reg. 22391 et seq.).

10 (3) HISTORICALLY BLACK COLLEGES AND UNI-
11 VERSITIES.—The term “historically Black colleges
12 and universities” has the same meaning given to the
13 term “part B institutions” in section 322 of the
14 Higher Education Act of 1965 (20 U.S.C. 1061).

15 (4) INSTITUTE.—The term “Institute” means
16 the National Institute of Standards and Technology.

17 (5) INSTITUTION OF HIGHER EDUCATION.—The
18 term “institution of higher education” has the
19 meaning given such term in section 101 of the High-
20 er Education Act of 1965 (20 U.S.C. 1001).

21 (6) INTERNATIONAL STANDARDS ORGANIZA-
22 TION.—The term “International Standards Organi-
23 zation” has the meaning given such term in section
24 451 of the Trade Agreements Act of 1979 (19
25 U.S.C. 2571).

1 (7) **MINORITY SERVING INSTITUTION.**—The
2 term “minority-serving institution’” means a His-
3 panic-serving institution, an Alaska Native-serving
4 institution, a Native Hawaiian-serving institutions, a
5 Predominantly Black Institution, an Asian American
6 and Native American Pacific Islander-serving insti-
7 tution, or a Native American-serving nontribal insti-
8 tution as described in section 371 of the Higher
9 Education Act of 1965 (20 U.S.C. 1067q(a)).

10 (8) **SECRETARY.**—The term “Secretary” means
11 the Secretary of Commerce.

12 (9) **TECHNICAL STANDARDS.**—The term “tech-
13 nical standard” has the meaning given such term in
14 section 12(d)(5) of the National Technology Trans-
15 fer and Advancement Act of 1995.

16 **Subtitle A—Appropriations**

17 **SEC. 10211. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) **FISCAL YEAR 2022.**—

19 (1) **IN GENERAL.**—There are authorized to be
20 appropriated to the Secretary of Commerce
21 \$1,409,070,000 for the National Institute of Stand-
22 ards and Technology for fiscal year 2022.

23 (2) **SPECIFIC ALLOCATIONS.**—Of the amount
24 authorized by paragraph (1)—

1 (A) \$915,570,000 is authorized to be ap-
2 propriated for scientific and technical research
3 and services laboratory activities, of which
4 \$9,000,000 is authorized to be appropriated for
5 the Working Capital Fund;

6 (B) \$22,000,000 is authorized to be appro-
7 priated to the Director for the purpose of inves-
8 tigating the building collapse that occurred in
9 Surfside, Florida on June 24, 2021, to under-
10 stand the source of failure, to provide rec-
11 ommendations for how to rectify any short-
12 comings in existing building standards in order
13 to prevent future similar disasters, and to in-
14 form future building codes for similar struc-
15 tures, in coordination with State and local of-
16 fices and other Federal agencies as appropriate,
17 consistent with the Institute's responsibilities
18 under the National Construction Safety Team
19 Act of 2002 (Public Law 107-231);

20 (C) \$140,000,000 is authorized to be ap-
21 propriated for the construction and mainte-
22 nance of facilities, of which \$80,000,000 is au-
23 thorized to be appropriated for Safety, Capac-
24 ity, Maintenance, and Major Repairs; and

1 (D) \$331,500,000 is authorized to be ap-
2 propriated for industrial technology services ac-
3 tivities, of which \$275,000,000 is authorized to
4 be appropriated for the Manufacturing Exten-
5 sion Partnership program under sections 25
6 and 26 of the National Institute of Standards
7 and Technology Act (15 U.S.C. 278k and 278l)
8 and \$56,500,000 is authorized to be appro-
9 priated for the Network for Manufacturing In-
10 novation Program under section 34 of the Na-
11 tional Institute of Standards and Technology
12 Act (15 U.S.C. 278s).

13 (b) FISCAL YEAR 2023.—

14 (1) IN GENERAL.—There are authorized to be
15 appropriated to the Secretary of Commerce
16 \$1,518,800,000 for the National Institute of Stand-
17 ards and Technology for fiscal year 2023.

18 (2) SPECIFIC ALLOCATIONS.—Of the amount
19 authorized by paragraph (1)—

20 (A) \$979,100,000 is authorized to be ap-
21 propriated for scientific and technical research
22 and services laboratory activities, of which
23 \$10,000,000 is authorized to be appropriated
24 for the Working Capital Fund;

1 (B) \$200,000,000 is authorized to be ap-
2 propriated for the construction and mainte-
3 nance of facilities, of which \$80,000,000 is au-
4 thorized to be appropriated for Safety, Capac-
5 ity, Maintenance, and Major Repairs, including
6 \$20,000,000 for IT infrastructure; and

7 (C) \$339,800,000 is authorized to be ap-
8 propriated for industrial technology services ac-
9 tivities, of which \$283,300,000 is authorized to
10 be appropriated for the Manufacturing Exten-
11 sion Partnership program under sections 25
12 and 26 of the National Institute of Standards
13 and Technology Act (15 U.S.C. 278k and 278l)
14 and \$56,500,000 is authorized to be appro-
15 priated for the Network for Manufacturing In-
16 novation Program under section 34 of the Na-
17 tional Institute of Standards and Technology
18 Act (15 U.S.C. 278s).

19 (c) FISCAL YEAR 2024.—

20 (1) IN GENERAL.—There are authorized to be
21 appropriated to the Secretary of Commerce
22 \$1,595,800,000 for the National Institute of Stand-
23 ards and Technology for fiscal year 2024.

24 (2) SPECIFIC ALLOCATIONS.—Of the amount
25 authorized by paragraph (1)—

1 (A) \$1,047,600,000 is authorized to be ap-
2 propriated for scientific and technical research
3 and services laboratory activities, of which
4 \$12,000,000 is authorized to be appropriated
5 for the Working Capital Fund;

6 (B) \$200,000,000 is authorized to be ap-
7 propriated for the construction and mainte-
8 nance of facilities, of which \$80,000,000 is au-
9 thorized to be appropriated for Safety, Capac-
10 ity, Maintenance, and Major Repairs, including
11 \$20,000,000 for IT infrastructure; and

12 (C) \$348,200,000 is authorized to be ap-
13 propriated for industrial technology services ac-
14 tivities, of which \$291,700,000 is authorized to
15 be appropriated for the Manufacturing Exten-
16 sion Partnership program under sections 25
17 and 26 of the National Institute of Standards
18 and Technology Act (15 U.S.C. 278k and 278l)
19 and \$56,500,000 is authorized to be appro-
20 priated for the Network for Manufacturing In-
21 novation Program under section 34 of the Na-
22 tional Institute of Standards and Technology
23 Act (15 U.S.C. 278s).

24 (d) FISCAL YEAR 2025.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated to the Secretary of Commerce
3 \$1,677,900,000 for the National Institute of Stand-
4 ards and Technology for fiscal year 2025.

5 (2) SPECIFIC ALLOCATIONS.—Of the amount
6 authorized by paragraph (1)—

7 (A) \$1,120,900,000 is authorized to be ap-
8 propriated for scientific and technical research
9 and services laboratory activities, of which
10 \$15,000,000 is authorized to be appropriated
11 for the Working Capital Fund;

12 (B) \$200,000,000 is authorized to be ap-
13 propriated for the construction and mainte-
14 nance of facilities, of which \$80,000,000 is au-
15 thorized to be appropriated for Safety, Capac-
16 ity, Maintenance, and Major Repairs, including
17 \$20,000,000 for IT infrastructure; and

18 (C) \$357,000,000 is authorized to be ap-
19 propriated for industrial technology services ac-
20 tivities, of which \$300,500,000 is authorized to
21 be appropriated for the Manufacturing Exten-
22 sion Partnership program under sections 25
23 and 26 of the National Institute of Standards
24 and Technology Act (15 U.S.C. 278k and 278l)
25 and \$56,500,000 is authorized to be appro-

1 appropriated for the Network for Manufacturing In-
2 novation Program under section 34 of the Na-
3 tional Institute of Standards and Technology
4 Act (15 U.S.C. 278s).

5 (e) FISCAL YEAR 2026.—

6 (1) IN GENERAL.—There are authorized to be
7 appropriated to the Secretary of Commerce
8 \$1,765,400,000 for the National Institute of Stand-
9 ards and Technology for fiscal year 2026.

10 (2) SPECIFIC ALLOCATIONS.—Of the amount
11 authorized by paragraph (1)—

12 (A) \$1,199,400,000 is authorized to be ap-
13 propriated for scientific and technical research
14 and services laboratory activities, of which
15 \$18,000,000 is authorized to be appropriated
16 for the Working Capital Fund;

17 (B) \$200,000,000 is authorized to be ap-
18 propriated for the construction and mainte-
19 nance of facilities, of which \$80,000,000 is au-
20 thorized to be appropriated for Safety, Capac-
21 ity, Maintenance, and Major Repairs, including
22 \$20,000,000 for IT infrastructure; and

23 (C) \$366,000,000 is authorized to be ap-
24 propriated for industrial technology services ac-
25 tivities, of which \$309,500,000 is authorized to

1 be appropriated for the Manufacturing Exten-
2 sion Partnership program under sections 25
3 and 26 of the National Institute of Standards
4 and Technology Act (15 U.S.C. 278k and 23
5 278l) and \$56,500,000 is authorized to be ap-
6 propriated for the Network for Manufacturing
7 Innovation Program under section 34 of the
8 National Institute of Standards and Technology
9 Act (15 U.S.C. 278s).

10 **Subtitle B—Measurement Research**

11 **SEC. 10221. ENGINEERING BIOLOGY AND BIOMETROLOGY.**

12 (a) IN GENERAL.—The Director shall—

13 (1) support basic measurement science, tech-
14 nology research for engineering biology, biomanufac-
15 turing, and biometrology to advance—

16 (A) measurement technologies to support
17 foundational understanding of the mechanisms
18 of conversion of DNA information into cellular
19 function, including both the natural and engi-
20 neered production of biomolecules;

21 (B) technologies for measurement of such
22 biomolecular components and for complex engi-
23 neered biological systems;

1 (C) new data tools, techniques, and proc-
2 esses to improve engineering biology, biomanu-
3 facturing, and biometrology research; and

4 (D) all other areas deemed by the Director
5 to be critical to the development and deploy-
6 ment of engineering biology, biomanufacturing
7 and biometrology;

8 (2) support activities to inform and expand the
9 development of measurements infrastructure needed
10 to develop technical standards to establish interoper-
11 ability and facilitate commercial development of bio-
12 molecular measurement technology and engineering
13 biology applications;

14 (3) convene industry, institutions of higher edu-
15 cation, nonprofit organizations, Federal laboratories,
16 and other Federal agencies engaged in engineering
17 biology research and development to develop coordi-
18 nated technical roadmaps for authoritative measure-
19 ment of the molecular components of the cell;

20 (4) provide access to user facilities with ad-
21 vanced or unique equipment, services, materials, and
22 other resources to industry, institutions of higher
23 education, nonprofit organizations, and government
24 agencies to perform research and testing;

1 (5) establish or expand collaborative partner-
2 ships or consortia with other Federal agencies en-
3 gaged in engineering biology research and develop-
4 ment, institutions of higher education, Federal lab-
5 oratories, and industry to advance engineering biol-
6 ogy applications; and

7 (6) support graduate and post graduate re-
8 search and training in biometrology, biomanufac-
9 turing, and engineering biology.

10 (b) DEFINITIONS.—For purposes of this section, the
11 term “Engineering Biology” means the application of en-
12 gineering design principles and practices to biological sys-
13 tems, including molecular and cellular systems, to advance
14 fundamental understanding of complex natural systems
15 and to enable novel or optimized functions and capabili-
16 ties.

17 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to alter the policies, processes, or
19 practices of individual Federal agencies in effect on the
20 day before the date of the enactment of this Act relating
21 to the conduct of biomedical research and advanced devel-
22 opment, including the solicitation and review of extra-
23 mural research proposals.

24 (d) CONTROLS.—In carrying out activities authorized
25 by this section, the Secretary shall ensure proper security

1 controls are in place to protect sensitive information, as
2 appropriate.

3 **SEC. 10222. GREENHOUSE GAS MEASUREMENT RESEARCH.**

4 (a) GREENHOUSE GAS MEASUREMENT PROGRAM.—

5 (1) IN GENERAL.—The Director, in consulta-
6 tion with the Administrator of the National Oceanic
7 and Atmospheric Administration, the Administrator
8 of the Environmental Protection Agency, the Na-
9 tional Aeronautics and Space Administration, the
10 National Science Foundation, and other Federal
11 agencies, as appropriate, shall carry out a measure-
12 ment research program to inform the development of
13 best practices, benchmarks, methodologies, proce-
14 dures, and technical standards for the measurement
15 of greenhouse gas emissions and to assess and im-
16 prove the performance of greenhouse gas emissions
17 measurement systems placed in-situ and on space-
18 based platforms.

19 (2) ACTIVITIES.—In carrying out such a pro-
20 gram, the Director may—

21 (A) conduct research and testing to im-
22 prove the accuracy, efficacy, and reliability of
23 the measurement of greenhouse gas emissions
24 at a range of scales that covers direct measure-

1 ment at the component or process level through
2 atmospheric observations;

3 (B) conduct research to create novel meas-
4 urement technologies and techniques for the
5 measurement of greenhouse gas emissions;

6 (C) convene and engage with relevant Fed-
7 eral agencies and stakeholders to establish com-
8 mon definitions and characterizations for the
9 measurement of greenhouse gas emissions, tak-
10 ing into account any existing United States and
11 international technical standards and guidance;

12 (D) conduct outreach and coordination to
13 share technical expertise with relevant industry
14 and non-industry stakeholders and standards
15 development organizations to assist such enti-
16 ties in the development of best practices and
17 technical standards for greenhouse gas emis-
18 sions measurements;

19 (E) in coordination with the Administrator
20 of the National Oceanic and Atmospheric Ad-
21 ministration and the Administrator of the Envi-
22 ronmental Protection Agency, develop such
23 standard reference materials as the Director de-
24 termines is necessary to further the develop-
25 ment of such technical standards, taking into

1 account any existing United States or inter-
2 national standards;

3 (F) coordinate with the National Oceanic
4 and Atmospheric Administration to ensure data
5 are managed, stewarded, and archived at all
6 levels and promote full and open exchange at
7 Federal and State levels, and with academia,
8 industry, and other users; and

9 (G) coordinate with international partners,
10 including international standards organizations,
11 to maintain global greenhouse gas measurement
12 technical standards.

13 (3) TEST BEDS.—In coordination with the pri-
14 vate sector, institutions of higher education, State
15 and local governments, the National Oceanic and At-
16 mospheric Administration, the Environmental Pro-
17 tection Agency, and other Federal agencies, as ap-
18 propriate, the Director may continue to develop and
19 manage testbeds to advance research and standards
20 development for greenhouse gas emissions measure-
21 ments from in-situ and space-based platforms.

22 (4) GREENHOUSE GAS MEASUREMENT CENTER
23 OF EXCELLENCE.—

24 (A) IN GENERAL.—The Director, in col-
25 laboration with the Administrator of the Na-

1 tional Oceanic and Atmospheric Administration,
2 the Administrator of the Environmental Protec-
3 tion Agency, and the heads of other Federal
4 agencies, as appropriate, shall award to an in-
5 stitution of higher education or an eligible non-
6 profit organization (or a consortium thereof),
7 on a merit-reviewed, competitive basis, funds to
8 establish a Center of Excellence in Greenhouse
9 Gas Measurement.

10 (B) COLLABORATIONS.—The Director
11 shall require, as a condition of receipt of the
12 award under this paragraph, that the activities
13 of the Center of Excellence include collaboration
14 among public and private organizations, includ-
15 ing institutions of higher education, nonprofit
16 organizations, private sector entities, and State,
17 tribal, territorial, and local officials.

18 (C) PURPOSE.—The purpose of the Center
19 of Excellence shall be to—

20 (i) advance measurement science, data
21 analytics, and modeling at a range of
22 scales that covers direct measurement at
23 the component or process level through at-
24 mospheric observations to improve the ac-
25 curacy of greenhouse gas emissions meas-

1 urement, validation, and attribution to spe-
2 cific underlying activities and processes;

3 (ii) test and evaluate the performance
4 of existing capabilities, and inform and im-
5 prove best practices, benchmarks, meth-
6 odologies, procedures, and technical stand-
7 ards, for the measurement and validation
8 of greenhouse gas emissions at scales
9 noted in clause (i);

10 (iii) educate and train students in
11 measurement science, computational
12 science, and systems engineering research
13 relevant to greenhouse gas emissions meas-
14 urements;

15 (iv) foster collaboration among aca-
16 demic researchers, private sector stake-
17 holders, and State, Tribal, territorial, and
18 local officials;

19 (v) support Institute test beds as de-
20 scribed in subsection (a)(3); and

21 (vi) collaborate with other Federal
22 agencies to conduct outreach and coordina-
23 tion to share technical expertise with rel-
24 evant public and private sector stake-
25 holders, including academia, State, Tribal,

1 territorial, local officials, and international
2 partners to assist such entities in meas-
3 uring greenhouse gas emissions.

4 (D) REQUIREMENTS.—

5 (i) IN GENERAL.—An institution of
6 higher education or an eligible nonprofit
7 organization (or a consortium thereof)
8 seeking funding under this subsection shall
9 submit an application to the Director at
10 such time, in such manner, and containing
11 such information as the Director may re-
12 quire.

13 (ii) APPLICATIONS.—Each application
14 made under clause (i) shall include a de-
15 scription of—

16 (I) how the Center will work with
17 other research institutions, industry
18 partners, and State and local officials
19 to identify research, testing, and tech-
20 nical standards needs relevant to
21 greenhouse gas emissions;

22 (II) how the Center will promote
23 active collaboration among researchers
24 in multiple disciplines involved in the

1 measurement of greenhouse gas emis-
2 sions; and

3 (III) how the Center will share
4 technical expertise with relevant pub-
5 lic and private sector stakeholders, in-
6 cluding state and local officials, to as-
7 sist such entities in measuring green-
8 house gas emissions.

9 (iii) SELECTION AND DURATION.—

10 Each Center established under this section
11 is authorized to carry out activities for a
12 period of 5 years, renewable for an addi-
13 tional 5 years at the discretion of the Di-
14 rector, in consultation with other Federal
15 agencies as appropriate.

16 **SEC. 10223. NIST AUTHORITY FOR CYBERSECURITY AND**
17 **PRIVACY ACTIVITIES.**

18 Section 2 of the National Institute of Standards and
19 Technology Act (15 U.S.C. 272 et seq.) is amended—

20 (1) in subsection (c)—

21 (A) in paragraph (16), by striking the pe-
22 riod at the end and inserting a semicolon;

23 (B) by redesignating paragraphs (16)
24 through (27) as paragraphs (21) through (32),
25 respectively; and

1 (C) by inserting after paragraph (15) the
2 following:

3 “(16) support information security measures
4 for the development and lifecycle of software and the
5 software supply chain, including development of vol-
6 untary, consensus-based technical standards, best
7 practices, frameworks, methodologies, procedures,
8 processes, and software engineering toolkits and con-
9 figurations;

10 “(17) support information security measures,
11 including voluntary, consensus-based technical
12 standards, best practices, and guidelines, for the de-
13 sign, adoption and deployment of cloud computing
14 services;

15 “(18) support research, development, and prac-
16 tical application to improve the usability of cyberse-
17 curity processes and technologies;

18 “(19) facilitate and support the development of
19 a voluntary, consensus-based set of technical stand-
20 ards, guidelines, best practices, methodologies, pro-
21 cedures, and processes to cost-effectively ensure ap-
22 propriate privacy protections for personally identifi-
23 able information in systems, technologies, and proc-
24 esses used by both the public and private sector;

1 “(20) support privacy measures, including vol-
2 untary, consensus-based technical standards, best
3 practices, guidelines, metrology, and testbeds for the
4 design, adoption and deployment of privacy enhanc-
5 ing technologies;” and

6 (2) in subsection (e)(1)(A)—

7 (A) in clause (viii), by striking “and” at
8 the end;

9 (B) by redesignating clause (ix) as clause
10 (xi); and

11 (C) by inserting after clause (viii) the fol-
12 lowing:

13 “(ix) conduct reviews of and create
14 impact metrics for cybersecurity solutions
15 and capabilities developed by the Institute
16 for purposes of improvement;”.

17 **SEC. 10224. SOFTWARE SECURITY AND AUTHENTICATION.**

18 (a) **VULNERABILITIES IN OPEN SOURCE SOFT-**
19 **WARE.**—The Director shall assess and assign severity
20 metrics to identified vulnerabilities with open source soft-
21 ware and produce voluntary guidance to assist the entities
22 that maintain open source software repositories to discover
23 and mitigate vulnerabilities.

24 (b) **ARTIFICIAL INTELLIGENCE-ENABLED DE-**
25 **FENSES.**—The Director shall carry out research and test-

1 ing to improve the effectiveness of artificial intelligence-
2 enabled cybersecurity, including by generating optimized
3 data sets to train artificial intelligence defense systems
4 and evaluating the performance of varying network archi-
5 tectures at strengthening network security.

6 (c) AUTHENTICATION OF INSTITUTE SOFTWARE.—

7 The Director shall ensure all software released by the In-
8 stitute is digitally signed and maintained to enable stake-
9 holders to verify its authenticity and integrity upon instal-
10 lation and execution.

11 (d) ASSISTANCE TO INSPECTORS GENERAL.—The

12 Director shall provide technical assistance to improve the
13 education and training of individual Federal agency In-
14 spectors General and staff who are responsible for the an-
15 nual independent evaluation they are required to perform
16 of the information security program and practices of Fed-
17 eral Agencies under section 3555 of title 44, United States
18 Code.

19 (e) SOFTWARE SUPPLY CHAIN SECURITY PRAC-
20 TICES.—

21 (1) IN GENERAL.—The Director shall, in co-
22 ordination with industry, academia, and other Fed-
23 eral agencies, as appropriate, develop a set of secu-
24 rity outcomes and practices, including security con-
25 trols, control enhancements, supplemental guidance,

1 or other supporting information to enable software
2 developers and operators to identify, assess, and
3 manage cyber risks over the full lifecycle of software
4 products.

5 (2) OUTREACH.—The Director shall conduct
6 outreach and coordination activities to share tech-
7 nical expertise with Federal agencies, relevant indus-
8 try stakeholders, and standards development organi-
9 zations, as appropriate, to encourage the voluntary
10 adoption of the software lifecycle security practices
11 by Federal agencies and industry stakeholders.

12 **SEC. 10225. DIGITAL IDENTITY MANAGEMENT RESEARCH.**

13 Section 504 of the Cybersecurity Enhancement Act
14 of 2014 (15 U.S.C. 7464) is amended to read as follows:

15 **“SEC. 504. IDENTITY MANAGEMENT RESEARCH AND DEVEL-**
16 **OPMENT.**

17 “(a) IN GENERAL.—The Director shall carry out a
18 program of research to support the development of vol-
19 untary, consensus-based technical standards, best prac-
20 tices, benchmarks, methodologies, metrology, testbeds,
21 and conformance criteria for identity management, taking
22 into account appropriate user concerns—

23 “(1) to improve interoperability and portability
24 among identity management technologies;

1 “(2) to strengthen identity proofing and
2 verification methods used in identity management
3 systems, including identity and attribute validation
4 services provided by Federal, State, and local gov-
5 ernments;

6 “(3) to improve privacy protection in identity
7 management systems through authentication and se-
8 curity protocols; and

9 “(4) to monitor and improve the accuracy,
10 usability, and inclusivity of identity management
11 systems.

12 “(b) DIGITAL IDENTITY TECHNICAL ROADMAP.—

13 The Director, in consultation with other relevant Federal
14 agencies and stakeholders from the private sector, shall
15 develop and maintain a technical roadmap for digital iden-
16 tity management research and development focused on en-
17 abling the voluntary use and adoption of modern digital
18 identity solutions that align with the four criteria in sub-
19 section (a).

20 “(c) DIGITAL IDENTITY MANAGEMENT GUIDANCE.—

21 “(1) IN GENERAL.—The Director shall develop,
22 and periodically update, in collaboration with other
23 public and private sector organizations, common
24 definitions and voluntary guidance for digital iden-
25 tity management systems, including identity and at-

1 tribute validation services provided by Federal,
2 State, and local governments.

3 “(2) GUIDANCE.—The Guidance shall—

4 “(A) align with the four criteria in sub-
5 section (a), as practicable;

6 “(B) provide case studies of implementa-
7 tion of guidance;

8 “(C) incorporate voluntary technical stand-
9 ards and industry best practices; and

10 “(D) not prescribe or otherwise require the
11 use of specific technology products or services.

12 “(3) CONSULTATION.—In carrying out this sub-
13 section, the Director shall consult with—

14 “(A) Federal and State agencies;

15 “(B) industry;

16 “(C) potential end-users and individuals
17 that will use services related to digital identity
18 verification; and

19 “(D) experts with relevant experience in
20 the systems that enable digital identity
21 verification, as determined by the Director.”.

22 **SEC. 10226. BIOMETRICS RESEARCH AND TESTING.**

23 (a) IN GENERAL.—The Secretary, acting through the
24 Director, shall establish a program to support measure-
25 ment research to inform the development of best practices,

1 benchmarks, methodologies, procedures, and voluntary,
2 consensus-based technical standards for biometric identi-
3 fication systems, including facial recognition systems, to
4 assess and improve the performance of such systems. In
5 carrying out such program, the Director may—

6 (1) conduct research to support efforts to im-
7 prove the performance of biometric identification
8 systems, including in areas related to conformity as-
9 sessment, image quality and interoperability,
10 contactless biometric capture technologies, and
11 human-in-the-loop biometric identification systems
12 and processes;

13 (2) convene and engage with relevant stake-
14 holders to establish common definitions and charac-
15 terizations for biometric identification systems, in-
16 cluding accuracy, fairness, bias, privacy, consent,
17 and other properties, taking into account definitions
18 in relevant international technical standards and
19 other publications;

20 (3) carry out research and testing on a range
21 of biometric modalities, such as fingerprints, voice,
22 iris, face, vein, behavioral biometrics, genetics,
23 multimodal biometrics, and emerging applications of
24 biometric identification technology;

1 (4) study the use of privacy-enhancing tech-
2 nologies and other technical protective controls to fa-
3 cilitate access to public data sets for biometric re-
4 search;

5 (5) conduct outreach and coordination to share
6 technical expertise with relevant industry and non-
7 industry stakeholders and standards development or-
8 ganizations to assist such entities in the development
9 of best practices and voluntary technical standards;
10 and

11 (6) develop such standard reference artifacts as
12 the Director determines is necessary to further the
13 development of such voluntary technical standards.

14 (b) BIOMETRICS VENDOR TEST PROGRAM.—

15 (1) IN GENERAL.—The Secretary, acting
16 through the Director, shall carry out a test program
17 to provide biometrics vendors the opportunity to test
18 biometric identification technologies across a range
19 of modalities.

20 (2) ACTIVITIES.—In carrying out the program
21 under this subsection, the Director shall—

22 (A) conduct research and regular testing to
23 improve and benchmark the accuracy, efficacy,
24 and bias of biometric identification systems, in-
25 cluding research and testing on demographic

1 variations, capture devices, presentation attack
2 detection, partially occluded or computer gen-
3 erated images, privacy and security designs and
4 controls, template protection, de-identification,
5 and comparison of algorithm, human, and com-
6 bined algorithm-human recognition capability;

7 (B) develop an approach for testing soft-
8 ware and cloud-based biometrics applications,
9 including remote systems, in Institute test fa-
10 cilities;

11 (C) establish reference use cases for bio-
12 metric applications and performance criteria for
13 assessing each use case, including accuracy and
14 bias metrics;

15 (D) produce public-facing reports of the
16 findings from such testing for a general audi-
17 ence; and

18 (E) conduct such other activities as
19 deemed necessary by the Director.

20 (c) GAO REPORT TO CONGRESS.—Not later than
21 180 days after the date of enactment of this Act, the
22 Comptroller General of the United States shall submit a
23 detailed report to Congress on the impact of biometric
24 identification systems on historically marginalized commu-
25 nities, including low-income communities and minority re-

1 ligious, racial, and ethnic groups. Such report should be
2 made publicly available on an internet website.

3 **SEC. 10227. FEDERAL BIOMETRIC PERFORMANCE STAND-**
4 **ARDS.**

5 Section 20 of the National Institute of Standards and
6 Technology Act (15 U.S.C. 278g-3) is amended in sub-
7 section (b)—

8 (1) in paragraph (2), by striking “and” after
9 the semicolon;

10 (2) in paragraph (3), by striking the period and
11 inserting “; and”; and

12 (3) by adding at the end the following:

13 “(4) performance standards and guidelines for
14 high risk biometric identification systems, including
15 facial recognition systems, accounting for various
16 use cases, types of biometric identification systems,
17 and relevant operational conditions.”.

18 **SEC. 10228. PROTECTING RESEARCH FROM CYBER THEFT.**

19 Section 2(e)(1)(A) of the National Institute of Stand-
20 ards and Technology Act (15 U.S.C. 272(e)(1)(A)), as
21 amended by section 10223(2), is further amended by in-
22 serting after clause (ix), as added by section 10223(2)(C),
23 the following:

24 “(x) consider institutions of higher
25 education (as defined in section 101 of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1001)); and”.

3 **SEC. 10229. DISSEMINATION OF RESOURCES FOR RE-**
4 **SEARCH INSTITUTIONS.**

5 (a) DISSEMINATION OF RESOURCES FOR RESEARCH
6 INSTITUTIONS.—

7 (1) IN GENERAL.—Not later than one year
8 after the date of the enactment of this Act, the Di-
9 rector shall, using the authorities of the Director
10 under subsections (c)(15) and (e)(1)(A)(ix) of sec-
11 tion 2 of the National Institute of Standards and
12 Technology Act (15 U.S.C. 272), as amended by sec-
13 tion 10228, disseminate and make publicly available
14 resources to help qualifying institutions identify, as-
15 sess, manage, and reduce their cybersecurity risk re-
16 lated to conducting research.

17 (2) REQUIREMENTS.—The Director shall en-
18 sure that the resources disseminated pursuant to
19 paragraph (1)—

20 (A) are generally applicable and usable by
21 a wide range of qualifying institutions;

22 (B) vary with the nature and size of the
23 qualifying institutions, and the nature and sen-
24 sitivity of the data collected or stored on the in-

1 formation systems or devices of the qualifying
2 institutions;

3 (C) include elements that promote aware-
4 ness of simple, basic controls, a workplace cy-
5 bersecurity culture, and third-party stakeholder
6 relationships, to assist qualifying institutions in
7 mitigating common cybersecurity risks;

8 (D) include case studies, examples, and
9 scenarios of practical application;

10 (E) are technology-neutral and can be im-
11 plemented using technologies that are commer-
12 cial and off-the-shelf; and

13 (F) to the extent practicable, are based on
14 international technical standards.

15 (3) NATIONAL CYBERSECURITY AWARENESS
16 AND EDUCATION PROGRAM.—The Director shall en-
17 sure that the resources disseminated under para-
18 graph (1) are consistent with the efforts of the Di-
19 rector under section 303 of the Cybersecurity En-
20 hancement Act of 2014 (15 U.S.C. 7451).

21 (4) UPDATES.—The Director shall review peri-
22 odically and update the resources under paragraph
23 (1) as the Director determines appropriate.

1 (5) VOLUNTARY RESOURCES.—The use of the
2 resources disseminated under paragraph (1) shall be
3 considered voluntary.

4 (b) OTHER FEDERAL CYBERSECURITY REQUIRE-
5 MENTS.—Nothing in this section may be construed to su-
6 persede, alter, or otherwise affect any cybersecurity re-
7 quirements applicable to Federal agencies.

8 (c) DEFINITIONS.—In this section:

9 (1) QUALIFYING INSTITUTIONS.—The term
10 “qualifying institutions” means institutions of high-
11 er education that are classified as either very-high
12 research intensive (R1) or high research intensive
13 (R2) status universities by the Carnegie Classifica-
14 tion of Academic Institutions.

15 (2) RESOURCES.—The term “resources” means
16 guidelines, tools, best practices, technical standards,
17 methodologies, and other ways of providing informa-
18 tion.

19 **SEC. 10230. ADVANCED COMMUNICATIONS RESEARCH.**

20 The National Institute of Standards and Technology
21 Act (15 U.S.C. 271 et seq.) is amended—

22 (1) by redesignating section 35 as section 36;

23 and

24 (2) by inserting after section 34 the following:

1 **“SEC. 35. ADVANCED COMMUNICATIONS RESEARCH ACTIVI-**
2 **TIES.**

3 “(a) **ADVANCED COMMUNICATIONS RESEARCH.**—

4 “(1) **IN GENERAL.**—The Director, in consulta-
5 tion with the Administrator of the National Tele-
6 communications and Information Administration,
7 the Director of the National Science Foundation,
8 and heads of other Federal agencies, as appropriate,
9 shall carry out a program of measurement research
10 for advanced communications technologies.

11 “(2) **RESEARCH AREAS.**—Research areas may
12 include—

13 “(A) radio frequency emissions and inter-
14 ference, including technologies and techniques
15 to mitigate such emissions;

16 “(B) advanced antenna arrays and artifi-
17 cial intelligence systems capable of operating
18 advanced antenna arrays;

19 “(C) artificial intelligence systems to en-
20 able internet of things networks, immersive
21 technology, and other advanced communications
22 technologies;

23 “(D) network sensing and monitoring tech-
24 nologies;

25 “(E) technologies to enable spectrum flexi-
26 bility and agility;

1 “(F) optical and quantum communications
2 technologies;

3 “(G) security of advanced communications
4 systems;

5 “(H) public safety communications;

6 “(I) resilient internet of things applications
7 for advanced manufacturing; and

8 “(J) other research areas deemed nec-
9 essary by the Director.

10 “(3) TEST BEDS.—In coordination with the As-
11 sistant Secretary for Communications and Informa-
12 tion, the private sector, and other Federal agencies
13 as appropriate, the Director may develop and man-
14 age testbeds for research and development of ad-
15 vanced communications technologies, avoiding dupli-
16 cation of existing testbeds run by other agencies or
17 the private sector.

18 “(4) OUTREACH.—In carrying out the activities
19 under this subsection, the Director shall seek input
20 from other Federal agencies and from private sector
21 stakeholders, on an ongoing basis, to help inform re-
22 search and development priorities, including through
23 workshops and other multi-stakeholder activities.

24 “(5) TECHNICAL ROADMAPS.—In carrying out
25 the activities under this subsection, the Director

1 shall convene industry, institutions of higher edu-
2 cation, nonprofit organizations, Federal laboratories,
3 and other Federal agencies engaged in advanced
4 communications research and development to de-
5 velop, and periodically update, coordinated technical
6 roadmaps for advanced communications research in
7 priority areas, such as those described in paragraph
8 (2).

9 “(b) NATIONAL ADVANCED SPECTRUM AND COMMU-
10 NICATIONS TEST NETWORK.—

11 “(1) IN GENERAL.—The Director, in coordina-
12 tion with the Administrator of the National Tele-
13 communications and Information Administration
14 and heads of other Federal agencies, as appropriate,
15 shall operate a national network of government, aca-
16 demic, and commercial test capabilities and facilities
17 to be known as the National Advanced Spectrum
18 and Communications Test Network (referred to in
19 this section as ‘NASCTN’).

20 “(2) PURPOSES.—NASCTN shall be for the
21 purposes of facilitating and coordinating the use of
22 intellectual capacity, modeling and simulation, lab-
23 oratory facilities, and test facilities to meet national
24 spectrum interests and challenges, including—

1 “(A) measurements and analyses of elec-
2 tromagnetic propagation, radio systems charac-
3 teristics, and operating techniques affecting the
4 utilization of the electromagnetic spectrum in
5 coordination with specialized, related research
6 and analysis performed by other Federal agen-
7 cies in their areas of responsibility;

8 “(B) conducting research and analysis in
9 the general field of telecommunications sciences
10 in support of the Institute’s mission and in sup-
11 port of other Government agencies;

12 “(C) developing methodologies for testing,
13 measuring, and setting guidelines for inter-
14 ference;

15 “(D) conducting interference tests to bet-
16 ter understand the impact of Federal and com-
17 mercial spectrum activities;

18 “(E) conducting research and testing to
19 improve spectrum interference tolerance, flexi-
20 bility, agility, and interference mitigation meth-
21 ods; and

22 “(F) other activities as deemed necessary
23 by the Director.”.

1 **SEC. 10231. NEUTRON SCATTERING.**

2 (a) STRATEGIC PLAN FOR THE INSTITUTE NEUTRON
3 REACTOR.—The Director shall develop a strategic plan for
4 the future of the NIST Center for Neutron Research after
5 the current neutron reactor is decommissioned, includ-
6 ing—

7 (1) a succession plan for the reactor, including
8 a roadmap with timeline and milestones;

9 (2) conceptual design of a new reactor and ac-
10 companying facilities, as appropriate; and

11 (3) a plan to minimize disruptions to the user
12 community during the transition.

13 (b) COORDINATION WITH THE DEPARTMENT OF EN-
14 ERGY.—The Secretary, acting through the Director, shall
15 coordinate with the Secretary of Energy on issues related
16 to Federal support for neutron science, including esti-
17 mation of long-term needs for research using neutron
18 sources, and planning efforts for future facilities to meet
19 such needs.

20 (c) REPORT TO CONGRESS.—Not later than 18
21 months after the enactment of this Act, the Director shall
22 submit to Congress the plan required under subsection
23 (a), and shall notify Congress of any substantial updates
24 to such plan in subsequent years.

1 **SEC. 10232. QUANTUM INFORMATION SCIENCE.**

2 (a) IN GENERAL.—The Director shall continue to
3 prioritize and carry out activities authorized in the Na-
4 tional Quantum Initiative Act (15 U.S.C. 8801).

5 (b) QUANTUM RESEARCH.—Section 201(a) of the
6 National Quantum Initiative Act (15 U.S.C. 8831) is
7 amended—

8 (1) by redesignating paragraphs (3) through
9 (4) as paragraphs (6) through (7); and

10 (2) by inserting after paragraph (2) the fol-
11 lowing:

12 “(3) shall carry out research to facilitate the
13 development and standardization of quantum cryp-
14 tography and post-quantum classical cryptography;

15 “(4) shall carry out research to facilitate the
16 development and standardization of quantum net-
17 working and communications technologies and appli-
18 cations, including—

19 “(A) quantum repeater technology;

20 “(B) quantum network traffic manage-
21 ment;

22 “(C) quantum transduction;

23 “(D) long baseline entanglement and
24 teleportation; and

1 “(E) such other technologies, processes, or
2 applications as the Director considers appro-
3 priate;

4 “(5) for quantum technologies deemed by the
5 Director to be at a readiness level sufficient for
6 standardization, shall provide technical review and
7 assistance to such other Federal agencies as the Di-
8 rector considers appropriate for the development of
9 quantum network infrastructure standards;”.

10 **SEC. 10233. ARTIFICIAL INTELLIGENCE.**

11 (a) IN GENERAL.—The Director shall continue to
12 support the development of artificial intelligence and data
13 science, and carry out the activities of the National Artifi-
14 cial Intelligence Initiative Act of 2020 authorized in divi-
15 sion E of the National Defense Authorization Act for Fis-
16 cal Year 2021 (Public Law 116–283), including
17 through—

18 (1) expanding the Institute’s capabilities, in-
19 cluding scientific staff and research infrastructure;

20 (2) supporting measurement research and de-
21 velopment for advanced computer chips and hard-
22 ware designed for artificial intelligence systems;

23 (3) supporting the development of technical
24 standards and guidelines that promote safe and
25 trustworthy artificial intelligence systems;

1 (4) creating a framework for managing risks
2 associated with artificial intelligence systems;

3 (5) developing and publishing cybersecurity
4 tools, encryption methods, and best practices for ar-
5 tificial intelligence and data science; and

6 (6) creating an office to study bias in the use
7 of artificial intelligence systems and publish guid-
8 ance to reduce disparate impacts on historically
9 marginalized communities.

10 (b) TESTBEDS.—In coordination with other Federal
11 agencies as appropriate, the private sector, and institu-
12 tions of higher education, the Director may establish
13 testbeds to examine artificial intelligence and machine
14 learning systems in virtual environments for
15 vulnerabilities that may lead to failure, malfunction, or at-
16 tacks under a wide range of conditions.

17 **SEC. 10234. SUSTAINABLE CHEMISTRY RESEARCH AND**
18 **EDUCATION.**

19 In accordance with section 263 of the National De-
20 fense Authorization Act for Fiscal Year 2021, the Director
21 shall carry out activities in support of sustainable chem-
22 istry, including coordinating and partnering with aca-
23 demia, industry, non-profits, and other entities in activi-
24 ties to support clean, safe, and economic alternatives,

1 technologies, and methodologies to traditional chemical
2 products and processes.

3 **SEC. 10235. PREMISE PLUMBING RESEARCH.**

4 (a) IN GENERAL.—The Secretary, acting through the
5 Director, shall create a program, in consultation with the
6 Environmental Protection Agency, for premise plumbing
7 research, including to—

8 (1) conduct metrology research on premise
9 plumbing in relation to water safety, security, effi-
10 ciency, sustainability, and resilience; and

11 (2) coordinate research activities with aca-
12 demia, the private sector, nonprofits, and other Fed-
13 eral agencies.

14 (b) DEFINITIONS.—For purposes of this section, the
15 term “premise plumbing” means the water distribution
16 system located within the property lines of a property, in-
17 cluding all buildings and permanent structures on such
18 property. Such term includes building supply and distribu-
19 tion pipes, fixtures, fittings, water heaters, water-treating
20 and water-using equipment, and all respective joints, con-
21 nections, devices, and appurtenances.

1 **Subtitle C—General Activities**

2 **SEC. 10241. EDUCATIONAL OUTREACH AND SUPPORT FOR** 3 **UNDERREPRESENTED COMMUNITIES.**

4 Section 18 of the National Institute of Standards and
5 Technology Act (15 U.S.C. 278g–1) is amended—

6 (1) in subsection (a), in the second sentence—

7 (A) by striking “may” and inserting
8 “shall”; and

9 (B) by striking “academia” and inserting
10 “diverse types of institutions of higher edu-
11 cation, including minority-serving institutions
12 and community colleges”; and

13 (2) in subsection (e)—

14 (A) in paragraph (4), by striking “and” at
15 the end;

16 (B) in paragraph (5), by striking the pe-
17 riod at the end and inserting “; and”; and

18 (C) by inserting after paragraph (5) the
19 following:

20 “(6) conduct outreach to and develop research
21 collaborations with historically Black colleges and
22 universities and minority-serving institutions, includ-
23 ing through the recruitment of students and faculty
24 at such institutions to participate in programs devel-
25 oped under paragraph (3);

1 “(7) conduct outreach to and develop research
2 collaborations with community colleges, including
3 through the recruitment of students and faculty at
4 such institutions to participate in programs devel-
5 oped under paragraph (3);

6 “(8) carry out other activities to increase the
7 participation of persons historically underrep-
8 resented in STEM in the Institute’s programs; and

9 “(9) conduct outreach to and develop collabora-
10 tions with nontraditional educational organizations,
11 including those that offer training through non-prof-
12 it associations and professional associations or pro-
13 fessional societies, to engage persons historically
14 underrepresented in STEM through programs devel-
15 oped under this subsection.”.

16 **SEC. 10242. OTHER TRANSACTIONS AUTHORITY.**

17 Section 2(b)(4) of the National Institute of Stand-
18 ards and Technology Act (15 U.S.C. 272(b)(4)) is amend-
19 ed to read as follows:

20 “(4) to enter into and perform such contracts,
21 including cooperative research and development ar-
22 rangements and grants and cooperative agreements
23 or other transactions, as may be necessary in the
24 conduct of its work and on such terms as it may

1 deem appropriate, in furtherance of the purposes of
2 this Act;”.

3 **SEC. 10243. REPORT TO CONGRESS ON COLLABORATIONS**
4 **WITH GOVERNMENT AGENCIES.**

5 Not later than 6 months after the date of the enact-
6 ment of this Act, the Director shall submit a report to
7 the Committee on Science, Space, and Technology and the
8 Committee on Appropriations of the House of Representa-
9 tives and the Committee on Commerce, Science, and
10 Transportation and the Committee on Appropriations of
11 the Senate describing the Institute’s challenges with re-
12 spect to collaboration between the Institute and other Fed-
13 eral agencies. The report shall include, at a minimum—

14 (1) an assessment of the challenges that arise
15 with interagency collaboration, including transfer of
16 funds with a limited period of availability to the In-
17 stitute and issues with sharing personnel, associates,
18 facilities, and property with collaborating agencies;
19 and

20 (2) descriptions of projects that were disrupted
21 due to the challenges outlined in paragraph (1).

22 **SEC. 10244. HIRING CRITICAL TECHNICAL EXPERTS.**

23 Section 6 of the National Institute of Standards and
24 Technology Act is amended to read as follows:

1 **“SEC. 6. HIRING CRITICAL TECHNICAL EXPERTS.**

2 “(a) IN GENERAL.—The officers and employees of
3 the Institute, except the director, shall be appointed by
4 the Secretary at such time as their respective services may
5 become necessary.

6 “(b) HIRING CRITICAL TECHNICAL EXPERTS.—Not-
7 withstanding section 3104 of title 5 or the provisions of
8 any other law relating to the appointment, number, classi-
9 fication, or compensation of employees, the Secretary shall
10 have the authority to make appointments of scientific, en-
11 gineering, and professional personnel, and to fix the basic
12 pay of such personnel at a rate to be determined by the
13 Secretary at rates not in excess of the highest total annual
14 compensation payable at the rate determined under sec-
15 tion 104 of title 3. The Director shall appoint not more
16 than 15 personnel under this section.

17 “(c) SUNSET.—The authority under section (b) shall
18 expire on the date that is 5 years after the date of enact-
19 ment of this section.”.

20 **SEC. 10245. INTERNATIONAL STANDARDS DEVELOPMENT.**

21 (a) INTERNATIONAL STANDARDS ENGAGEMENT.—

22 (1) IN GENERAL.—The Director shall lead in-
23 formation exchange and coordination among Federal
24 agencies and communication from Federal agencies
25 to the private sector of the United States to ensure

1 effective Federal engagement in the development
2 and use of international technical standards.

3 (2) REQUIREMENTS.—To support private sec-
4 tor-led engagement and ensure effective Federal en-
5 gagement in the development and use of inter-
6 national technical standards, the Director shall con-
7 sider—

8 (A) the role and needs of the Federal Gov-
9 ernment with respect to international technical
10 standards;

11 (B) organizations developing international
12 technical standards of interest to the United
13 States, United States representation and influ-
14 ence in these organizations, and key contribu-
15 tors for technical and leadership expertise in
16 these organizations;

17 (C) support for persons with domain sub-
18 ject matter expertise, especially from small
19 businesses located in the United States, to in-
20 fluence and engage in technical standards lead-
21 ership positions, working groups and meetings;

22 (D) opportunities for partnerships for sup-
23 porting international technical standards from
24 across the Federal Government, Federally fund-
25 ed research and development centers, univer-

1 city-affiliated research centers, institutions of
2 higher education, industry, industry associa-
3 tions, nonprofit organizations, and other key
4 contributors;

5 (E) support for activities to encourage the
6 adoption of technical standards developed in the
7 United States to be adopted by international
8 standards organizations; and

9 (F) other activities determined by the Di-
10 rector to be necessary to support United States
11 participation in international standards develop-
12 ment, economic competitiveness, and national
13 security in the development and use of inter-
14 national technical standards.

15 (b) CAPACITY BUILDING GUIDANCE.—The Director
16 shall support education and workforce development efforts
17 to promote United States participation in international
18 standards organizations. The Director shall—

19 (1) identify and create, as appropriate, tech-
20 nical standards education and training resources for
21 interested businesses, industry associations, aca-
22 demia, nonprofits, Federal agencies, and other rel-
23 evant standards contributors, including activities
24 targeted at integrating standards content into un-

1 dergraduate and graduate curricula in science, engi-
2 neering, business, public policy, and law;

3 (2) conduct outreach, including to private sec-
4 tor leaders, to support engagement by more United
5 States stakeholders in international technical stand-
6 ards development; and

7 (3) other activities deemed necessary by the Di-
8 rector to support increased engagement, influence,
9 and leadership of United States organizations in the
10 development of international technical standards.

11 (c) CAPACITY BUILDING PILOT PROGRAM.—

12 (1) IN GENERAL.—The Director, in coordina-
13 tion with the Director of the National Science Foun-
14 dation, the Administrator of the Small Business Ad-
15 ministration and the heads of other relevant Federal
16 agencies, as appropriate, shall establish a 5-year
17 pilot program to award grants, on a merit-reviewed,
18 competitive basis, to private sector entities, institu-
19 tions of higher education, or nonprofit institutions
20 based in the United States to support increased par-
21 ticipation by small business and academic interests
22 in international standards organizations.

23 (2) ACTIVITIES.—In carrying out the pilot pro-
24 grams established in subsection (c), the Director
25 shall award competitive, merit-reviewed grants to

1 covered entities to cover the reasonable costs, up to
2 a specified ceiling set by the Director, of activities
3 supporting increased engagement and leadership of
4 employees of small businesses and faculty of institu-
5 tions of higher education or other nonprofit research
6 institutions with subject matter and technical exper-
7 tise necessary to be contributors in international
8 standards organizations.

9 (3) AWARD CRITERIA.—The Director may only
10 provide a grant under this section to an eligible re-
11 cipient that—

12 (A) demonstrates deep technical standards
13 expertise;

14 (B) demonstrates knowledge with the proc-
15 esses of the standards development organization
16 in which the recipient intends to engage using
17 grant funds;

18 (C) proposes a feasible set of standard
19 deliverables to be completed over the period of
20 the grant;

21 (D) explains how the recipient will fund
22 the standards work supported by the grant if
23 the grant funds are insufficient to cover all
24 costs of the work; and

1 (E) commits personnel with appropriate
2 expertise to engage in relevant international or-
3 ganizations responsible for developing technical
4 standards over the period of the grant.

5 (4) ELIGIBILITY.—A small business concern (as
6 defined in section 3 of the Small Business Act (15
7 U.S.C. 632) based in the United States, an institu-
8 tion of higher education (as defined by section 102
9 of the Higher Education Act of 1965 (20 U.S. C.
10 1002)), or a nonprofit institution as defined in sec-
11 tion 4(5) of the Stevenson-Wydler Act (15 U.S.C.
12 3703) shall be eligible to receive grants under this
13 program.

14 (5) PRIORITIZATION.—The Director may
15 prioritize grants awarded under this section to eligi-
16 ble recipients for standards development proposals
17 that address clearly defined current or anticipated
18 market needs or gaps that would not be met without
19 the grant.

20 (6) APPLICATION.—An eligible recipient seeking
21 funding under subsection (c) shall submit an appli-
22 cation to the Director at such time, in such manner,
23 and containing such information as the Director
24 may require.

1 (7) MERIT REVIEW PROCESS.—Not later than
2 90 days after the enactment of this Act, the Direc-
3 tor shall establish a merit review process, including
4 the creation of merit review panels made of experts
5 from government and the private sector, to evaluate
6 the application under paragraph (6) to ensure appli-
7 cations submitted are reviewed in a fair, competitive,
8 transparent, and in-depth manner.

9 (8) CONSULTATION.—In carrying out the pilot
10 program established under subsection (c), the Direc-
11 tor shall consult with other Federal agencies, private
12 sector organizations, institutions of higher edu-
13 cation, and nonprofit organizations to help inform
14 the pilot program, including selection criteria, appli-
15 cant disclosure requirements, grant amount and du-
16 ration, and the merit review process.

17 (9) REPORT TO CONGRESS.—The Director shall
18 brief Congress after the second year of the pilot pro-
19 gram and each year following that includes the fol-
20 lowing:

21 (A) An assessment of the effectiveness of
22 the pilot program for improving the participa-
23 tion of United States small businesses, United
24 States institutions of higher education, or other

1 nonprofit research institutions in international
2 standards organizations, including—

3 (i) the type of activities supported, in-
4 cluding leadership roles;

5 (ii) the international standards orga-
6 nizations participated in; and

7 (iii) the technical areas covered by the
8 activities.

9 (B) If deemed effective, a plan for perma-
10 nent implementation of the pilot program.

11 (d) REAFFIRMING THE IMPORTANCE OF VOLUNTARY

12 CONSENSUS-BASED INTERNATIONAL STANDARDS BOD-

13 IES.—To the extent applicable, the Institute, when pre-

14 paring standards, participating in voluntary consensus

15 standard bodies, and engaging in a standards development

16 process that is open to participation from Chinese firms

17 and state-owned enterprises of the People's Republic of

18 China, the process should include the following attributes

19 that are easily accessible, clear, and unambiguous:

20 (1) Transparency.

21 (2) Openness.

22 (3) Impartiality and Consensus.

23 (4) Effectiveness and Relevance.

24 (5) Coherence.

25 (6) Development Dimension.

1 **SEC. 10246. STANDARD TECHNICAL UPDATE.**

2 (a) NATIONAL INSTITUTE OF STANDARDS AND
3 TECHNOLOGY ACT UPDATES.—The National Institute of
4 Standards and Technology Act (15 U.S.C. 271) is amend-
5 ed—

6 (1) in section 15—

7 (A) in subsection (b), by striking the pe-
8 riod at the end and inserting a semicolon;

9 (B) in subsection (g), by striking “and”
10 after the semicolon; and

11 (C) by striking the period at the end and
12 inserting “; and (i) the protection of Institute
13 buildings and other plant facilities, equipment,
14 and property, and of employees, associates, or
15 visitors, located therein or associated therewith,
16 notwithstanding any other provision of law, the
17 direction of such of the officers and employees
18 of the Institute as the Secretary deems nec-
19 essary in the public interest hereafter to carry
20 firearms while in the conduct of their official
21 duties, and the authorization of employees of
22 contractors and subcontractors of the Institute
23 who are engaged in the protection of property
24 owned by the United States, and located at fa-
25 cilities owned by, leased, used or under the con-
26 trol of the United States, to carry firearms

1 while in the conduct of their official duties, and,
2 under regulations prescribed by the Secretary
3 and approved by the Attorney General, the au-
4 thorization of officers and employees of the In-
5 stitute and of its contractors and subcontrac-
6 tors authorized to carry firearms hereafter to
7 arrest without warrant for any offense against
8 the United States committed in their presence,
9 or for any felony cognizable under the laws of
10 the United States if they have reasonable
11 grounds to believe that the person to be ar-
12 rested has committed or is committing such fel-
13 ony, provided that such authority to make ar-
14 rests may be exercised only while guarding and
15 protecting buildings and other plant facilities,
16 equipment, and property owned or leased by,
17 used or under the control of, the United States
18 under the administration and control of the
19 Secretary.”; and

20 (2) by amending section 17(a) to read as fol-
21 lows:

22 “(a) The Secretary is authorized, notwithstanding
23 any other provision of law, to expend such sums, within
24 the limit of appropriated funds, as the Secretary may
25 deem desirable through direct support for activities of

1 international organizations and foreign national metrology
2 institutes with which the Institute cooperates to advance
3 measurement methods, technical standards, and related
4 basic technologies, for official representation, to host offi-
5 cial receptions, dinners, and similar events, and to other-
6 wise extend official courtesies, including transportation of
7 foreign dignitaries and representatives of foreign national
8 metrology institutes to and from the Institute, for the pur-
9 pose of maintaining the standing and prestige of the De-
10 partment of Commerce and the Institute, through the
11 grant of fellowships or other appropriate form of financial
12 or logistical assistance or support to foreign nationals not
13 in service to the Government of the United States while
14 they are performing scientific or engineering work at the
15 Institute or participating in the exchange of scientific or
16 technical information at the Institute.”.

17 (b) STEVENSON-WYDLER UPDATES.—Section
18 17(c)(1) of the Stevenson-Wydler Technology Innovation
19 Act of 1980 (15 U.S.C. 3711a(c)(1)) is amended—

20 (1) by moving each of subparagraphs (D) and
21 (E) two ems to the left; and

22 (2) by adding at the end the following:

23 “(G) Community.”.

24 (c) AMERICAN INNOVATION AND COMPETITIVENESS
25 ACT UPDATE.—Section 113 of the American Innovation

1 and Competitiveness Act (15 U.S.C. 278e note) is re-
2 pealed.

3 (d) CLERICAL AMENDMENT.—The item relating to
4 section 113 in the table of contents in section 1(b) of the
5 American Innovation and Competitiveness Act is repealed.

6 (e) FEDERAL ENERGY MANAGEMENT IMPROVEMENT
7 ACT UPDATE.—Section 4 of the Federal Energy Manage-
8 ment Improvement Act of 1988 (15 U.S.C. 5001) is
9 amended—

10 (1) by striking “Secretary of Commerce” and
11 “Secretary” each place either such term appears and
12 inserting “Consumer Product Safety Commission”;

13 (2) by redesignating the second subsection (c)
14 as subsection (e); and

15 (3) in subsection (g), by redesignating clauses
16 (i) and (ii) as paragraphs (1) and (2), respectively.

17 **SEC. 10247. GAO STUDY OF NIST RESEARCH SECURITY**
18 **POLICIES AND PROTOCOLS.**

19 (a) EVALUATION.—Not later than 1 year after the
20 date of enactment of this Act, the Comptroller General
21 of the United States shall conduct a study of the Insti-
22 tute’s policies and protocols to protect its research and
23 combat undue foreign influence.

1 (b) MATTERS TO BE INCLUDED.—The study con-
2 ducted under subsection (a) shall include, to the extent
3 practicable, the following:

4 (1) An analysis of steps taken by the Institute
5 to address foreign threats to Institute-funded re-
6 search over the previous 5 years.

7 (2) An analysis of the coordination and engage-
8 ment between the Department of Commerce’s Office
9 of Inspector General, the Department of Commerce’s
10 Office of Intelligence, the National Counterintel-
11 ligence and Security Center of the Office of the Di-
12 rector of National Intelligence, and the Institute in
13 identifying and addressing concerning findings.

14 (3) An assessment of the Institute’s review
15 process for Foreign National associates.

16 (4) An assessment of the Institute’s policies as
17 it relates to employees and associates participating
18 in foreign talent recruitment programs.

19 (5) An assessment of the Institute’s implemen-
20 tation of conflict-of-interest and disclosure policies
21 and requirements, including the disclosure require-
22 ments authorized in section 223 of the National De-
23 fense Authorization Act for Fiscal Year 2021 (Pub-
24 lic Law 116–283).

1 (6) An assessment of the Institute’s, the De-
2 partment of Commerce’s Office of Security, the De-
3 partment of Commerce’s Office of Intelligence, and
4 the Department of Commerce’s Office of Inspector
5 General’s ability to monitor and enforce conflict-of-
6 interest and disclosure policies and requirements, in-
7 cluding the disclosure requirements authorized in
8 section 223 of the National Defense Authorization
9 Act for Fiscal Year 2021 (Public Law 116–283).

10 (7) An assessment of the Institute’s, the De-
11 partment of Commerce’s, and the Department of
12 Commerce’s Office of Inspector General’s ability to
13 conduct risk assessments of research and develop-
14 ment award applications and disclosures to the Insti-
15 tute.

16 (8) An assessment of the Institute’s research
17 security training programs for both internal and ex-
18 ternally-supported researchers and associates, in-
19 cluding training focused on international collabora-
20 tion, and international travel, foreign interference,
21 and rules for proper use of funds, disclosure, conflict
22 of commitment, and conflict of interest.

23 (9) An analysis and summary of incidents of
24 undue foreign influence at Institute-supported re-

1 search facilities and programs over the past 10
2 years.

3 (10) Recommendations for the Institute to bol-
4 ster its research security policies and protocols.

5 (11) Other matters the Comptroller General de-
6 termines appropriate.

7 (c) CONGRESSIONAL BRIEFING.—Not later than 180
8 days after the date of enactment of this Act, the Comp-
9 troller General shall brief the Committee on Science,
10 Space, and Technology and the Permanent Select Com-
11 mittee on Intelligence of the House of Representatives and
12 the Committee of Commerce, Science, and Transportation
13 and the Select Committee on Intelligence of the Senate
14 on the findings available from the evaluation conducted
15 under subsection (a).

16 (d) REPORT.—Not later than 18 months after the
17 date of enactment of this Act, the Comptroller General
18 shall submit to the congressional committees specified in
19 subsection (c) a report on the findings and recommenda-
20 tions of the evaluation conducted under subsection (a).

21 **SEC. 10248. STANDARDS DEVELOPMENT ORGANIZATION**
22 **GRANTS.**

23 (a) NONGOVERNMENTAL STANDARDS DEVELOPMENT
24 ORGANIZATION DEFINED.—In this section, the term
25 “nongovernmental standards development organization”

1 means a nongovernmental standards development organi-
2 zation (as defined in section 2(e) of the Office of Manage-
3 ment and Budget Circular A–119 (relating to Federal par-
4 ticipation in the development and use of voluntary con-
5 sensus standards in conformity assessment activities), or
6 any successor document) that adheres to the American
7 National Standards Institute (ANSI) Essential Require-
8 ments for Due Process for American National Standards.

9 (b) GRANT AUTHORITY.—The Secretary of Com-
10 merce, acting through the Director, shall establish a com-
11 petitive program of grants for nongovernmental standards
12 development organizations for the purposes described in
13 subsection (c).

14 (c) PURPOSES.—A grant awarded under subsection
15 (b) shall be used to develop, approve, disseminate, main-
16 tain, and review forensic science voluntary consensus
17 standards and best practices that shall be available to the
18 public free of charge.

19 (d) ADDITIONAL REQUIREMENTS.—The Director
20 may promulgate such requirements, guidelines, and proce-
21 dures as may be necessary to carry out this section.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 \$2,000,000 for each of fiscal years 2022 through 2026.

1 **Subtitle D—Hollings Manufacturing**
2 **Extension Partnership**

3 **SEC. 10251. ESTABLISHMENT OF EXPANSION AWARDS**
4 **PILOT PROGRAM AS A PART OF THE HOL-**
5 **LINGS MANUFACTURING EXTENSION PART-**
6 **nership.**

7 The National Institute of Standards and Technology
8 Act (15 U.S.C. 271 et seq.) is amended by inserting after
9 section 25A (15 U.S.C. 278k–1) the following:

10 **“SEC. 25B. EXPANSION AWARDS PILOT PROGRAM.**

11 “(a) DEFINITIONS.—The terms used in this section
12 have the meanings given the terms in section 25.

13 “(b) ESTABLISHMENT.—The Director shall establish
14 as a part of the Hollings Manufacturing Extension Part-
15 nership a pilot program of expansion awards among par-
16 ticipants described in subsection (c) of this section for the
17 purposes described in subsection (e) of this section.

18 “(c) PARTICIPANTS.—Participants receiving awards
19 under this section shall be Centers, or a consortium of
20 Centers.

21 “(d) AWARD AMOUNTS.—Subject to the availability
22 of appropriations, an award for a recipient under this sec-
23 tion shall be in an amount equal to the sum of the fol-
24 lowing:

1 “(1) Such amount as the Director considers ap-
2 propriate as a minimum base funding level for each
3 award under this section.

4 “(2) Such additional amount as the Director
5 considers in proportion to the manufacturing density
6 of the region of the recipient.

7 “(3) Such supplemental amounts as the Direc-
8 tor considers appropriate.

9 “(e) PURPOSE OF AWARDS.—An award under this
10 section shall be made for one or more of the following pur-
11 poses:

12 “(1) To provide coordinating services on em-
13 ployee engagement, including employee ownership
14 and workforce training, including connecting manu-
15 facturers with career and technical education enti-
16 ties, institutions of higher education (including com-
17 munity colleges), workforce development boards,
18 labor organizations, and nonprofit job training pro-
19 viders to develop and support training and job place-
20 ment services, including apprenticeship and online
21 learning platforms, for new and incumbent workers,
22 programming to prevent job losses when adopting
23 new technologies and processes, and development of
24 employee ownership practices.

1 “(2) To provide services to improve the resil-
2 iency of domestic supply chains and to mitigate
3 vulnerabilities to cyberattacks, including helping to
4 offset the cost of cybersecurity projects for small
5 manufacturers.

6 “(3) To expand advanced technology services to
7 United States-based small- and medium-sized manu-
8 facturers, which may include—

9 “(A) developing advanced technology dem-
10 onstration laboratories for training and dem-
11 onstration in areas of supply chain and critical
12 technology needs, including a focus on the dem-
13 onstration of technologies developed by compa-
14 nies based in the United States;

15 “(B) services for the adoption of advanced
16 technologies, including smart manufacturing
17 technologies and practices; and

18 “(C) establishing partnerships, for the de-
19 velopment, demonstration, and deployment of
20 advanced technologies, between United States-
21 based small- and medium-sized manufacturers
22 and—

23 “(i) national laboratories (as defined
24 in section 2 of the Energy Policy Act of
25 2005 (42 U.S.C. 15801));

1 “(ii) Federal laboratories;

2 “(iii) Manufacturing USA institutes

3 (as described in section 34(d)); and

4 “(iv) institutions of higher education.

5 “(4) To build capabilities across the Hollings

6 Manufacturing Extension Partnership for domestic

7 supply chain resiliency and optimization, including—

8 “(A) assessment of domestic manufac-

9 turing capabilities, expanded capacity for re-

10 searching and deploying information on supply

11 chain risk, hidden costs of reliance on offshore

12 suppliers, redesigning products and processes to

13 encourage reshoring, and other relevant topics;

14 and

15 “(B) expanded services to provide indus-

16 try-wide support that assists United States

17 manufacturers with reshoring manufacturing to

18 strengthen the resiliency of domestic supply

19 chains, including in critical technology areas

20 and foundational manufacturing capabilities

21 that are key to domestic manufacturing com-

22 petitiveness and resiliency, including forming,

23 casting, machining, joining, surface treatment,

24 and tooling.

1 “(f) REIMBURSEMENT.—The Director may reim-
2 burse Centers for costs incurred by the Centers under this
3 section.

4 “(g) APPLICATIONS.—Applications for awards under
5 this section shall be submitted in such manner, at such
6 time, and containing such information as the Director
7 shall require in consultation with the Manufacturing Ex-
8 tension Partnership Advisory Board.

9 “(h) SELECTION.—

10 “(1) REVIEWED AND MERIT-BASED.—The Di-
11 rector shall ensure that awards under this section
12 are reviewed and merit-based.

13 “(2) GEOGRAPHIC DIVERSITY.—The Director
14 shall endeavor to have broad geographic diversity
15 among selected proposals.

16 “(3) CRITERIA.—The Director shall select ap-
17 plications consistent with the purposes identified
18 pursuant to subsection (e) to receive awards that the
19 Director determines will achieve one or more of the
20 following:

21 “(A) Improvement of the competitiveness
22 of industries in the region in which the Center
23 or Centers are located.

24 “(B) Creation of jobs or training of newly
25 hired employees.

1 “(C) Promotion of the transfer and com-
2 mercialization of research and technology from
3 institutions of higher education, national lab-
4 oratories, or other Federally funded research
5 programs, and nonprofit research institutes.

6 “(D) Recruitment of a diverse manufac-
7 turing workforce, including through outreach to
8 underrepresented populations, including individ-
9 uals identified in section 33 or section 34 of the
10 Science and Engineering Equal Opportunities
11 Act (42 U.S.C. 1885a, 1885b).

12 “(E) Any other result the Director deter-
13 mines will advance the objective set forth in
14 section 25(c) or 26.

15 “(i) PROGRAM CONTRIBUTION.—Recipients of
16 awards under this section shall not be required to provide
17 a matching contribution.

18 “(j) GLOBAL MARKETPLACE PROJECTS.—In making
19 an award under this section, the Director, in consultation
20 with the Manufacturing Extension Partnership Advisory
21 Board and the Secretary, may take into consideration
22 whether an application has significant potential for en-
23 hancing the competitiveness of small and medium-sized
24 United States manufacturers in the global marketplace.

1 “(k) DURATION.—The Director shall ensure that the
2 duration of an award under this section is aligned and
3 consistent with a Center’s cooperative agreement estab-
4 lished in section 25(e).

5 “(l) REPORT.—After the completion of the pilot pro-
6 gram under subsection (b) and not later than October 1,
7 2024, the Director shall submit to Congress a report that
8 includes—

9 “(1) a summary description of what activities
10 were funded and the measurable outcomes of such
11 activities;

12 “(2) a description of which types of activities
13 under paragraph (1) could be integrated into, and
14 supported under, the program under section 25;

15 “(3) a description of which types of activities
16 under paragraph (1) could be integrated into, and
17 supported under, the competitive awards program
18 under section 25A; and

19 “(4) a recommendation, supported by a clear
20 explanation, as to whether the pilot program should
21 be continued.”.

1 **SEC. 10252. UPDATE TO MANUFACTURING EXTENSION**
2 **PARTNERSHIP.**

3 (a) ACCEPTANCE OF FUNDS.—Section 25(l) of the
4 National Institute of Standards and Technology Act (15
5 U.S.C. 278k(l)) is amended to read as follows:

6 “(l) ACCEPTANCE OF FUNDS.—

7 “(1) IN GENERAL.—In addition to such sums
8 as may be appropriated to the Secretary and Direc-
9 tor to operate the Program, the Secretary and Di-
10 rector may also accept funds from other Federal de-
11 partments and agencies, as well as funds provided
12 by the private sector pursuant to section 2(c)(7) of
13 this Act (15 U.S.C. 272(c)(7)), to be available to the
14 extent provided by appropriations Acts, for the pur-
15 pose of strengthening United States manufacturing.

16 “(2) COMPETITIVE AWARDS.—Funds accepted
17 from other Federal departments and agencies and
18 from the private sector under paragraph (1) shall be
19 awarded competitively by the Secretary and by the
20 Director to Manufacturing Extension Partnership
21 Centers, provided that the Secretary and Director
22 may make non-competitive awards, pursuant to this
23 section or section 25A, or as a non-competitive con-
24 tract, as appropriate, if the Secretary and the Direc-
25 tor determine that—

1 “(A) the manufacturing market or sector
2 targeted is limited geographically or in scope;

3 “(B) the number of States (or territory, in
4 the case of Puerto Rico) with Manufacturing
5 Extension Partnership Centers serving manu-
6 facturers of such market or sector is five or
7 fewer; and

8 “(C) such Manufacturing Extension Part-
9 nership Center or Centers has received a posi-
10 tive evaluation in the most recent evaluation
11 conducted pursuant to subsection (g).”.

12 (b) SUPPORTING AMERICAN MANUFACTURING.—Sec-
13 tion 25 of the National Institute of Standards and Tech-
14 nology Act (15 U.S.C. 278k) is amended—

15 (1) in subsection (a)(5)—

16 (A) by striking “or consortium thereof,”;

17 and

18 (B) by inserting “or a consortium thereof”

19 before the period at the end of the sentence;

20 (2) in subsection (c)(4), by inserting “United
21 States-based” before “industrial”;

22 (3) in subsection (d)—

23 (A) in paragraph (1), by inserting “at
24 United States-based industrial facilities, includ-

1 ing small and medium manufacturing compa-
2 nies” before “based”;

3 (B) in paragraph (2), by inserting “United
4 States-based” before “companies”; and

5 (C) in paragraph (3), by inserting “United
6 States-based” before “small”;

7 (4) in subsection (f)(5)(B)(i), by inserting “in
8 the United States” before the semicolon at the end
9 of the clause; and

10 (5) in subsection (n)(1)(A), by inserting
11 “United States-based” before “small”.

12 (c) AMENDING THE MEP COMPETITIVE AWARDS
13 PROGRAM.—Section 25A(c)(2) of the National Institute of
14 Standards and Technology Act (15 U.S.C. 278k-1(c)(2))
15 is amended by inserting “United States” before “manu-
16 facturers”.

17 **SEC. 10253. NATIONAL SUPPLY CHAIN DATABASE.**

18 (a) ESTABLISHMENT OF NATIONAL SUPPLY CHAIN
19 DATABASE.—The Director shall establish and maintain a
20 National Supply Chain Database, subject to the avail-
21 ability of appropriations.

22 (b) PURPOSE.—The purpose of the National Supply
23 Chain Database shall be to assist the Federal government
24 and industry sectors in minimizing disruptions to the

1 United States supply chain by having an assessment of
2 United States manufacturers' capabilities.

3 (c) STUDY ON NATIONAL SUPPLY CHAIN DATA-
4 BASE.—In establishing the National Supply Chain Data-
5 base, the Director shall consider the findings and rec-
6 ommendations from the study authorized in section 9413
7 of the National Defense Authorization Act for Fiscal Year
8 2021 (Public Law 116–283), including measures to secure
9 and protect the National Supply Chain Database from ad-
10 versarial attacks and vulnerabilities.

11 (d) DATABASE AND MANUFACTURING EXTENSION
12 PARTNERSHIP.—

13 (1) IN GENERAL.—The National Supply Chain
14 Database shall be carried out and managed through
15 the Hollings Manufacturing Extension Partnership
16 program or its designee and the Director shall en-
17 sure that the Hollings Manufacturing Extension
18 Partnership Centers are connected to the National
19 Supply Chain Database.

20 (2) CAPABILITIES.—The National Supply Chain
21 Database shall be capable of providing a national
22 view of the supply chain and enable authorized data-
23 base users to determine in near real-time the United
24 States manufacturing capabilities for critical prod-

1 ucts, including defense supplies, food, and medical
2 devices, including personal protective equipment.

3 (3) DATABASE CONTENT.—The Database may
4 include the following:

5 (A) Basic company information.

6 (B) An overview of capabilities, accredita-
7 tions, and products.

8 (C) Proprietary information.

9 (D) Such other items as the Director con-
10 siders necessary.

11 (4) STANDARD CLASSIFICATION SYSTEM.—The
12 Database may use the North American Industry
13 Classification System (NAICS) Codes as follows:

14 (A) Sector 31-33 — Manufacturing.

15 (B) Sector 54 — Professional, Scientific,
16 and Technical Services.

17 (C) Sector 48-49 — Transportation and
18 Warehousing.

19 (5) LEVELS.—The Database may be multi-lev-
20 eled as agreed to under terms of mutual disclosure
21 as follows:

22 (A) Level 1 may have basic company infor-
23 mation and shall be available to the public.

24 (B) Level 2 may have a deeper, nonpropri-
25 etary overview into capabilities, products, and

1 accreditations and shall be available to all com-
2 panies that contribute to the Database.

3 (C) Level 3 may hold proprietary informa-
4 tion.

5 (6) INDIVIDUAL STATE DATABASES.—Each
6 State’s supply chain database maintained by the In-
7 stitute-recognized Manufacturing Extension Partner-
8 ship Center within the State shall be complementary
9 in design to the National Supply Chain Database.

10 (e) MAINTENANCE OF NATIONAL SUPPLY CHAIN
11 DATABASE.—The Director, acting through the Hollings
12 Manufacturing Extension Partnership program, shall
13 maintain the National Supply Chain Database as an inte-
14 gration of the State level databases from each State’s
15 Manufacturing Extension Partnership Center and may be
16 populated with information from past, current, or poten-
17 tial Center clients.

18 (f) EXEMPT FROM PUBLIC DISCLOSURE.—The Na-
19 tional Supply Chain Database and any information related
20 to it not publicly released by the Institute shall be exempt
21 from public disclosure under section 552 of title 5, United
22 States Code, and access to non-public content shall be lim-
23 ited to the contributing company and Manufacturing Ex-
24 tension Partnership Center staff who sign an appropriate
25 non-disclosure agreement. The Director may make aggre-

1 gated, de-identified information available to contributing
2 companies, Centers, or the public, as the Director con-
3 sidered appropriate, in support of the purposes of this sec-
4 tion.

5 (g) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated—

7 (1) \$31,000,000 for fiscal year 2022 to develop
8 and launch the Database; and

9 (2) \$26,000,000 for each of fiscal years 2023
10 through 2026 to maintain, update, and support Fed-
11 eral coordination of the State supply chain databases
12 maintained by the Centers.

13 **SEC. 10254. HOLLINGS MANUFACTURING EXTENSION PART-**
14 **nership ACTIVITIES.**

15 Section 70924(b) of the Infrastructure Investment
16 and Jobs Act (Public Law 117–58) is amended to read
17 as follows:

18 “(b) AUTOMATIC ENROLLMENT IN GSA ADVAN-
19 TAGE!.—The Administrator of the General Services Ad-
20 ministration and the Secretary of Commerce, acting
21 through the Under Secretary of Commerce for Standards
22 and Technology, shall jointly ensure that businesses that
23 participate in the Hollings Manufacturing Extension Part-
24 nership may, as the business considers appropriate, enroll
25 in General Services Administration Advantage!.”

1 **Subtitle E—Manufacturing USA**
2 **Program**

3 **SEC. 10261. SUPPORTING GEOGRAPHIC DIVERSITY.**

4 Section 34(e) of the National Institute of Standards
5 and Technology Act (15 U.S.C. 278s(e)) is amended by
6 adding at the end the following:

7 “(8) DIVERSITY PREFERENCES.—In awarding
8 financial assistance under paragraph (1) for plan-
9 ning or establishing a Manufacturing USA institute,
10 an agency head shall give special consideration to
11 Manufacturing USA institutes that—

12 “(A) contribute to the geographic diversity
13 of the Manufacturing USA Program;

14 “(B) are located in an area with a low per
15 capita income; or

16 “(C) are located in an area with a high
17 proportion of socially disadvantaged residents.”.

18 **Subtitle F—Manufacturing USA**
19 **Program**

20 **SEC. 10271. EXPANDING OPPORTUNITIES THROUGH THE**
21 **MANUFACTURING USA PROGRAM.**

22 (a) PARTICIPATION OF MINORITY-SERVING INSTITU-
23 TIONS, HISTORICALLY BLACK COLLEGES AND UNIVER-
24 SITIES, AND TRIBAL COLLEGES AND UNIVERSITIES.—

1 (1) IN GENERAL.—The Secretary of Commerce,
2 in consultation with the Secretary of Energy, the
3 Secretary of Defense, and the heads of such other
4 Federal agencies as the Secretary of Commerce con-
5 siders relevant, shall coordinate with existing and
6 new Manufacturing USA institutes to integrate cov-
7 ered entities as active members of the Manufac-
8 turing USA institutes, including through the devel-
9 opment of preferences in selection criteria for pro-
10 posals to create new Manufacturing USA institutes
11 or renew existing Manufacturing USA institutes that
12 include one or more covered entities.

13 (2) COVERED ENTITIES.—For purposes of this
14 subsection, a covered entity is—

15 (A) an historically Black college or univer-
16 sity;

17 (B) a Tribal college or university;

18 (C) a minority-serving institution; or

19 (D) a minority business enterprise (as de-
20 fined in section 1400.2 of title 15, Code of Fed-
21 eral Regulations, or successor regulation).

22 **TITLE III—NATIONAL SCIENCE**
23 **FOUNDATION FOR THE FUTURE**

24 **SEC. 10301. FINDINGS.**

25 Congress finds the following:

1 (1) Over the past seven decades, the National
2 Science Foundation has played a critical role in ad-
3 vancing the United States academic research enter-
4 prise by supporting fundamental research and edu-
5 cation across science and engineering disciplines.

6 (2) Discoveries enabled by sustained investment
7 in fundamental research and the education of the
8 United States science and engineering workforce
9 have led to transformational innovations and
10 spawned new industries.

11 (3) While the traditional approach to invest-
12 ment in research has delivered myriad benefits to so-
13 ciety, a concerted effort is needed to ensure the ben-
14 efits of federally funded science and engineering are
15 enjoyed by all Americans.

16 (4) As countries around the world increase in-
17 vestments in research and STEM education, United
18 States global leadership in science and engineering is
19 eroding, posing significant risks to economic com-
20 petitiveness, national security, and public well-being.

21 (5) To address major societal challenges and
22 sustain United States leadership in innovation, the
23 Federal Government must increase investments in
24 research, broaden participation in the STEM work-
25 force, and bolster collaborations among universities,

1 National Laboratories, field stations and marine lab-
2 oratories, companies, labor organizations, non-profit
3 funders of research, local policymakers, civil societies
4 and stakeholder communities, and international
5 partners.

6 **SEC. 10302. DEFINITIONS.**

7 In this title:

8 (1) **ACADEMIES.**—The term “Academies”
9 means the National Academies of Sciences, Engi-
10 neering, and Medicine.

11 (2) **ARTIFICIAL INTELLIGENCE.**—The term “ar-
12 tificial intelligence” has the meaning given such
13 term in section 5002 of the William M. (MAC)
14 Thornberry National Defense Authorization Act for
15 Fiscal Year 2021.

16 (3) **AWARDEE.**—The term “awardee” means
17 the legal entity to which Federal assistance is
18 awarded and that is accountable to the Federal Gov-
19 ernment for the use of the funds provided.

20 (4) **BOARD.**—The term “Board” means the Na-
21 tional Science Board.

22 (5) **DIRECTOR.**—The term “Director” means
23 the Director of the National Science Foundation.

24 (6) **EMERGING RESEARCH INSTITUTION.**—The
25 term “emerging research institution” means an in-

1 stitution of higher education with an established un-
2 dergraduate student program that has, on average
3 for 3 years prior to the time of application for an
4 award, received less than \$35,000,000 in Federal re-
5 search funding.

6 (7) FEDERAL RESEARCH AGENCY.—The term
7 “Federal research agency” means any Federal agen-
8 cy with an annual extramural research expenditure
9 of over \$100,000,000.

10 (8) FOUNDATION.—The term “Foundation”
11 means the National Science Foundation.

12 (9) HISTORICALLY BLACK COLLEGE AND UNI-
13 VERSITY.—The term “historically Black college and
14 university” has the meaning given the term “part B
15 institution” in section 322 of the Higher Education
16 Act of 1965 (20 U.S.C. 1061).

17 (10) INSTITUTION OF HIGHER EDUCATION.—
18 The term “institution of higher education” has the
19 meaning given the term in section 101(a) of the
20 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

21 (11) LABOR ORGANIZATION.—The term “labor
22 organization” has the meaning given the term in
23 section 2(5) of the National Labor Relations Act (29
24 U.S.C. 152(5)), except that such term shall also in-
25 clude—

1 (A) any organization composed of labor or-
2 ganizations, such as a labor union federation or
3 a State or municipal labor body; and

4 (B) any organization which would be in-
5 cluded in the definition for such term under
6 such section 2(5) but for the fact that the orga-
7 nization represents—

8 (i) individuals employed by the United
9 States, any wholly owned Government cor-
10 poration, any Federal Reserve Bank, or
11 any State or political subdivision thereof;

12 (ii) individuals employed by persons
13 subject to the Railway Labor Act (45
14 U.S.C. 151 et seq.); or

15 (iii) individuals employed as agricul-
16 tural laborers.

17 (12) MINORITY-SERVING INSTITUTION.—The
18 term “minority-serving institution” means a His-
19 panic-serving institution, an Alaska Native-serving
20 institution, a Native Hawaiian-serving institutions, a
21 Predominantly Black Institution, an Asian American
22 and Native American Pacific Islander-serving insti-
23 tution, or a Native American-serving nontribal insti-
24 tution as described in section 371 of the Higher
25 Education Act of 1965 (20 U.S.C. 1067q(a)).

1 (13) NON-PROFIT ORGANIZATION.—The term
2 “non-profit organization” means an organization
3 which is described in section 501(c)(3) of the Inter-
4 nal Revenue Code of 1986 and exempt from tax
5 under section 501(a) of such code.

6 (14) NSF INCLUDES.—The term “NSF in-
7 cludes” means the initiative carried out under sec-
8 tion 10306(c).

9 (15) PREK-12.—The term “preK-12” means
10 pre-kindergarten through grade 12.

11 (16) RESEARCH AND DEVELOPMENT AWARD.—
12 The term “research and development award” means
13 support provided to an individual or entity by a Fed-
14 eral research agency to carry out research and devel-
15 opment activities, which may include support in the
16 form of a grant, contract, cooperative agreement, or
17 other such transaction. The term does not include a
18 grant, contract, agreement or other transaction for
19 the procurement of goods or services to meet the ad-
20 ministrative needs of a Federal research agency.

21 (17) SKILLED TECHNICAL WORK.—The term
22 “skilled technical work” means an occupation that
23 requires a high level of knowledge in a technical do-
24 main and does not require a bachelor’s degree for
25 entry.

1 (18) STEM.—The term “STEM” has the
2 meaning given the term in section 2 of the America
3 COMPETES Reauthorization Act of 2010 (42
4 U.S.C. 6621 note).

5 (19) STEM EDUCATION.—The term “STEM
6 education” has the meaning given the term in sec-
7 tion 2 of the STEM Education Act of 2015 (42
8 U.S.C. 6621 note).

9 (20) TRIBAL COLLEGE OR UNIVERSITY.—The
10 term “Tribal College or University” has the meaning
11 given such term in section 316 of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1059e).

13 **SEC. 10303. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) FISCAL YEAR 2022.—

15 (1) IN GENERAL.—There are authorized to be
16 appropriated to the Foundation \$12,504,890,000 for
17 fiscal year 2022.

18 (2) SPECIFIC ALLOCATIONS.—Of the amount
19 authorized under paragraph (1)—

20 (A) \$10,025,000,000 is authorized to be
21 appropriated to carry out research and related
22 activities, of which—

23 (i) \$55,000,000 is authorized to be
24 appropriated for the Mid-Scale Research
25 Infrastructure Program; and

1 (ii) \$1,400,000,000 is authorized to
2 be appropriated for the Directorate for
3 Science and Engineering Solutions;

4 (B) \$1,583,160,000 is authorized to be ap-
5 propriated for education and human resources,
6 of which—

7 (i) \$73,700,000 is authorized to be
8 appropriated for the Robert Noyce Teacher
9 Scholarship Program;

10 (ii) \$59,500,000 is authorized to be
11 appropriated for the NSF Research
12 Traineeship Program;

13 (iii) \$416,300,000 is authorized to be
14 appropriated for the Graduate Research
15 Fellowship Program; and

16 (iv) \$70,000,000 is authorized to be
17 appropriated for the Cybercorps Scholar-
18 ship for Service Program;

19 (C) \$249,000,000 is authorized to be ap-
20 propriated for major research equipment and
21 facilities construction, of which \$76,250,000 is
22 authorized to be appropriated for the Mid-Scale
23 Research Infrastructure Program;

1 (D) \$620,000,000 is authorized to be ap-
2 propriated for agency operations and award
3 management;

4 (E) \$4,620,000 is authorized to be appro-
5 priated for the Office of the National Science
6 Board; and

7 (F) \$23,120,000 is authorized to be appro-
8 priated for the Office of the Inspector General.

9 (b) FISCAL YEAR 2023.—

10 (1) IN GENERAL.—There are authorized to be
11 appropriated to the Foundation \$14,620,800,000 for
12 fiscal year 2023.

13 (2) SPECIFIC ALLOCATIONS.—Of the amount
14 authorized under paragraph (1)—

15 (A) \$11,870,000,000 is authorized to be
16 appropriated to carry out research and related
17 activities, of which—

18 (i) \$60,000,000 is authorized to be
19 appropriated for the Mid-Scale Research
20 Infrastructure Program; and

21 (ii) \$2,300,000,000 is authorized to
22 be appropriated for the Directorate for
23 Science and Engineering Solutions;

1 (B) \$1,654,520,000 is authorized to be ap-
2 propriated for education and human resources,
3 of which—

4 (i) \$80,400,000 is authorized to be
5 appropriated for the Robert Noyce Teacher
6 Scholarship Program;

7 (ii) \$64,910,000 is authorized to be
8 appropriated for the NSF Research
9 Traineeship Program;

10 (iii) \$454,140,000 is authorized to be
11 appropriated for the Graduate Research
12 Fellowship Program; and

13 (iv) \$72,000,000 is authorized to be
14 appropriated for the Cybercorps Scholar-
15 ship for Service Program;

16 (C) \$355,000,000 is authorized to be ap-
17 propriated for major research equipment and
18 facilities construction, of which \$80,000,000 is
19 authorized to be appropriated for the Mid-Scale
20 Research Infrastructure Program;

21 (D) \$710,000,000 is authorized to be ap-
22 propriated for agency operations and award
23 management;

1 (E) \$4,660,000 is authorized to be appro-
2 priated for the Office of the National Science
3 Board; and

4 (F) \$26,610,000 is authorized to be appro-
5 priated for the Office of the Inspector General.

6 (c) FISCAL YEAR 2024.—

7 (1) IN GENERAL.—There are authorized to be
8 appropriated to the Foundation \$15,945,020,000 for
9 fiscal year 2024.

10 (2) SPECIFIC ALLOCATIONS.—Of the amount
11 authorized under paragraph (1)—

12 (A) \$13,050,000,000 is authorized to be
13 appropriated to carry out research and related
14 activities, of which—

15 (i) \$70,000,000 is authorized to be
16 appropriated for the Mid-Scale Research
17 Infrastructure Program; and

18 (ii) \$2,900,000,000 is authorized to
19 be appropriated for the Directorate for
20 Science and Engineering Solutions;

21 (B) \$1,739,210,000 is authorized to be ap-
22 propriated for education and human resources,
23 of which—

1 (i) \$87,100,000 is authorized to be
2 appropriated for the Robert Noyce Teacher
3 Scholarship Program;

4 (ii) \$70,320,000 is authorized to be
5 appropriated for the NSF Research
6 Traineeship Program;

7 (iii) \$491,990,000 is authorized to be
8 appropriated for the Graduate Research
9 Fellowship Program; and

10 (iv) \$78,000,000 is authorized to be
11 appropriated for the Cybercorps Scholar-
12 ship for Service Program;

13 (C) \$370,000,000 is authorized to be ap-
14 propriated for major research equipment and
15 facilities construction, of which \$85,000,000 is
16 authorized to be appropriated for the Mid-Scale
17 Research Infrastructure Program;

18 (D) \$750,000,000 is authorized to be ap-
19 propriated for agency operations and award
20 management;

21 (E) \$4,700,000 is authorized to be appro-
22 priated for the Office of the National Science
23 Board; and

24 (F) \$31,110,000 is authorized to be appro-
25 priated for the Office of the Inspector General.

1 (d) FISCAL YEAR 2025.—

2 (1) IN GENERAL.—There are authorized to be
3 appropriated to the Foundation \$17,004,820,000 for
4 fiscal year 2025.

5 (2) SPECIFIC ALLOCATIONS.—Of the amount
6 authorized under paragraph (1)—

7 (A) \$14,000,000,000 is authorized to be
8 appropriated to carry out research and related
9 activities, of which—

10 (i) \$75,000,000 is authorized to be
11 appropriated for the Mid-Scale Research
12 Infrastructure Program; and

13 (ii) \$3,250,000,000 is authorized to
14 be appropriated for the Directorate for
15 Science and Engineering Solutions;

16 (B) \$1,823,470,000 is authorized to be ap-
17 propriated for education and human resources,
18 of which—

19 (i) \$93,800,000 is authorized to be
20 appropriated for the Robert Noyce Teacher
21 Scholarship Program;

22 (ii) \$75,730,000 is authorized to be
23 appropriated for the NSF Research
24 Traineeship Program;

1 (iii) \$529,830,000 is authorized to be
2 appropriated for the Graduate Research
3 Fellowship Program; and

4 (iv) \$84,000,000 is authorized to be
5 appropriated for the Cybercorps Scholar-
6 ship for Service Program;

7 (C) \$372,000,000 is authorized to be ap-
8 propriated for major research equipment and
9 facilities construction, of which \$90,000,000 is
10 authorized to be appropriated for the Mid-Scale
11 Research Infrastructure Program;

12 (D) \$770,000,000 is authorized to be ap-
13 propriated for agency operations and award
14 management;

15 (E) \$4,740,000 is authorized to be appro-
16 priated for the Office of the National Science
17 Board; and

18 (F) \$34,610,000 is authorized to be appro-
19 priated for the Office of the Inspector General.

20 (e) FISCAL YEAR 2026.—

21 (1) IN GENERAL.—There are authorized to be
22 appropriated to the Foundation \$17,939,490,000 for
23 fiscal year 2026.

24 (2) SPECIFIC ALLOCATIONS.—Of the amount
25 authorized under paragraph (1)—

1 (A) \$14,800,000,000 is authorized to be
2 appropriated to carry out research and related
3 activities, of which—

4 (i) \$80,000,000 is authorized to be
5 appropriated for the Mid-Scale Research
6 Infrastructure Program; and

7 (ii) \$3,400,000,000 is authorized to
8 be appropriated for the Directorate for
9 Science and Engineering Solutions;

10 (B) \$1,921,600,000 is authorized to be ap-
11 propriated for education and human resources,
12 of which—

13 (i) \$100,500,000 is authorized to be
14 appropriated for the Robert Noyce Teacher
15 Scholarship Program;

16 (ii) \$81,140,000 is authorized to be
17 appropriated for the NSF Research
18 Traineeship Program;

19 (iii) \$567,680,000 is authorized to be
20 appropriated for the Graduate Research
21 Fellowship Program; and

22 (iv) \$90,000,000 is authorized to be
23 appropriated for the Cybercorps Scholar-
24 ship for Service Program;

1 (C) \$375,000,000 is authorized to be ap-
2 propriated for major research equipment and
3 facilities construction, of which \$100,000,000 is
4 authorized to be appropriated for the Mid-Scale
5 Research Infrastructure Program;

6 (D) \$800,000,000 is authorized to be ap-
7 propriated for agency operations and award
8 management;

9 (E) \$4,780,000 is authorized to be appro-
10 priated for the Office of the National Science
11 Board; and

12 (F) \$38,110,000 is authorized to be appro-
13 priated for the Office of the Inspector General.

14 **SEC. 10304. STEM EDUCATION.**

15 (a) PREK–12 STEM EDUCATION.—

16 (1) DECADAL SURVEY OF STEM EDUCATION RE-
17 SEARCH.—Not later than 45 days after the date of
18 enactment of this Act, the Director shall enter into
19 a contract with the Academies to review and assess
20 the status and opportunities for PreK–12 STEM
21 education research and make recommendations for
22 research priorities over the next decade.

23 (2) SCALING INNOVATIONS IN PREK–12 STEM
24 EDUCATION.—

1 (A) IN GENERAL.—The Director shall es-
2 tablish a program to award grants, on a com-
3 petitive basis, to institutions of higher edu-
4 cation or non-profit organizations (or consortia
5 of such institutions or organizations) to estab-
6 lish no fewer than 3 multidisciplinary Centers
7 for Transformative Education Research and
8 Translation (in this section referred to as “Cen-
9 ters”) to support research and development on
10 widespread and sustained implementation of
11 STEM education innovations.

12 (B) APPLICATION.—An institution of high-
13 er education or non-profit organization (or a
14 consortium of such institutions or organiza-
15 tions) seeking funding under subparagraph (A)
16 shall submit an application to the Director at
17 such time, in such manner, and containing such
18 information as the Director may require. The
19 application shall include, at a minimum, a de-
20 scription of how the proposed Center will—

21 (i) establish partnerships among aca-
22 demic institutions, local or State education
23 agencies, and other relevant stakeholders
24 in supporting programs and activities to
25 facilitate the widespread and sustained im-

1 plementation of promising, evidence-based
2 STEM education practices, models, pro-
3 grams, curriculum, and technologies;

4 (ii) support enhanced STEM edu-
5 cation infrastructure, including
6 cyberlearning technologies, to facilitate the
7 widespread adoption of promising, evi-
8 dence-based practices;

9 (iii) support research and development
10 on scaling practices, partnerships, and al-
11 ternative models to current approaches, in-
12 cluding approaches sensitive to the unique
13 combinations of capabilities, resources, and
14 needs of varying localities, educators, and
15 learners;

16 (iv) include a focus on the learning
17 needs of under resourced schools and
18 learners in low-resource or underachieving
19 local education agencies in urban and rural
20 communities and the development of high-
21 quality curriculum that engages these
22 learners in the knowledge and practices of
23 STEM fields;

1 (v) include a focus on the learning
2 needs and unique challenges facing stu-
3 dents with disabilities; and

4 (vi) support research and development
5 on scaling practices and models to support
6 and sustain highly-qualified STEM edu-
7 cators in urban and rural communities.

8 (C) ADDITIONAL CONSIDERATIONS.—In
9 awarding a grant under this paragraph, the Di-
10 rector may also consider the extent to which the
11 proposed Center will—

12 (i) leverage existing collaborations,
13 tools, and strategies supported by the
14 Foundation, including NSF INCLUDES
15 and the Convergence Accelerators;

16 (ii) support research on and the devel-
17 opment and scaling of innovative ap-
18 proaches to distance learning and edu-
19 cation for various student populations;

20 (iii) support education innovations
21 that leverage new technologies or deepen
22 understanding of the impact of technology
23 on educational systems; and

24 (iv) include a commitment from local
25 or State education administrators to mak-

1 ing the proposed reforms and activities a
2 priority.

3 (D) PARTNERSHIP.—In carrying out the
4 program under subparagraph (A), the Director
5 shall explore opportunities to partner with the
6 Department of Education, including through
7 jointly funding activities under this paragraph.

8 (E) ANNUAL MEETING.—The Director
9 shall encourage and facilitate an annual meet-
10 ing of the Centers to foster collaboration among
11 the Centers and to further disseminate the re-
12 sults of the Centers' activities.

13 (F) REPORT.—Not later than 5 years after
14 the date of enactment of this Act, the Director
15 shall submit to Congress a report describing the
16 activities carried out pursuant to this para-
17 graph that includes—

18 (i) a description of the focus and pro-
19 posed goals of each Center; and

20 (ii) an assessment of the program's
21 success in helping to promote scalable solu-
22 tions in PreK–12 STEM education.

23 (3) NATIONAL ACADEMIES STUDY.—Not later
24 than 45 days after the date of enactment of this

1 Act, the Director shall enter into an agreement with
2 the Academies to conduct a study to—

3 (A) review the research literature and iden-
4 tify research gaps regarding the interconnected
5 factors that foster and hinder successful imple-
6 mentation of promising, evidence-based PreK–
7 12 STEM education innovations at the local,
8 regional, and national level;

9 (B) present a compendium of promising,
10 evidence-based PreK–12 STEM education prac-
11 tices, models, programs, and technologies;

12 (C) identify barriers to widespread and
13 sustained implementation of such innovations;
14 and

15 (D) make recommendations to the Founda-
16 tion, the Department of Education, the Na-
17 tional Science and Technology Council’s Com-
18 mittee on Science, Technology, Engineering,
19 and Mathematics Education, State and local
20 educational agencies, and other relevant stake-
21 holders on measures to address such barriers.

22 (4) SUPPORTING PRE-K–8 INFORMAL STEM OP-
23 PORTUNITIES.—Section 3 of the STEM Education
24 Act of 2015 (42 U.S.C. 1862q) is amended by add-
25 ing at the end the following:

1 “(c) PRE-K–8 INFORMAL STEM PROGRAM.—

2 “(1) IN GENERAL.—The Director of the Na-
3 tional Science Foundation shall provide grants to in-
4 stitutions of higher education or a non-profit organi-
5 zations (or a consortia of such intuitions or organi-
6 zation) on a merit-reviewed, competitive basis for re-
7 search on programming that engages students in
8 grades PREK–8, including underrepresented and
9 rural students, in STEM in order to prepare such
10 students to pursue degrees or careers in STEM.

11 “(2) USE OF FUNDS.—

12 “(A) IN GENERAL.—Grants awarded under
13 this section shall be used toward research to ad-
14 vance the engagement of students, including
15 underrepresented and rural students, in grades
16 PREK–8 in STEM through providing before-
17 school, after-school, out-of-school, or summer
18 activities, including in single-gender environ-
19 ments or programming, that are designed to en-
20 courage interest, engagement, and skills devel-
21 opment for students in STEM.

22 “(B) PERMITTED ACTIVITIES.—The activi-
23 ties described in subparagraph (A) may in-
24 clude—

1 “(i) the provision of programming de-
2 scribed in such subparagraph for the pur-
3 pose of research described in such subpara-
4 graph;

5 “(ii) the use of a variety of engage-
6 ment methods, including cooperative and
7 hands-on learning;

8 “(iii) exposure of students to role
9 models in the fields of STEM and near-
10 peer mentors;

11 “(iv) training of informal learning
12 educators, youth-serving professionals, and
13 volunteers who lead informal STEM pro-
14 grams in using evidence-based methods
15 consistent with the target student popu-
16 lation being served;

17 “(v) education of students on the rel-
18 evance and significance of STEM careers,
19 provision of academic advice and assist-
20 ance, and activities designed to help stu-
21 dents make real-world connections to
22 STEM content;

23 “(vi) the attendance of students at
24 events, competitions, and academic pro-
25 grams to provide content expertise and en-

1 courage career exposure in STEM, which
2 may include the purchase of parts and sup-
3 plies needed to participate in such competi-
4 tions;

5 “(vii) activities designed to engage
6 parents and families of students in grades
7 PREK–8 in STEM;

8 “(viii) innovative strategies to engage
9 students, such as using leadership skills
10 and outcome measures to impart youth
11 with the confidence to pursue STEM
12 coursework and academic study;

13 “(ix) coordination with STEM-rich
14 environments, including other nonprofit,
15 nongovernmental organizations, out-of-
16 classroom settings, single-gender environ-
17 ments, institutions of higher education, vo-
18 cational facilities, corporations, museums,
19 or science centers; and

20 “(x) the acquisition of instructional
21 materials or technology-based tools to con-
22 duct applicable grant activity.

23 “(3) APPLICATION.—An applicant seeking
24 funding under the section shall submit an applica-
25 tion at such time, in such manner, and containing

1 such information as may be required. Applications
2 that include or partner with a nonprofit, nongovern-
3 mental organization that has extensive experience
4 and expertise in increasing the participation of stu-
5 dents in PREK–8 in STEM are encouraged. The
6 application may include the following:

7 “(A) A description of the target audience
8 to be served by the research activity or activi-
9 ties for which such funding is sought.

10 “(B) A description of the process for re-
11 cruitment and selection of students to partici-
12 pate in such activities.

13 “(C) A description of how such activity or
14 activities may inform programming that en-
15 engages students in grades PREK–8 in STEM.

16 “(D) A description of how such activity or
17 activities may inform programming that pro-
18 motes student academic achievement in STEM.

19 “(E) An evaluation plan that includes, at
20 a minimum, the use of outcome-oriented meas-
21 ures to determine the impact and efficacy of
22 programming being researched.

23 “(4) EVALUATIONS.—Each recipient of a grant
24 under this section shall provide, at the conclusion of
25 every year during which the grant funds are re-

1 ceived, an evaluation in a form prescribed by the Di-
2 rector.

3 “(5) ACCOUNTABILITY AND DISSEMINATION.—

4 “(A) EVALUATION REQUIRED.—The Direc-
5 tor shall evaluate the activities established
6 under this section. Such evaluation shall—

7 “(i) use a common set of benchmarks
8 and tools to assess the results of research
9 conducted under such grants; and

10 “(ii) to the extent practicable, inte-
11 grate the findings of the research resulting
12 from the activity or activities funded
13 through the grant with the current re-
14 search on serving students with respect to
15 the pursuit of degrees or careers in STEM,
16 including underrepresented and rural stu-
17 dents, in grades PREK–8.

18 “(B) REPORT ON EVALUATIONS.—Not
19 later than 180 days after the completion of the
20 evaluation under subparagraph (A), the Direc-
21 tor shall submit to Congress and make widely
22 available to the public a report that includes—

23 “(i) the results of the evaluation; and

24 “(ii) any recommendations for admin-
25 istrative and legislative action that could

1 optimize the effectiveness of the program
2 under this section.

3 “(6) COORDINATION.—In carrying out this sec-
4 tion, the Director shall, for purposes of enhancing
5 program effectiveness and avoiding duplication of ac-
6 tivities, consult, cooperate, and coordinate with the
7 programs and policies of other relevant Federal
8 agencies.”.

9 (b) UNDERGRADUATE STEM EDUCATION.—

10 (1) RESEARCH ON STEM EDUCATION AND
11 WORKFORCE NEEDS.—The Director shall award
12 grants, on a competitive basis, to four-year institu-
13 tions of higher education or non-profit organizations
14 (or consortia of such institutions or organizations) to
15 support research and development activities to—

16 (A) encourage greater collaboration and
17 coordination between institutions of higher edu-
18 cation and industry to enhance education, foster
19 hands-on learn experiences, and improve align-
20 ment with workforce needs;

21 (B) understand the current composition of
22 the STEM workforce and the factors that influ-
23 ence growth, retention, and development of that
24 workforce;

1 (C) increase the size, diversity, capability,
2 and flexibility of the STEM workforce; and

3 (D) increase dissemination and widespread
4 adoption of effective practices in undergraduate
5 education and workforce development.

6 (2) ADVANCED TECHNOLOGICAL EDUCATION
7 PROGRAM UPDATE.—Section 3(b) of the Scientific
8 and Advanced-Technology Act of 1992 (42 U.S.C.
9 1862i(b)) is amended to read as follows:

10 “(b) NATIONAL COORDINATION NETWORK FOR
11 SCIENCE AND TECHNICAL EDUCATION.—The Director
12 shall award grants to institutions of higher education,
13 non-profit organizations, and associate-degree granting
14 colleges (or consortia of such institutions or organizations)
15 to establish a network of centers for science and technical
16 education. The centers shall—

17 “(1) coordinate research, training, and edu-
18 cation activities funded by awards under subsection
19 (a) and share information and best practices across
20 the network of awardees;

21 “(2) serve as a national and regional clearing-
22 house and resource to communicate and coordinate
23 research, training, and educational activities across
24 disciplinary, organizational, geographic, and inter-

1 national boundaries and disseminate best practices;
2 and

3 “(3) develop national and regional partnerships
4 between PreK–12 schools, two-year colleges, institu-
5 tions of higher education, workforce development
6 programs, labor organizations, and industry to meet
7 workforce needs.”.

8 (3) INNOVATIONS IN STEM EDUCATION AT COM-
9 MUNITY COLLEGES.—

10 (A) IN GENERAL.—The Director shall
11 award grants on a merit-reviewed, competitive
12 basis to institutions of higher education or non-
13 profit organizations (or consortia of such insti-
14 tutions or organizations) to advance research on
15 the nature of learning and teaching at commu-
16 nity colleges and to improve outcomes for stu-
17 dents who enter the workforce upon completion
18 of their STEM degree or credential or transfer
19 to 4-year institutions, including by—

20 (i) examining how to scale up success-
21 ful programs at Community Colleges that
22 are improving student outcomes in
23 foundational STEM courses;

- 1 (ii) supporting research on effective
2 STEM teaching practices in community
3 college settings;
- 4 (iii) designing and developing new
5 STEM curricula;
- 6 (iv) providing STEM students with
7 hands-on training and research experi-
8 ences, internships, and other experiential
9 learning opportunities;
- 10 (v) increasing access to high quality
11 STEM education through new tech-
12 nologies;
- 13 (vi) re-skilling or up-skilling incum-
14 bent workers for new STEM jobs;
- 15 (vii) building STEM career and seam-
16 less transfer pathways; and
- 17 (viii) developing novel mechanisms to
18 identify and recruit talent into STEM pro-
19 grams, in particular talent from groups
20 historically underrepresented in STEM.
- 21 (B) PARTNERSHIPS.—In carrying out ac-
22 tivities under this paragraph, the Director shall
23 encourage applications to develop, enhance, or
24 expand cooperative STEM education and train-

1 ing partnerships between institutions of higher
2 education, industry, and labor organizations.

3 (4) IMPROVING ACCESS TO STEM EDUCATION
4 AT CTE INSTITUTIONS.—

5 (A) IN GENERAL.—The Director shall
6 award grants, on a competitive basis, to institu-
7 tions of higher education (including
8 postsecondary vocational institutions) to support
9 career and technical education in STEM and
10 computer science related fields.

11 (B) PRIORITY.—In awarding grants under
12 subparagraph (A), the Director shall give pri-
13 ority to institutions that demonstrate effective
14 strategies to recruit and provide career and
15 technical education to veterans and members of
16 the Armed Forces transitioning to the private
17 sector workforce.

18 (C) CAREER AND TECHNICAL EDUCATION
19 DEFINED.—In this paragraph, the term “career
20 and technical education” has the meaning given
21 that term in section 3 of the Carl D. Perkins
22 Career and Technical Education Act of 2006
23 (20 U.S.C. 2302).

24 (5) COURSE-BASED UNDERGRADUATE RE-
25 SEARCH EXPERIENCES.—

1 (A) IN GENERAL.—The Director shall
2 carry out a 4-year pilot program under which
3 the Director shall award grants, on a competi-
4 tive basis, to institutions of higher education
5 and non-profit organizations (or consortia of
6 such institutions or organizations) to establish
7 a total of not fewer than five Centers to develop
8 and scale up successful models for providing
9 undergraduate students with hands-on, dis-
10 covery-based research courses.

11 (B) USE OF FUNDS.—Grants made under
12 this paragraph shall be used to—

13 (i) develop, assess, and disseminate
14 models for providing undergraduate stu-
15 dents with course-based research experi-
16 ences across STEM disciplines and edu-
17 cation levels;

18 (ii) identify and address opportunities
19 and challenges in facilitating implementa-
20 tion across a broad range of institution
21 types, including minority-serving institu-
22 tions and community colleges;

23 (iii) identify and develop best prac-
24 tices to address barriers for faculty, includ-

1 ing institutional culture, resources, and in-
2 centive structures;

3 (iv) identify and address factors that
4 may facilitate or discourage participation
5 by students from all backgrounds;

6 (v) provide faculty with curriculum,
7 professional development, training, net-
8 working opportunities, and other support
9 to enable the development, adaptation, or
10 expansion of a discovery-based research
11 course; and

12 (vi) collect data and carry out re-
13 search to evaluate the impacts of course-
14 based undergraduate research experiences
15 on the STEM workforce.

16 (C) PARTNERSHIPS.—In making awards
17 under this paragraph, the Director shall con-
18 sider the extent to which the proposed Center
19 will establish partnerships among multiple types
20 of academic institutions, including community
21 colleges, emerging research institutions, histori-
22 cally Black colleges and universities, Tribal Col-
23 leges or Universities, and minority serving insti-
24 tutions, the private sector, and other relevant
25 stakeholders in supporting programs and activi-

1 ties to facilitate faculty training and the wide-
2 spread and sustained implementation of prom-
3 ising, evidence-based practices, models, pro-
4 grams, and curriculum.

5 (D) REPORT.—Not later than 180 days
6 after the date on which the pilot program is
7 completed, the Director shall submit to Con-
8 gress a report that includes—

9 (i) an assessment, that includes feed-
10 back from the research community, of the
11 effectiveness of the pilot program in in-
12 creasing the number, diversity, and work-
13 force readiness of STEM graduates; and

14 (ii) if determined to be effective, a
15 plan for permanent implementation of the
16 pilot program.

17 (c) ADVANCED TECHNOLOGICAL MANUFACTURING
18 ACT.—

19 (1) FINDINGS AND PURPOSE.—Section 2 of the
20 Scientific and Advanced-Technology Act of 1992 (42
21 U.S.C. 1862h) is amended—

22 (A) in subsection (a)—

23 (i) in paragraph (3), by striking
24 “science, mathematics, and technology”

1 and inserting “science, technology, engi-
2 neering, and mathematics or STEM”;

3 (ii) in paragraph (4), by inserting
4 “educated” and before “trained”; and

5 (iii) in paragraph (5), by striking
6 “scientific and technical education and
7 training” and inserting “STEM education
8 and training”; and

9 (B) in subsection (b)—

10 (i) in paragraph (2), by striking
11 “mathematics and science” and inserting
12 “STEM fields”; and

13 (ii) in paragraph (4), by striking
14 “mathematics and science instruction” and
15 inserting “STEM instruction”.

16 (2) MODERNIZING REFERENCES TO STEM.—

17 Section 3 of the Scientific and Advanced-Technology
18 Act of 1992 (42 U.S.C. 1862i) is amended—

19 (A) in the section heading, by striking
20 “**SCIENTIFIC AND TECHNICAL EDUCATION**
21 ” and inserting “**STEM EDUCATION**”;

22 (B) in subsection (a)—

23 (i) in the subsection heading, by strik-
24 ing “**SCIENTIFIC AND TECHNICAL EDU-**

1 CATION ” and inserting “STEM EDU-
2 CATION”;

3 (ii) in the matter preceding paragraph
4 (1)—

5 (I) by inserting “and education
6 to prepare the skilled technical work-
7 force to meet workforce demands” be-
8 fore “, and to improve”;

9 (II) by striking “core education
10 courses in science and mathematics”
11 and inserting “core education courses
12 in STEM fields”;

13 (III) by inserting “veterans and
14 individuals engaged in” before “work
15 in the home”; and

16 (IV) by inserting “and on build-
17 ing a pathway from secondary schools,
18 to associate-degree-granting institu-
19 tions, to careers that require technical
20 training” before “, and shall be de-
21 signed”;

22 (iii) in paragraph (1)—

23 (I) by inserting “and study”
24 after “development”; and

1 (II) by striking “core science and
2 mathematics courses” and inserting
3 “core STEM courses”;

4 (iv) in paragraph (2), by striking
5 “science, mathematics, and advanced-tech-
6 nology fields” and inserting “STEM and
7 advanced-technology fields”;

8 (v) in paragraph (3)(A), by inserting
9 “to support the advanced-technology indus-
10 tries that drive the competitiveness of the
11 United States in the global economy” be-
12 fore the semicolon at the end;

13 (vi) in paragraph (4), by striking “sci-
14 entific and advanced-technology fields” and
15 inserting “STEM and advanced-technology
16 fields”; and

17 (vii) in paragraph (5), by striking
18 “advanced scientific and technical edu-
19 cation” and inserting “advanced STEM
20 and advanced-technology”;

21 (C) in subsection (c)—

22 (i) in paragraph (1)—

23 (I) in subparagraph (A)—

24 (aa) in the matter preceding
25 clause (i), by striking “to encour-

1 age” and all that follows through
2 “such means as—” and inserting
3 “to encourage the development of
4 career and educational pathways
5 with multiple entry and exit
6 points leading to credentials and
7 degrees, and to assist students
8 pursuing pathways in STEM
9 fields to transition from asso-
10 ciate-degree-granting colleges to
11 bachelor-degree-granting institu-
12 tions, through such means as—”;

13 (bb) in clause (i), by striking
14 “to ensure” and inserting “to de-
15 velop articulation agreements
16 that ensure”; and

17 (cc) in clause (ii), by strik-
18 ing “courses at the bachelor-de-
19 gree-granting institution” and in-
20 sserting “the career and edu-
21 cational pathways supported by
22 the articulation agreements”;

23 (II) in subparagraph (B)—

24 (aa) in clause (i), by insert-
25 ing “veterans and individuals en-

1 gaged in” before “work in the
2 home”;

3 (bb) in clause (iii)—

4 (AA) by striking “bach-
5 elor’s-degree-granting insti-
6 tutions” and inserting “in-
7 stitutions or work sites”;
8 and

9 (BB) by inserting “or
10 industry internships” after
11 “summer programs”; and

12 (cc) by striking the flush
13 text following clause (iv); and

14 (III) by striking subparagraph
15 (C);

16 (ii) in paragraph (2)—

17 (I) by striking “mathematics and
18 science programs” and inserting
19 “STEM programs”;

20 (II) by inserting “and, as appro-
21 priate, elementary schools,” after
22 “with secondary schools”;

23 (III) by striking “mathematics
24 and science education” and inserting
25 “STEM education”;

1 (IV) by striking “secondary
2 school students” and inserting “stu-
3 dents at these schools”;

4 (V) by striking “science and ad-
5 vanced-technology fields” and insert-
6 ing “STEM and advanced-technology
7 fields”; and

8 (VI) by striking “agreements
9 with local educational agencies” and
10 inserting “articulation agreements or
11 dual credit courses with local sec-
12 ondary schools, or other means as the
13 Director determines appropriate,”;
14 and

15 (iii) in paragraph (3)—

16 (I) by striking subparagraph (B);

17 (II) by striking “shall—”and all
18 that follows through “establish a” and
19 inserting “shall establish a”;

20 (III) by striking “the fields of
21 science, technology, engineering, and
22 mathematics” and inserting “STEM
23 fields”; and

1 (IV) by striking “; and” and in-
2 serting “, including jobs at Federal
3 and academic laboratories.”;

4 (D) in subsection (d)(2)—

5 (i) in subparagraph (D), by striking
6 “and” after the semicolon;

7 (ii) in subparagraph (E), by striking
8 the period at the end and inserting a “;
9 and”; and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(F) as appropriate, applications that
13 apply the best practices for STEM education
14 and technical skills education through distance
15 learning or in a simulated work environment, as
16 determined by research described in subsection
17 (f); and”;

18 (E) in subsection (g), by striking the sec-
19 ond sentence;

20 (F) in subsection (h)(1)—

21 (i) in subparagraph (A), by striking
22 “2022” and inserting “2026”;

23 (ii) in subparagraph (B), by striking
24 “2022” and inserting “2026”; and

25 (iii) in subparagraph (C)—

1 (I) by striking “up to
2 \$2,500,000” and inserting “not less
3 than \$3,000,000”; and

4 (II) by striking “2022” and in-
5 serting “2026”;

6 (G) in subsection (i)—

7 (i) by striking paragraph (3); and

8 (ii) by redesignating paragraphs (4)
9 and (5) as paragraphs (3) and (4), respec-
10 tively; and

11 (H) in subsection (j)—

12 (i) by striking paragraph (1) and in-
13 serting the following:

14 “(1) the term advanced-technology includes
15 technological fields such as advanced manufacturing,
16 agricultural-, biological- and chemical-technologies,
17 energy and environmental technologies, engineering
18 technologies, information technologies, micro and
19 nano-technologies, cybersecurity technologies,
20 geospatial technologies, and new, emerging tech-
21 nology areas;”;

22 (ii) in paragraph (4), by striking
23 “separate bachelor-degree-granting institu-
24 tions” and inserting “other entities”;

25 (iii) by striking paragraph (7);

1 (iv) by redesignating paragraphs (8)
2 and (9) as paragraphs (7) and (8), respec-
3 tively;

4 (v) in paragraph (7), as redesignated
5 by subparagraph (D), by striking “and”
6 after the semicolon;

7 (vi) in paragraph (8), as redesignated
8 by subparagraph (D)—

9 (I) by striking “mathematics,
10 science, engineering, or technology”
11 and inserting “science, technology, en-
12 gineering, or mathematics”; and

13 (II) by striking the period at the
14 end and inserting “; and”; and

15 (vii) by adding at the end the fol-
16 lowing:

17 “(9) the term skilled technical workforce means
18 workers—

19 “(A) in occupations that use significant
20 levels of science and engineering expertise and
21 technical knowledge; and

22 “(B) whose level of educational attainment
23 is less than a bachelor degree.”.

24 (3) AUTHORIZATION OF APPROPRIATIONS.—

25 Section 5 of the Scientific and Advanced-Technology

1 Act of 1992 (42 U.S.C. 1862j) is amended to read
2 as follows:

3 **“SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

4 “There are authorized to be appropriated to the Di-
5 rector for carrying out sections 2 through 4, \$150,000,000
6 for fiscal years 2022 through 2026.”.

7 (d) GRADUATE STEM EDUCATION.—

8 (1) MENTORING AND PROFESSIONAL DEVELOP-
9 MENT.—

10 (A) MENTORING PLANS.—

11 (i) UPDATE.—Section 7008 of the
12 America Creating Opportunities to Mean-
13 ingfully Promote Excellence in Technology,
14 Education, and Science Act (42 U.S.C.
15 1862o) is amended by—

16 (I) inserting “and graduate stu-
17 dent” after “postdoctoral”; and

18 (II) inserting “The requirement
19 may be satisfied by providing such in-
20 dividuals with access to mentors, in-
21 cluding individuals not listed on the
22 grant.” after “review criterion.”.

23 (ii) EVALUATION.—Not later than 45
24 days after the date of enactment of this
25 Act, the Director shall enter into an agree-

1 ment with a qualified independent organi-
2 zation to evaluate the effectiveness of the
3 postdoctoral mentoring plan requirement
4 for improving mentoring for Foundation-
5 supported postdoctoral researchers.

6 (B) CAREER EXPLORATION.—

7 (i) IN GENERAL.—The Director shall
8 award grants, on a competitive basis, to in-
9 stitutions of higher education and non-
10 profit organizations (or consortia of such
11 institutions or organizations) to develop in-
12 novative approaches for facilitating career
13 exploration of academic and non-academic
14 career options and for providing oppor-
15 tunity-broadening experiences, including
16 work-integrated opportunities, for graduate
17 students and postdoctoral scholars that
18 can then be considered, adopted, or adapt-
19 ed by other institutions and to carry out
20 research on the impact and outcomes of
21 such activities.

22 (ii) REVIEW OF PROPOSALS.—In se-
23 lecting grant recipients under this subpara-
24 graph, the Director shall consider, at a
25 minimum—

1 (I) the extent to which the ad-
2 ministrators of the institution are
3 committed to making the proposed ac-
4 tivity a priority; and

5 (II) the likelihood that the insti-
6 tution or organization will sustain or
7 expand the proposed activity effort be-
8 yond the period of the grant.

9 (C) DEVELOPMENT PLANS.—The Director
10 shall require that annual project reports for
11 awards that support graduate students and
12 postdoctoral scholars include certification by the
13 principal investigator that each graduate stu-
14 dent and postdoctoral scholar receiving substan-
15 tial support from such award, as determined by
16 the Director, in consultation with faculty advi-
17 sors, has developed and annually updated an in-
18 dividual development plan to map educational
19 goals, career exploration, and professional de-
20 velopment.

21 (D) PROFESSIONAL DEVELOPMENT SUP-
22 PLEMENT.—The Director shall carry out a five-
23 year pilot initiative to award up to 2,500 ad-
24 ministrative supplements of up to \$2,000 to ex-
25 isting research grants annually, on a competi-

1 tive basis, to support professional development
2 experiences for graduate students and
3 postdoctoral researchers who receive a substan-
4 tial portion of their support under such grants,
5 as determined by the Director. Not more than
6 10 percent of supplements awarded under this
7 subparagraph may be used to support profes-
8 sional development experiences for postdoctoral
9 researchers.

10 (E) GRADUATE EDUCATION RESEARCH.—

11 The Director shall award grants, on a competi-
12 tive basis, to institutions of higher education or
13 non-profit organizations (or consortia of such
14 institutions or organizations) to support re-
15 search on the graduate education system and
16 outcomes of various interventions and policies,
17 including—

18 (i) the effects of traineeships, fellow-
19 ships, internships, and teaching and re-
20 search assistantships on outcomes for
21 graduate students;

22 (ii) the effects of graduate education
23 and mentoring policies and procedures on
24 degree completion, including differences
25 by—

1 (I) gender, race and ethnicity,
2 sexual orientation, gender identity,
3 and citizenship; and

4 (II) student debt load;

5 (iii) the development and assessment
6 of new or adapted interventions, including
7 approaches that improve mentoring rela-
8 tionships, develop conflict management
9 skills, and promote healthy research teams;
10 and

11 (iv) research, data collection, and as-
12 sessment of the state of graduate student
13 mental health and wellbeing, factors con-
14 tributing to and consequences of poor
15 graduate student mental health, and the
16 development, adaptation, and assessment
17 of evidence-based strategies and policies to
18 support emotional wellbeing and mental
19 health.

20 (2) GRADUATE RESEARCH FELLOWSHIP PRO-
21 GRAM UPDATE.—

22 (A) SENSE OF CONGRESS.—It is the sense
23 of Congress that the Foundation should in-
24 crease the number of new graduate research fel-

1 lows supported annually over the next 5 years
2 to no fewer than 3,000 fellows.

3 (B) PROGRAM UPDATE.—Section 10 of the
4 National Science Foundation Act of 1950 (42
5 U.S.C. 1869) is amended—

6 (i) in subsection (a), by inserting
7 “and as will address national workforce de-
8 mand in critical STEM fields” after
9 “throughout the United States”;

10 (ii) in subsection (b), by striking “of
11 \$12,000” and inserting “of at least
12 \$16,000”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(c) OUTREACH.—The Director shall ensure program
16 outreach to recruit fellowship applicants from fields of
17 study that are in areas of critical national need, from all
18 regions of the country, and from historically underrep-
19 resented populations in STEM.”.

20 (C) CYBERSECURITY SCHOLARSHIPS AND
21 GRADUATE FELLOWSHIPS.—The Director shall
22 ensure that students pursuing master’s degrees
23 and doctoral degrees in fields relating to cyber-
24 security are considered as applicants for schol-
25 arships and graduate fellowships under the

1 Graduate Research Fellowship Program under
2 section 10 of the National Science Foundation
3 Act of 1950 (42 U.S.C. 1869).

4 (3) STUDY ON GRADUATE STUDENT FUND-
5 ING.—

6 (A) IN GENERAL.—Not later than 45 days
7 after the date of enactment of this Act, the Di-
8 rector shall enter into an agreement with a
9 qualified independent organization to evalu-
10 ate—

11 (i) the role of the Foundation in sup-
12 porting graduate student education and
13 training through fellowships, traineeships,
14 and other funding models; and

15 (ii) the impact of different funding
16 mechanisms on graduate student experi-
17 ences and outcomes, including whether
18 such mechanisms have differential impacts
19 on subsets of the student population.

20 (B) REPORT.—Not later than 1 year after
21 the date of enactment of this Act, the organiza-
22 tion charged with carrying out the study under
23 subparagraph (A) shall publish the results of its
24 evaluation, including a recommendation for the

1 appropriate balance between fellowships,
2 traineeships, and other funding models.

3 (4) FELLOWSHIPS AND TRAINEESHIPS FOR
4 EARLY-CAREER AI RESEARCHERS.—

5 (A) ARTIFICIAL INTELLIGENCE
6 TRAINEESHIPS.—

7 (i) IN GENERAL.—The Director shall
8 award grants to institutions of higher edu-
9 cation to establish traineeship programs
10 for graduate students who pursue artificial
11 intelligence-related research leading to a
12 masters or doctorate degree by providing
13 funding and other assistance, and by pro-
14 viding graduate students opportunities for
15 research experiences in government or in-
16 dustry related to the students' artificial in-
17 telligence studies.

18 (ii) USE OF FUNDS.—A institution of
19 higher education shall use grant funds pro-
20 vided under clause (i) for the purposes
21 of—

22 (I) providing traineeships to stu-
23 dents who are pursuing research in
24 artificial intelligence leading to a mas-
25 ters or doctorate degree;

1 (II) paying tuition and fees for
2 students receiving traineeships;

3 (III) creating and requiring
4 courses or training programs in tech-
5 nology ethics for students receiving
6 traineeships;

7 (IV) creating opportunities for
8 research in technology ethics for stu-
9 dents receiving traineeships;

10 (V) establishing scientific intern-
11 ship programs for students receiving
12 traineeships in artificial intelligence at
13 for-profit institutions, nonprofit re-
14 search institutions, or government lab-
15 oratories; and

16 (VI) other costs associated with
17 the administration of the program.

18 (B) ARTIFICIAL INTELLIGENCE FELLOW-
19 SHIPS.—The Director shall award fellowships to
20 masters and doctoral students and postdoctoral
21 researchers who are pursuing degrees or re-
22 search in artificial intelligence and related
23 fields, including in the field of technology eth-
24 ics. In making such awards, the Director shall
25 conduct outreach, including through formal so-

1 licitations, to solicit proposals from students
2 and postdoctoral researchers seeking to carry
3 out research in aspects of technology ethics
4 with relevance to artificial intelligence systems.

5 (e) STEM WORKFORCE DATA.—

6 (1) SKILLED TECHNICAL WORKFORCE PORT-
7 FOLIO REVIEW.—

8 (A) IN GENERAL.—Not later than 1 year
9 after the date of enactment of this Act, the Di-
10 rector shall conduct a full portfolio analysis of
11 the Foundation’s skilled technical workforce in-
12 vestments across all Directorates in the areas of
13 education, research, infrastructure, data collec-
14 tion, and analysis.

15 (B) REPORT.—Not later than 180 days
16 after the date of the review under subparagraph
17 (A) is complete, the Director shall submit to
18 Congress and make widely available to the pub-
19 lic a summary report of the portfolio review.

20 (2) SURVEY DATA.—

21 (A) ROTATING TOPIC MODULES.—To meet
22 evolving needs for data on the state of the
23 science and engineering workforce, the Director
24 shall assess, through coordination with other
25 Federal statistical agencies and drawing on

1 input from relevant stakeholders, the feasibility
2 and benefits of incorporating questions or topic
3 modules to existing National Center for Science
4 and Engineering Statistics surveys that would
5 vary from cycle to cycle.

6 (B) NEW DATA.—Not later than 1 year
7 after the date of enactment of this Act, the Di-
8 rector shall submit to Congress and the Board
9 the results of an assessment, carried out in co-
10 ordination with other Federal agencies and with
11 input from relevant stakeholders, of the feasi-
12 bility and benefits of incorporating new ques-
13 tions or topic modules to existing National Cen-
14 ter for Science and Engineering Statistics sur-
15 veys on—

- 16 (i) the skilled technical workforce;
17 (ii) working conditions and work-life
18 balance;
19 (iii) harassment and discrimination;
20 (iv) sexual orientation and gender
21 identity;
22 (v) immigration and emigration; and
23 (vi) any other topics at the discretion
24 of the Director.

1 (C) LONGITUDINAL DESIGN.—The Direc-
2 tor shall continue and accelerate efforts to en-
3 hance the usefulness of National Center for
4 Science and Engineering Statistics survey data
5 for longitudinal research and analysis.

6 (D) GOVERNMENT ACCOUNTABILITY OF-
7 FICE REVIEW.—Not later than 1 year after the
8 date of enactment of this Act, the Comptroller
9 General of the United States shall submit a re-
10 port to Congress that—

11 (i) evaluates Foundation processes for
12 ensuring the data and analysis produced
13 by the National Center for Science and
14 Engineering Statistics meets current and
15 future needs; and

16 (ii) includes such recommendations as
17 the Comptroller General determines are
18 appropriate to improve such processes.

19 (f) CYBER WORKFORCE DEVELOPMENT RESEARCH
20 AND DEVELOPMENT.—

21 (1) IN GENERAL.—The Director shall award
22 grants on a merit-reviewed, competitive basis to in-
23 stitutions of higher education or non-profit organiza-
24 tions (or a consortia of such institutions or organiza-
25 tions) to carry out research on the cyber workforce.

1 (2) RESEARCH.—In carrying out research pur-
2 suant to paragraph (1), the Director shall support
3 research and development activities to—

4 (A) understand the current state of the
5 cyber workforce, including factors that influence
6 growth, retention, and development of that
7 workforce;

8 (B) examine paths to entry and re-entry
9 into the cyber workforce;

10 (C) understand trends of the cyber work-
11 force, including demographic representation,
12 educational and professional backgrounds
13 present, competencies available, and factors
14 that shape employee recruitment, development,
15 and retention and how to increase the size, di-
16 versity, and capability of the cyber workforce;

17 (D) examine and evaluate training prac-
18 tices, models, programs, and technologies; and

19 (E) other closely related topics as the Di-
20 rector determines appropriate.

21 (3) REQUIREMENTS.—In carrying out the ac-
22 tivities described in paragraph (2), the Director
23 shall—

24 (A) collaborate with the National Institute
25 of Standards and Technology, including the Na-

1 tional Initiative for Cybersecurity Education,
2 the Department of Homeland Security, the De-
3 partment of Defense, the Office of Personnel
4 Management, and other Federal departments
5 and agencies, as appropriate;

6 (B) align with or build on the National
7 Initiative on Cybersecurity Education Cyberse-
8 curity Workforce Framework wherever prac-
9 ticable and applicable;

10 (C) leverage the collective body of knowl-
11 edge from existing cyber workforce development
12 research and education activities; and

13 (D) engage with other Federal depart-
14 ments and agencies, research communities, and
15 potential users of information produced under
16 this subsection.

17 (g) FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE
18 PROGRAM.—

19 (1) SENSE OF CONGRESS.—It is the sense of
20 Congress that—

21 (A) since cybersecurity risks are constant
22 in the growing digital world, it is critical that
23 the United States stay ahead of malicious cyber
24 activity with a workforce that can safeguard

1 our innovation, research, and work environ-
2 ments; and

3 (B) Federal investments in the Federal
4 Cyber Scholarship-for-Service Program at the
5 National Science Foundation play a critical role
6 in preparing and sustaining a strong, talented,
7 and much-needed national cybersecurity work-
8 force and should be strengthened.

9 (2) IN GENERAL.—Section 302(b)(1) of the Cy-
10 bersecurity Enhancement Act of 2014 (15 U.S.C.
11 7442(b)(1)) is amended by striking the semicolon at
12 the end and inserting the following “and cybersecu-
13 rity-related aspects of other related fields as appro-
14 priate, including artificial intelligence, quantum com-
15 puting and aerospace;”.

16 (h) CYBERSECURITY WORKFORCE DATA INITIA-
17 TIVE.—The Director, acting through the National Center
18 for Science and Engineering Statistics established in sec-
19 tion 505 of the America COMPETES Reauthorization Act
20 of 2010 (42 U.S.C. 1862p) and in coordination with the
21 Director of the National Institute of Standards and Tech-
22 nology and other appropriate Federal statistical agencies,
23 shall establish a cybersecurity workforce data initiative
24 that—

1 (1) assesses the feasibility of providing nation-
2 ally representative estimates and statistical informa-
3 tion on the cybersecurity workforce;

4 (2) utilizes the National Initiative for Cyberse-
5 curity Education (NICE) Cybersecurity Workforce
6 Framework (NIST Special Publication 800–181), or
7 other frameworks, as appropriate, to enable a con-
8 sistent measurement of the cybersecurity workforce;

9 (3) utilizes and complements existing data on
10 employer requirements and unfilled positions in the
11 cybersecurity workforce;

12 (4) consults key stakeholders and the broader
13 community of practice in cybersecurity workforce de-
14 velopment to determine data requirements needed to
15 strengthen the cybersecurity workforce;

16 (5) evaluates existing Federal survey data for
17 information pertinent to developing national esti-
18 mates of the cybersecurity workforce;

19 (6) evaluates administrative data and other
20 supplementary data sources, as available, to describe
21 and measure the cybersecurity workforce; and

22 (7) collects statistical data, to the greatest ex-
23 tent practicable, on credential attainment and em-
24 ployment outcomes information for the cybersecurity
25 workforce.

1 (i) INCORPORATION OF ART AND DESIGN INTO CER-
2 TAIN STEM EDUCATION.—Section 9(a) of the National
3 Science Foundation Authorization Act of 2002 (42 U.S.C.
4 1862n(a)) is amended—

5 (1) in paragraph (3)—

6 (A) in subparagraph (M), by striking
7 “and” at the end;

8 (B) by redesignating subparagraph (N) as
9 subparagraph (O); and

10 (C) after subparagraph (M), by inserting
11 the following new subparagraph:

12 “(N) developing science, technology, engi-
13 neering, and mathematics educational cur-
14 riculum that incorporates art and design to pro-
15 mote creativity and innovation; and”;

16 (2) in paragraph (10)(A)—

17 (A) in clause (xi), by striking “and” at the
18 end;

19 (B) in clause (xii), by striking the period
20 and inserting “; and”; and

21 (C) after clause (xii), by inserting the fol-
22 lowing new clause:

23 “(xiii) have a component that includes
24 the integration of art and design principles
25 and processes.”.

1 (j) MANDATORY COST-SHARING.—

2 (1) WAIVER.—The cost-sharing requirements
3 under section 7036(c) of the America Creating Op-
4 portunities to Meaningfully Promote Excellence in
5 Technology, Education, and Science Act (42 U.S.C.
6 1862o–14(c)) for the Major Research Instrumenta-
7 tion Program and under section 10A(i) of the Na-
8 tional Science Foundation Authorization Act of 2002
9 (42 U.S.C. 1862n–1a(i)) for teaching fellowships ad-
10 ministered within the Robert Noyce Teacher Schol-
11 arship Program are waived for a period of 5 years
12 following the date of enactment of this Act.

13 (2) ASSESSMENT.—Not later than 5 years fol-
14 lowing the date of enactment of this Act, the Direc-
15 tor shall submit to Congress an assessment, that in-
16 cludes feedback from the research community, of the
17 impacts of the waivers provided under paragraph
18 (1), including—

19 (A) programmatic and scientific goals;

20 (B) institutional commitment and steward-
21 ship of Federal resources;

22 (C) institutional strategic planning and ad-
23 ministrative burden;

24 (D) equity among grantee institutions; and

1 (E) recommendations for or against ex-
2 tending or making permanent such waivers.

3 (k) INTEGRATING ART AND DESIGN INTO NATIONAL
4 SCIENCE FOUNDATION INFORMAL STEM EDUCATION
5 PROGRAM.—Section 3 of the STEM Education Act of
6 2015 (42 U.S.C. 1862q) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (2), by striking “and” at
9 the end;

10 (B) in paragraph (3), by striking the pe-
11 riod and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(4) the integration of art and design in STEM
14 educational programs.”;

15 (2) in subsection (b)—

16 (A) in paragraph (3), by striking “and” at
17 the end;

18 (B) in paragraph (4), by striking the pe-
19 riod and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(5) design and testing of programming that
22 integrates art and design in STEM education to pro-
23 mote creativity and innovation.”; and

24 (3) in subsection (c)(2)(B), as added by sub-
25 section (a)(4) of this section—

1 (A) in clause (ix), by striking “and” at the
2 end;

3 (B) in clause (x), by striking the period
4 and inserting “; and;”; and

5 (C) by adding at the end the following:

6 “(xi) the design and testing of pro-
7 gramming that integrates art and design
8 in STEM education to promote creativity
9 and innovation.”.

10 **SEC. 10305. BROADENING PARTICIPATION.**

11 (a) PRESIDENTIAL AWARDS FOR EXCELLENCE IN
12 MATHEMATICS AND SCIENCE TEACHING.—

13 (1) IN GENERAL.—Section 117(a) of the Na-
14 tional Science Foundation Authorization Act of 1988
15 (42 U.S.C. 1881b(a)) is amended—

16 (A) in subparagraph (B)—

17 (i) by striking “108” and inserting
18 “110”;

19 (ii) by striking clause (iv);

20 (iii) in clause (v), by striking the pe-
21 riod at the end and inserting “; and”;

22 (iv) by redesignating clauses (i), (ii),
23 (iii), and (v) as subclauses (I), (II), (III),
24 and (IV), respectively, and moving the

1 margins of such subclauses (as so redesignated) two ems to the right; and

2
3 (v) by striking “In selecting teachers”
4 and all that follows through “two teachers—” and inserting the following:

5
6 “(C) In selecting teachers for an award authorized
7 by this subsection, the President shall select—

8 “(i) at least two teachers—”; and

9 (B) in subparagraph (C), as designated by
10 paragraph (1)(A)(v), by adding at the end the
11 following:

12 “(ii) at least one teacher—

13 “(I) from the Commonwealth of the Northern
14 Mariana Islands;

15 “(II) from American Samoa;

16 “(III) from the Virgin Islands of the
17 United States; and

18 “(IV) from Guam.”.

19 (2) EFFECTIVE DATE.—The amendments made
20 by paragraph (1) shall apply with respect to awards
21 made on or after the date of the enactment of this
22 Act.

23 (b) ROBERT NOYCE TEACHER SCHOLARSHIP PROGRAM
24 UPDATE.—

1 (1) SENSE OF CONGRESS.—It is the sense of
2 Congress that over the next five years the Founda-
3 tion should increase the number of scholarships
4 awarded under the Robert Noyce Teacher Scholar-
5 ship program established under section 10 of the
6 National Science Foundation Authorization Act of
7 2002 (42 U.S.C. 1862n-1) by 50 percent.

8 (2) OUTREACH.—To increase the diversity of
9 participants, the Director shall support symposia, fo-
10 rums, conferences, and other activities to expand
11 and enhance outreach to—

12 (A) historically Black colleges and univer-
13 sities that are part B institutions, as defined in
14 section 322(2) of the Higher Education Act of
15 1965 (20 U.S.C. 1061(2));

16 (B) Tribal Colleges or Universities;

17 (C) Minority serving institutions;

18 (D) institutions of higher education that
19 are located near or serve rural communities;

20 (E) labor organizations;

21 (F) emerging research institutions; and

22 (G) higher education programs that serve
23 or support veterans.

24 (c) NSF INCLUDES INITIATIVE.—The Director
25 shall award grants and cooperative agreements, on a com-

1 petitive basis, to institutions of higher education or non-
2 profit organizations (or consortia of such institutions or
3 organizations) to carry out a comprehensive national ini-
4 tiative to facilitate the development of networks and part-
5 nerships to build on and scale up effective practices in
6 broadening participation in STEM studies and careers of
7 groups historically underrepresented in such studies and
8 careers.

9 (d) BROADENING PARTICIPATION ON MAJOR FACILI-
10 TIES AWARDS.—The Director shall require organizations
11 seeking a cooperative agreement for the management of
12 the operations and maintenance of a Foundation project
13 to demonstrate prior experience and current capabilities
14 in employing best practices in broadening participation in
15 science and engineering and ensure implementation of
16 such practices is considered in oversight of the award.

17 (e) PARTNERSHIPS WITH EMERGING RESEARCH IN-
18 STITUTIONS.—The Director shall establish a five-year
19 pilot program to enhance partnerships between emerging
20 research institutions and institutions classified as very
21 high research activity by the Carnegie Classification of In-
22 stitutions of Higher Education at the time of application.
23 In carrying out this program, the Director shall—

24 (1) require that each proposal submitted by a
25 multi-institution collaboration for an award, includ-

1 ing those under section 10309, that exceeds
2 \$1,000,000, as appropriate, specify how the appli-
3 cants will support substantive, meaningful, and mu-
4 tually-beneficial partnerships with one or more
5 emerging research institutions;

6 (2) require awardees funded under paragraph
7 (1) to direct no less than 25 percent of the total
8 award to one or more emerging research institutions
9 to build research capacity, including through support
10 for faculty salaries and training, field and laboratory
11 research experiences for undergraduate and grad-
12 uate students, and maintenance and repair of re-
13 search equipment and instrumentation;

14 (3) require awardees funded under paragraph
15 (1) to report on the partnership activities as part of
16 the annual reporting requirements of the Founda-
17 tion;

18 (4) solicit feedback on the partnership directly
19 from partner emerging research institutions, in such
20 form as the Director deems appropriate; and

21 (5) submit a report to Congress after the third
22 year of the pilot program that includes—

23 (A) an assessment, drawing on feedback
24 from the research community and other sources
25 of information, of the effectiveness of the pilot

1 program for improving the quality of partner-
2 ships with emerging research institutions; and

3 (B) if deemed effective, a plan for perma-
4 nent implementation of the pilot program.

5 (f) TRIBAL COLLEGES AND UNIVERSITIES PROGRAM
6 UPDATE.—

7 (1) IN GENERAL.—Section 525 of the America
8 COMPETES Reauthorization Act of 2010 (42
9 U.S.C. 1862p–13) is amended—

10 (A) in subsection (a) by—

11 (i) striking “Native American” and
12 inserting “American Indian, Alaska Na-
13 tive, and Native Hawaiian”;

14 (ii) inserting “post-secondary creden-
15 tials and” before “associate’s”; and

16 (iii) striking “or baccalaureate de-
17 grees” and inserting “, baccalaureate, and
18 graduate degrees”; and

19 (B) in subsection (b) by striking “under-
20 graduate”; and

21 (C) in subsection (c) by inserting “and
22 STEM” after “laboratory”.

23 (2) AUTHORIZATION OF APPROPRIATIONS.—
24 There is authorized to be appropriated to the Direc-

1 tor to carry out this program \$107,250,000 for fis-
2 cal year 2022 through fiscal year 2026.

3 (g) DIVERSITY IN TECH RESEARCH.—The Director
4 shall award grants, on a competitive basis, to institutions
5 of higher education or non-profit organizations (or con-
6 sortia of such institutions or organizations) to support
7 basic and applied research that yields a scientific evidence
8 base for improving the design and emergence, development
9 and deployment, and management and ultimate effective-
10 ness of organizations of all kinds, including research re-
11 lated to diversity, equity, and inclusion in the technology
12 sector.

13 (h) CONTINUING SUPPORT FOR EPSCoR.—

14 (1) SENSE OF CONGRESS.—

15 (A) IN GENERAL.—It is the sense of Con-
16 gress that—

17 (i) since maintaining the Nation’s sci-
18 entific and economic leadership requires
19 the participation of talented individuals na-
20 tionwide, EPSCoR investments into State
21 research and education capacities are in
22 the Federal interest and should be sus-
23 tained; and

24 (ii) EPSCoR should maintain its ex-
25 perimental component by supporting inno-

1 vative methods for improving research ca-
2 pacity and competitiveness.

3 (B) DEFINITION OF EPSCOR.—In this sub-
4 section, the term “EPSCoR” has the meaning
5 given the term in section 502 of the America
6 COMPETES Reauthorization Act of 2010 (42
7 U.S.C. 1862p note).

8 (2) UPDATE OF EPSCOR.—Section 517(f)(2) of
9 the America COMPETES Reauthorization Act of
10 2010 (42 U.S.C. 1862p–9(f)(2)) is amended—

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

13 (B) by adding at the end the following:

14 “(C) to increase the capacity of rural com-
15 munities to provide quality STEM education
16 and STEM workforce development program-
17 ming to students, and teachers; and”.

18 (i) FOSTERING STEM RESEARCH DIVERSITY AND
19 CAPACITY PROGRAM.—

20 (1) IN GENERAL.—The Director shall establish
21 a program to make awards on a competitive, merit-
22 reviewed basis to eligible institutions to implement
23 and study innovative approaches for building re-
24 search capacity in order to engage and retain stu-

1 dents from a range of institutions and diverse back-
2 grounds in STEM.

3 (2) ELIGIBLE INSTITUTION DEFINED.—In this
4 subsection the term “eligible institution” means an
5 institution of higher education that, according to the
6 data published by the National Center for Science
7 and Engineering Statistics, is not, on average,
8 among the top 100 institutions in Federal research
9 and development expenditures during the 3 year pe-
10 riod prior to the year of the award.

11 (3) PURPOSE.—The program established in
12 paragraph (1) shall be focused on achieving simulta-
13 neous impacts at the student, faculty, and institu-
14 tional levels by increasing the research capacity at
15 eligible institutions and the number of under-
16 graduate and graduate students pursuing STEM de-
17 grees from eligible institutions.

18 (4) REQUIREMENTS.—In carrying out this pro-
19 gram, the Director shall—

20 (A) require eligible institutions seeking
21 funding under this subsection to submit an ap-
22 plication to the Director at such time, in such
23 manner, containing such information and assur-
24 ances as the Director may require. The applica-
25 tion shall include, at a minimum a description

1 of how the eligible institution plans to sustain
2 the proposed activities beyond the duration of
3 the grant;

4 (B) require applicants to identify dis-
5 ciplines and focus areas in which the eligible in-
6 stitution can excel, and explain how the appli-
7 cant will use the award to build capacity to bol-
8 ster the institutional research competitiveness
9 of eligible entities to support grants awarded by
10 the Foundation and increase regional and na-
11 tional capacity in STEM;

12 (C) require the awards funded under this
13 subsection to support research and related ac-
14 tivities, which may include—

15 (i) development or expansion of re-
16 search programs in disciplines and focus
17 areas in subparagraph (B);

18 (ii) faculty recruitment and profes-
19 sional development in disciplines and focus
20 areas in subparagraph (B), including for
21 early-career researchers;

22 (iii) stipends for undergraduate and
23 graduate students participating in research
24 in disciplines and focus areas in subpara-
25 graph (B);

1 (iv) acquisition of instrumentation
2 necessary to build research capacity at an
3 eligible institution in disciplines and focus
4 areas in subparagraph (B);

5 (v) an assessment of capacity-building
6 and research infrastructure needs;

7 (vi) administrative research develop-
8 ment support; and

9 (vii) other activities necessary to build
10 research capacity; and

11 (D) require that no eligible institution
12 should receive more than \$10,000,000 in any
13 single year of funds made available under this
14 section.

15 (5) ADDITIONAL CONSIDERATIONS.—In award-
16 ing a grant under this subsection, the Director may
17 also consider—

18 (A) the extent to which the applicant will
19 support students from diverse backgrounds, in-
20 cluding first-generation undergraduate stu-
21 dents;

22 (B) the geographic and institutional diver-
23 sity of the applying institutions; and

1 (C) how the applicants can leverage public-
2 private partnerships and existing partnerships
3 with Federal Research Agencies.

4 (6) DUPLICATION.—The Director shall ensure
5 the awards made under this subsection are com-
6 plementary and not duplicative of existing programs.

7 (7) REPORT.—The Director shall submit a re-
8 port to Congress after the third year of the program
9 that includes—

10 (A) an assessment of the effectiveness of
11 the program for growing the geographic and in-
12 stitutional diversity of institutions of higher
13 education receiving research awards from the
14 Foundation;

15 (B) an assessment of the quality, quantity
16 and geographic and institutional diversity of in-
17 stitutions of higher education conducting Foun-
18 dation-sponsored research since the establish-
19 ment of the program in this subsection;

20 (C) an assessment of the quantity and di-
21 versity of undergraduate and graduate students
22 graduating from eligible institutions with
23 STEM degrees; and

24 (D) statistical summary data on the pro-
25 gram, including the geographic and institutional

1 allocation of award funding, the number and di-
2 versity of supported graduate and under-
3 graduate students, and how it contributes to ca-
4 pacity building at eligible entities.

5 (8) AUTHORIZATION OF APPROPRIATIONS.—

6 There is authorized to be appropriated to the Direc-
7 tor \$150,000,000 for each of the fiscal years 2022
8 through 2026 to carry out the activities under this
9 subsection.

10 (j) CAPACITY-BUILDING PROGRAM FOR DEVELOPING
11 UNIVERSITIES.—

12 (1) IN GENERAL.—

13 (A) The Director shall make awards, on a
14 competitive basis, to eligible institutions de-
15 scribed in paragraph (2) to support the mission
16 of the Foundation and to build institutional re-
17 search capacity at eligible institutions.

18 (B) The Director shall administer separate
19 competitions for each category of eligible insti-
20 tution described in subclauses (I) through (IV)
21 of paragraph (2)(A)(i).

22 (2) ELIGIBLE INSTITUTION.—

23 (A) IN GENERAL.—To be eligible to receive
24 an award under this subsection, an institu-
25 tion—

1 (i) shall be—

2 (I) a historically Black college or
3 university;

4 (II) a Tribal College or Univer-
5 sity;

6 (III) a minority-serving institu-
7 tion; or

8 (IV) an institution of higher edu-
9 cation with an established STEM ca-
10 pacity building program focused on
11 traditionally underrepresented popu-
12 lations in STEM, including Native
13 Hawaiians, Alaska Natives, and Indi-
14 ans; and

15 (ii) shall—

16 (I) have not more than
17 \$50,000,000 in annual federally fi-
18 nanced research and development ex-
19 penditures for science and engineering
20 as reported through the National
21 Science Foundation Higher Education
22 Research and Development Survey; or

23 (II) not be an institution classi-
24 fied as having very high research ac-

1 tivity by the Carnegie Classification of
2 Institutions of Higher Education.

3 (B) PARTNERSHIPS.—An eligible institu-
4 tion receiving a grant under this subsection
5 may carry out the activities of the grant
6 through a partnership with other entities, in-
7 cluding community colleges and other eligible
8 institutions.

9 (3) PROPOSALS.—To receive an award under
10 this subsection, an eligible institution shall submit
11 an application to the Director at such time, in such
12 manner, and containing such information as the Di-
13 rector may require, including a plan that describes
14 how the eligible institution will establish or expand
15 research office capacity and how such award would
16 be used to—

17 (A) conduct an assessment of capacity-
18 building and research infrastructure needs of
19 an eligible institution;

20 (B) enhance institutional resources to pro-
21 vide administrative research development sup-
22 port to faculty at an eligible institution;

23 (C) bolster the institutional research com-
24 petitiveness of an eligible institution to support
25 grants awarded by the Foundation;

1 (D) support the acquisition of instrumen-
2 tation necessary to build research capacity at
3 an eligible institution in research areas directly
4 associated with the Foundation;

5 (E) increase capability of an eligible insti-
6 tution to move technology into the marketplace;

7 (F) increase engagement with industry to
8 execute research through the SBIR and STTR
9 programs (as defined in section 9(e) of the
10 Small Business Act (15 U.S.C. 638(e)) and di-
11 rect contracts at an eligible institution;

12 (G) provide student engagement and re-
13 search training opportunities at the under-
14 graduate, graduate, and postdoctoral levels at
15 an eligible institution;

16 (H) further faculty development initiatives
17 and strengthen institutional research training
18 infrastructure, capacity, and competitiveness of
19 an eligible institution; or

20 (I) address plans and prospects for long-
21 term sustainability of institutional enhance-
22 ments at an eligible institution resulting from
23 the award including, if applicable, how the
24 award may be leveraged by an eligible institu-
25 tion to build a broader base of support.

1 (4) AWARDS.—Awards made under this sub-
2 section shall be for periods of 3 years, and may be
3 extended for periods of not more than 5 years.

4 (5) AUTHORIZATION OF APPROPRIATIONS.—
5 There are authorized to be appropriated to the Di-
6 rector \$200,000,000 for fiscal year 2022 and
7 \$250,000,000 for each of fiscal years 2023 through
8 2026 to carry out the activities in this title.

9 (k) CHIEF DIVERSITY OFFICER OF THE NSF.—

10 (1) CHIEF DIVERSITY OFFICER.—

11 (A) APPOINTMENT.—The Director shall
12 appoint a senior agency official within the Of-
13 fice of the Director as a Chief Diversity Officer.

14 (B) QUALIFICATIONS.—The Chief Diver-
15 sity Officer shall have significant experience,
16 within the Federal Government and the science
17 community, with diversity- and inclusion-related
18 matters, including—

19 (i) civil rights compliance;

20 (ii) harassment policy, reviews, and
21 investigations;

22 (iii) equal employment opportunity;

23 and

24 (iv) disability policy.

1 (C) OVERSIGHT.—The Chief Diversity Of-
2 ficer shall direct the Office of Diversity and In-
3 clusion of the Foundation and report directly to
4 the Director in the performance of the duties of
5 the Chief Diversity Officer under this sub-
6 section.

7 (2) DUTIES.—The Chief Diversity Officer is re-
8 sponsible for providing advice on policy, oversight,
9 guidance, and coordination with respect to matters
10 of the Foundation related to diversity and inclusion,
11 including ensuring the geographic diversity of the
12 Foundation programs. Other duties may include—

13 (A) establishing and maintaining a stra-
14 tegic plan that publicly states a diversity defini-
15 tion, vision, and goals for the Foundation;

16 (B) defining a set of strategic metrics that
17 are—

18 (i) directly linked to key organiza-
19 tional priorities and goals;

20 (ii) actionable; and

21 (iii) actively used to implement the
22 strategic plan under paragraph (1);

23 (C) advising in the establishment of a stra-
24 tegic plan for diverse participation by individ-
25 uals and institutions of higher education, in-

1 including community colleges, historically Black
2 colleges and universities, Tribal colleges or uni-
3 versities, minority-serving institutions, institu-
4 tions of higher education with an established
5 STEM capacity building program focused on
6 traditionally underrepresented populations in
7 STEM, including Native Hawaiians, Alaska
8 Natives, and Indians, and institutions from ju-
9 risdictions eligible to participate under section
10 113 of the National Science Foundation Au-
11 thorization Act of 1988 (42 U.S.C. 1862g);

12 (D) advising in the establishment of a
13 strategic plan for outreach to, and recruiting
14 from, untapped locations and underrepresented
15 populations;

16 (E) advising on a diversity and inclusion
17 strategy for the Foundation's portfolio of
18 PreK–12 STEM education focused programs
19 and activities, including goals for addressing
20 barriers to participation;

21 (F) advising on the application of the
22 Foundation's broader impacts review criterion;
23 and

1 (G) performing such additional duties and
2 exercise such powers as the Director may pre-
3 scribe.

4 (3) FUNDING.—From any amounts appro-
5 priated for the Foundation for each of fiscal years
6 2022 through 2026, the Director shall allocate
7 \$5,000,000 to carry out this subsection for each
8 such year.

9 (I) GRANT PROGRAM TO INCREASE THE PARTICIPA-
10 TION OF WOMEN AND UNDERREPRESENTED MINORITIES
11 IN STEM FIELDS.—

12 (1) PROGRAM AUTHORIZED.—The Director of
13 the National Science Foundation shall award grants
14 to eligible entities, on a competitive basis, to enable
15 such eligible entities to carry out the activities de-
16 scribed in paragraph (4), in order to increase the
17 participation of women and underrepresented mi-
18 norities in the fields of science, technology, engineer-
19 ing, and mathematics.

20 (2) APPLICATION.—Each eligible entity that de-
21 sires to receive a grant under this subsection shall
22 submit an application to the National Science Foun-
23 dation at such time, in such manner, and containing
24 such information as the Director of the National
25 Science Foundation may reasonably require.

1 (3) AUTHORIZED ACTIVITIES.—An eligible enti-
2 ty that receives a grant under this subsection shall
3 use such grant funds to carry out one or more of the
4 following activities designed to increase the partici-
5 pation of women or minorities underrepresented in
6 science and engineering, or both:

7 (A) Online workshops.

8 (B) Mentoring programs that partner
9 science, technology, engineering, or mathe-
10 matics professionals with students.

11 (C) Internships for undergraduate and
12 graduate students in the fields of science, tech-
13 nology, engineering, and mathematics.

14 (D) Conducting outreach programs that
15 provide elementary school and secondary school
16 students with opportunities to increase their ex-
17 posure to the fields of science, technology, engi-
18 neering, or mathematics.

19 (E) Programs to increase the recruitment
20 and retention of underrepresented faculty.

21 (F) Such additional programs as the Di-
22 rector of the National Science Foundation may
23 determine.

24 (4) DEFINITIONS.—In this subsection—

1 (A) the term “minority” means American
2 Indian, Alaskan Native, Black (not of Hispanic
3 origin), Hispanic (including persons of Mexican,
4 Puerto Rican, Cuban, and Central or South
5 American origin), Asian (including underrep-
6 resented subgroups), Native Hawaiian, Pacific
7 Islander origin subgroup, or other ethnic group
8 underrepresented in science and engineering;
9 and

10 (B) the term “underrepresented in science
11 and engineering” means a minority group
12 whose number of scientists and engineers per
13 10,000 population of that group is substantially
14 below the comparable figure for scientists and
15 engineers who are White and not of Hispanic
16 origin, as determined by the Secretary of Edu-
17 cation under section 637.4(b) of title 34, Code
18 of Federal Regulations.

19 (5) AUTHORIZATION OF APPROPRIATIONS.—

20 There are authorized to be appropriated to carry out
21 this subsection \$15,000,000 for each of fiscal years
22 2023, 2024, 2025, 2026, and 2027.

23 **SEC. 10306. FUNDAMENTAL RESEARCH.**

24 (a) DEFINITIONS.—In this section:

1 (1) COVERED INDIVIDUAL.—The term “covered
2 individual” means the principal investigator, co-prin-
3 cipal investigators, and any other person at the in-
4 stitution who is responsible for the design, conduct,
5 or reporting of research or educational activities
6 funded or proposed for funding by the Foundation.

7 (2) FOREIGN COUNTRY OF CONCERN.—The
8 term “foreign country of concern” means the Peo-
9 ple’s Republic of China, the Democratic People’s Re-
10 public of Korea, the Russian Federation, the Islamic
11 Republic of Iran, or any other country deemed to be
12 a country of concern as determined by the Depart-
13 ment of State.

14 (3) MALIGN FOREIGN GOVERNMENT TALENT
15 RECRUITMENT PROGRAM.—The term “malign for-
16 eign government talent recruitment program” means
17 any program or activity that includes compensation,
18 including cash, research funding, honorific titles,
19 promised future compensation, or other types of re-
20 munerations, provided by the foreign state or an enti-
21 ty sponsored by the foreign state to the targeted in-
22 dividual in exchange for the individual transferring
23 knowledge and expertise to the foreign country.

24 (b) BROADER IMPACTS.—

1 (1) ASSESSMENT.—Not later than 45 days
2 after the date of enactment of this Act, the Director
3 shall enter into an agreement with a qualified inde-
4 pendent organization to assess how the Broader Im-
5 pacts review criterion is applied across the Founda-
6 tion and make recommendations for improving the
7 effectiveness for meeting the goals established in sec-
8 tion 526 of the America Creating Opportunities to
9 Meaningfully Promote Excellence in Technology,
10 Education, and Science Reauthorization Act of 2010
11 (42 U.S.C. 1862p–14).

12 (2) ACTIVITIES.—The Director shall award
13 grants on a competitive basis, to institutions of high-
14 er education or non-profit organizations (or con-
15 sortia of such institutions or organizations) to sup-
16 port activities to increase the efficiency, effective-
17 ness, and availability of resources for implementing
18 the Broader Impacts review criterion, including—

19 (A) training and workshops for program
20 officers, merit review panelists, grant office ad-
21 ministrators, faculty, and students to improve
22 understanding of the goals and the full range of
23 potential broader impacts available to research-
24 ers to satisfy this criterion;

1 (B) repositories and clearinghouses for
2 sharing best practices and facilitating collabora-
3 tion; and

4 (C) tools for evaluating and documenting
5 societal impacts of research.

6 (c) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that the Director should continue to identify oppor-
8 tunities to reduce the administrative burden on research-
9 ers.

10 (d) RESEARCH INTEGRITY AND SECURITY.—

11 (1) OFFICE OF RESEARCH SECURITY AND POL-
12 ICY.—The Director shall maintain a Research Secu-
13 rity and Policy office within the Office of the Direc-
14 tor with no fewer than 4 full-time equivalent posi-
15 tions, in addition to the Chief of Research Security
16 established in paragraph (2) of this subsection. The
17 functions of the Research Security and Policy office
18 shall be to coordinate all research security policy
19 issues across the Foundation, including by—

20 (A) consulting and coordinating with the
21 Foundation Office of Inspector General and
22 with other Federal research agencies and intel-
23 ligence and law enforcement agencies, as appro-
24 priate, through the National Science and Tech-
25 nology Council in accordance with the authority

1 provided under section 1746 of the National
2 Defense Authorization Act for Fiscal Year 2020
3 (Public Law 116–92; 42 U.S.C. 6601 note), to
4 identify and address potential security risks
5 that threaten research integrity and other risks
6 to the research enterprise;

7 (B) serving as the Foundation’s primary
8 resource for all issues related to the security
9 and integrity of the conduct of Foundation-sup-
10 ported research;

11 (C) conducting outreach and education ac-
12 tivities for awardees on research policies and
13 potential security risks;

14 (D) educating Foundation program man-
15 agers and other directorate staff on evaluating
16 Foundation awards and awardees for potential
17 security risks; and

18 (E) communicating reporting and diselo-
19 sure requirements to awardees and applicants
20 for funding.

21 (2) CHIEF OF RESEARCH SECURITY.—The Di-
22 rector shall appoint a senior agency official within
23 the Office of the Director as a Chief of Research Se-
24 curity, whose primary responsibility is to manage the
25 office established under paragraph (1).

1 (3) REPORT TO CONGRESS.—No later than 180
2 days after the date of enactment of this Act, the Di-
3 rector shall provide a report to the Committee on
4 Science, Space, and Technology of the House of
5 Representatives, the Committee on Commerce,
6 Science, and Transportation of the Senate, the Com-
7 mittee on Appropriations of the House of Represent-
8 atives, and the Committee on Appropriations of the
9 Senate on the resources and the number of full time
10 employees needed to carry out the functions of the
11 Office established in paragraph (1).

12 (4) ONLINE RESOURCE.—The Director shall de-
13 velop an online resource hosted on the Foundation’s
14 website containing up-to-date information, tailored
15 for institutions and individual researchers, includ-
16 ing—

17 (A) an explanation of Foundation research
18 security policies;

19 (B) unclassified guidance on potential se-
20 curity risks that threaten scientific integrity
21 and other risks to the research enterprise;

22 (C) examples of beneficial international
23 collaborations and how such collaborations dif-
24 fer from foreign government interference efforts
25 that threaten research integrity;

1 (D) promising practices for mitigating se-
2 curity risks that threaten research integrity;
3 and

4 (E) additional reference materials, includ-
5 ing tools that assist organizations seeking
6 Foundation funding and awardees in informa-
7 tion disclosure to the Foundation.

8 (5) RISK ASSESSMENT CENTER.—The Director
9 shall enter into an agreement with a qualified inde-
10 pendent organization to create a new risk assess-
11 ment center to—

12 (A) help the Foundation develop the online
13 resources under paragraph (4); and

14 (B) help awardees in assessing and identi-
15 fying issues related to nondisclosure of current
16 and pending research funding, risks to the
17 Foundation merit review process, and other
18 issues that may negatively affect the Founda-
19 tion proposal and award process due to undue
20 foreign interference.

21 (6) RESEARCH GRANTS.—The Director shall
22 continue to award grants, on a competitive basis, to
23 institutions of higher education or non-profit organi-
24 zations (or consortia of such institutions or organi-
25 zations) to support research on the conduct of re-

1 search and the research environment, including re-
2 search on research misconduct or breaches of re-
3 search integrity and detrimental research practices.

4 (7) AUTHORITIES.—

5 (A) IN GENERAL.—In addition to existing
6 authorities for preventing waste, fraud, abuse,
7 and mismanagement of federal funds, the Di-
8 rector, acting through the Office of Research
9 Security and Policy and in coordination with
10 the Foundation’s Office of Inspector General,
11 shall have the authority to—

12 (i) conduct risk assessments, including
13 through the use of open-source analysis
14 and analytical tools, of research and devel-
15 opment award applications and disclosures
16 to the Foundation, in coordination with the
17 Risk Assessment Center established in
18 paragraph (5);

19 (ii) request the submission to the
20 Foundation, by an institution of higher
21 education or other organization applying
22 for a research and development award, of
23 supporting documentation, including copies
24 of contracts, grants, or any other agree-
25 ment specific to foreign appointments, em-

1 employment with a foreign institution, partici-
2 pation in a foreign talent program and
3 other information reported as current and
4 pending support for all covered individuals
5 in a research and development award ap-
6 plication; and

7 (iii) upon receipt and review of the in-
8 formation provided under clause (ii) and in
9 consultation with the institution of higher
10 education or other organization submitting
11 such information, initiate the substitution
12 or removal of a covered individual from a
13 research and development award, reduce
14 the award funding amount, or suspend or
15 terminate the award if the Director deter-
16 mines such contracts, grants, or agree-
17 ments include obligations that—

18 (I) interfere with the capacity for
19 Foundation-supported activities to be
20 carried out; or

21 (II) create duplication with
22 Foundation-supported activities.

23 (B) LIMITATIONS.—In exercising the au-
24 thorities under this paragraph, the Director
25 shall—

1 (i) take necessary steps, as prac-
2 ticable, to protect the privacy of all covered
3 individuals and other parties involved in
4 the application and disclosure assessments
5 under clause (A)(i);

6 (ii) endeavor to provide justification
7 for requests for supporting documentation
8 made under clause (A)(ii);

9 (iii) require that allegations be proven
10 by a preponderance of evidence; and

11 (iv) as practicable, afford subjects an
12 opportunity to provide comments and re-
13 buttal and an opportunity to appeal before
14 final administrative action is taken.

15 (8) MALIGN FOREIGN TALENT RECRUITMENT
16 PROGRAM PROHIBITION.—

17 (A) IN GENERAL.—Not later than 12
18 months after the date of enactment of this Act,
19 the Director shall establish a requirement that,
20 as part of an application for a research and de-
21 velopment award from the agency—

22 (i) each covered individual listed on
23 the application for a research and develop-
24 ment award certify that they are not an
25 active participant of a malign foreign tal-

1 ent recruitment program from a foreign
2 country of concern and will not be a par-
3 ticipant in such a program for the duration
4 of the award; and

5 (ii) each institution of higher edu-
6 cation or other organization applying for
7 such an award certify that each covered in-
8 dividual who is employed by the institution
9 of higher education or other organization
10 has been made aware of the requirement
11 under this subsection.

12 (B) INTERNATIONAL COLLABORATION.—

13 Each policy developed under subparagraph (A)
14 shall not prohibit—

15 (i) making scholarly presentations re-
16 garding scientific information not other-
17 wise controlled under current law;

18 (ii) participation in international con-
19 ferences or other international exchanges,
20 partnerships or programs that involve open
21 and reciprocal exchange of scientific infor-
22 mation, and which are aimed at advancing
23 international scientific understanding; and

24 (iii) other international activities
25 deemed appropriate by the Director.

1 (C) LIMITATION.—The policy developed
2 under subparagraph (A) shall not apply retro-
3 actively to research and development awards
4 made prior to the establishment of the policy by
5 the Director.

6 (9) SECURITY TRAINING MODULES.—

7 (A) IN GENERAL.—Not later than 90 days
8 after the date of enactment of this Act, the Di-
9 rector, in collaboration with the Director of the
10 National Institutes of Health and other relevant
11 Federal research agencies, shall enter into an
12 agreement or contract with a qualified entity
13 for the development of online research security
14 training modules for the research community,
15 including modules focused on international col-
16 laboration and international travel, foreign in-
17 terference, and rules for proper use of funds,
18 disclosure, conflict of commitment, and conflict
19 of interest.

20 (B) STAKEHOLDER INPUT.—Prior to en-
21 tering into the agreement under clause (A), the
22 Director shall seek input from academic, private
23 sector, intelligence, and law enforcement stake-
24 holders regarding the scope and content of
25 training modules, including the diversity of

1 needs across institutions of higher education
2 and other grantees of different sizes and types,
3 and recommendations for minimizing adminis-
4 trative burden on institutions of higher edu-
5 cation and researchers.

6 (C) DEVELOPMENT.—The Director shall
7 ensure that the entity identified in (A)—

8 (i) develops modules that can be
9 adapted and utilized across Federal re-
10 search agencies; and

11 (ii) develops and implements a plan
12 for regularly updating the modules as
13 needed.

14 (D) GUIDELINES.—The Director, in col-
15 laboration with the Director of the National In-
16 stitutes of Health, shall develop guidelines for
17 institutions of higher education and other orga-
18 nizations receiving Federal research and devel-
19 opment funds to use in developing their own
20 training programs to address the unique needs,
21 challenges, and risk profiles of such institu-
22 tions, including adoption of training modules
23 developed under this paragraph.

24 (E) IMPLEMENTATION.—Drawing on
25 stakeholder input under subparagraph (B), not

1 later than 12 months after the date of enact-
2 ment of this Act, the Director shall establish a
3 requirement that, as part of an application for
4 a research and development award from the
5 Foundation—

6 (i) each covered individual listed on
7 the application for a research and develop-
8 ment award certify that they have com-
9 pleted research security training that
10 meets the guidelines developed under
11 clause (D) within one year of the applica-
12 tion; and

13 (ii) each institution of higher edu-
14 cation or other organization applying for
15 such award certify that each covered indi-
16 vidual who is employed by the institution
17 or organization and listed on the applica-
18 tion has been made aware of the require-
19 ment under this subparagraph.

20 (10) RESPONSIBLE CONDUCT IN RESEARCH
21 TRAINING.—Section 7009 of the America Creating
22 Opportunities to Meaningfully Promote Excellence in
23 Technology, Education, and Science Act (42 U.S.C.
24 1862o-1) is amended by—

1 (A) striking “and postdoctoral research-
2 ers” and inserting “postdoctoral researchers,
3 faculty, and other senior personnel”; and

4 (B) by inserting before the period at the
5 end the following “, including mentor training”.

6 (11) NATIONAL ACADEMIES GUIDE TO RESPON-
7 SIBLE CONDUCT IN RESEARCH.—

8 (A) IN GENERAL.—Not later than 180
9 days after the date of enactment of this Act,
10 the Director shall enter into an agreement with
11 the Academies to update the report entitled
12 “On Being a Scientist: A Guide to Responsible
13 Conduct in Research” issued by the Academies.
14 The report, as so updated, shall include—

15 (i) updated professional standards of
16 conduct in research;

17 (ii) promising practices for preventing,
18 addressing, and mitigating the negative
19 impact of harassment, including sexual
20 harassment and gender harassment as de-
21 fined in the 2018 Academies report enti-
22 tled “Sexual Harassment of Women: Cli-
23 mate, Culture, and Consequences in Aca-
24 demic Sciences, Engineering, and Medi-
25 cine”; and

1 (iii) promising practices for mitigating
2 potential security risks that threaten re-
3 search integrity.

4 (B) REPORT.—Not later than 18 months
5 after the effective date of the agreement under
6 subparagraph (A), the Academies, as part of
7 such agreement, shall submit to the Director
8 and the Committee on Science, Space, and
9 Technology of the House of Representatives
10 and the Committee on Commerce, Science, and
11 Transportation of the Senate the report re-
12 ferred to in such subparagraph, as updated pur-
13 suant to such subparagraph.

14 (e) RESEARCH ETHICS.—

15 (1) SENSE OF CONGRESS.—It is the sense of
16 Congress that—

17 (A) a number of emerging areas of re-
18 search have potential ethical, social, safety, and
19 security implications that might be apparent as
20 early as the basic research stage;

21 (B) the incorporation of ethical, social,
22 safety, and security considerations into the re-
23 search design and review process for Federal
24 awards, may help mitigate potential harms be-
25 fore they happen;

1 (C) the Foundation’s agreement with the
2 Academies to conduct a study and make rec-
3 ommendations with respect to governance of re-
4 search in emerging technologies is a positive
5 step toward accomplishing this goal; and

6 (D) the Foundation should continue to
7 work with stakeholders to understand and
8 adopt policies that promote best practices for
9 governance of research in emerging technologies
10 at every stage of research.

11 (2) ETHICS STATEMENTS.—Drawing on stake-
12 holder input, not later than 18 months after the
13 date of enactment of this Act, the Director shall
14 amend award proposal instructions to include a re-
15 quirement for an ethics statement to be included as
16 part of any proposal for funding prior to making the
17 award. Such statement shall be considered by the
18 Director in the review of proposals, taking into con-
19 sideration any relevant input from the peer-reviewers
20 for the proposal, and shall factor into award deci-
21 sions as deemed necessary by the Director. Such
22 statements may include, as appropriate—

23 (A) any foreseeable or quantifiable risks to
24 society, including how the research could enable
25 products, technologies, or other outcomes that

1 could intentionally or unintentionally cause sig-
2 nificant societal harm;

3 (B) how technical or social solutions can
4 mitigate such risks and, as appropriate, a plan
5 to implement such mitigation measures; and

6 (C) how partnerships and collaborations in
7 the research can help mitigate potential harm
8 and amplify potential societal benefits.

9 (3) GUIDANCE.—The Director shall solicit
10 stakeholder input to develop clear guidance on what
11 constitutes a foreseeable or quantifiable risk as de-
12 scribed in paragraph (2)(A), and to the extent prac-
13 ticable harmonize this policy with existing ethical
14 policies or related requirements for human subjects.

15 (4) RESEARCH.—The Director shall award
16 grants, on a competitive basis, to institutions of
17 higher education or non-profit organizations (or con-
18 sortia of such institutions or organizations) to sup-
19 port—

20 (A) research to assess the potential ethical
21 and societal implications of Foundation-sup-
22 ported research and products or technologies
23 enabled by such research, including the benefits
24 and risks identified pursuant to paragraph
25 (2)(A); and

1 (B) the development and verification of ap-
2 proaches to proactively mitigate foreseeable
3 risks to society, including the technical and so-
4 cial solutions identified pursuant to paragraph
5 (2)(B).

6 (5) ANNUAL REPORT.—The Director shall en-
7 courage awardees to update their ethics statements
8 as appropriate as part of the annual reports re-
9 quired by all awardees under the award terms and
10 conditions.

11 (f) RESEARCH REPRODUCIBILITY AND
12 REPLICABILITY.—Consistent with existing Federal law for
13 privacy, intellectual property, and security, the Director
14 shall facilitate the public access to research products, in-
15 cluding data, software, and code, developed as part of
16 Foundation-supported projects.

17 (1) DATA MANAGEMENT PLANS.—

18 (A) The Director shall require that every
19 proposal for funding for research include a ma-
20 chine-readable data management plan that in-
21 cludes a description of how the awardee will ar-
22 chive and preserve public access to data, soft-
23 ware, and code developed as part of the pro-
24 posed project.

1 (B) In carrying out the requirement in
2 subparagraph (A), the Director shall—

3 (i) provide necessary resources, in-
4 cluding trainings and workshops, to edu-
5 cate researchers and students on how to
6 develop and review high quality data man-
7 agement plans;

8 (ii) ensure program officers and merit
9 review panels are equipped with the re-
10 sources and training necessary to review
11 the quality of data management plans; and

12 (iii) ensure program officers and
13 merit review panels treat data management
14 plans as essential elements of grant pro-
15 posals, where appropriate.

16 (2) OPEN REPOSITORIES.—The Director
17 shall—

18 (A) coordinate with the heads of other
19 Federal research agencies, and solicit input
20 from the scientific community, to develop and
21 widely disseminate a set of criteria for trusted
22 open repositories, accounting for discipline-spe-
23 cific needs and necessary protections for sen-
24 sitive information, to be used by federally fund-

1 ed researchers for the sharing of data, software,
2 and code;

3 (B) work with stakeholders to identify sig-
4 nificant gaps in available repositories meeting
5 the criteria developed under subparagraph (A)
6 and options for supporting the development of
7 additional or enhanced repositories;

8 (C) award grants on a competitive basis to
9 institutions of higher education or non-profit
10 organizations (or consortia of such institutions
11 or organizations) for the development, up-
12 grades, and maintenance of open data reposi-
13 tories that meet the criteria developed under
14 subparagraph (A);

15 (D) work with stakeholders and build on
16 existing models, where appropriate, to establish
17 a single, public, web-based point of access to
18 help users locate repositories storing data, soft-
19 ware, and code resulting from or used in Foun-
20 dation-supported projects;

21 (E) work with stakeholders to establish the
22 necessary policies and procedures and allocate
23 the necessary resources to ensure, as prac-
24 ticable, data underlying published findings re-
25 sulting from Foundation-supported projects are

1 deposited in repositories meeting the criteria
2 developed under subparagraph (A) at the time
3 of publication;

4 (F) incentivize the deposition of data, soft-
5 ware, and code into repositories that meet the
6 criteria developed under subparagraph (A); and

7 (G) coordinate with the scientific pub-
8 lishing community to develop uniform consensus
9 standards around data archiving and sharing.

10 (3) RESEARCH, DEVELOPMENT, AND EDU-
11 CATION.—The Director shall award grants, on a
12 competitive basis to institutions of higher education
13 or non-profit organizations (or consortia of such in-
14 stitutions or organizations) to—

15 (A) support research and development of
16 open source, sustainable, usable tools and infra-
17 structure that support reproducibility for a
18 broad range of studies across different dis-
19 ciplines;

20 (B) support research on computational re-
21 producibility, including the limits of reproduc-
22 ibility and the consistency of computational re-
23 sults in the development of new computation
24 hardware, tools, and methods; and

1 (C) support the education and training of
2 students, faculty, and researchers on computa-
3 tional methods, tools, and techniques to improve
4 the quality and sharing of data, code, and sup-
5 porting metadata to produce reproducible re-
6 search.

7 (g) CLIMATE CHANGE RESEARCH.—

8 (1) IN GENERAL.—The Director shall award
9 grants, on a competitive basis, to institutions of
10 higher education or non-profit organizations (or con-
11 sortia of such institutions or organizations) to sup-
12 port research to improve our understanding of the
13 climate system and related human and environ-
14 mental systems.

15 (2) USE OF FUNDS.—Activities funded by a
16 grant under this subsection may include—

17 (A) fundamental research on climate
18 forcings, feedbacks, responses, and thresholds
19 in the earth system, including impacts on and
20 contributions from local and regional systems;

21 (B) research on climate-related human be-
22 haviors and institutions;

23 (C) research on climate-related risk, vul-
24 nerability, resilience, and adaptive capacity of
25 coupled human-environment systems, including

1 risks to ecosystem stability and risks to vulner-
2 able populations;

3 (D) research to support the development
4 and implementation of effective strategies and
5 tools for mitigating and adapting to climate
6 change, including social strategies and research
7 focused on local level forecasting, impacts, and
8 challenges;

9 (E) research on the design, development,
10 and assessment of effective information and de-
11 cision-support systems, including understanding
12 and developing effective dissemination path-
13 ways;

14 (F) improved modeling, projections, anal-
15 yses, and assessments of climate and other
16 Earth system changes;

17 (G) research to understand the atmos-
18 pheric processes related to solar radiation man-
19 agement strategies and technologies and exam-
20 ine related economic, geopolitical, societal, envi-
21 ronmental, and ethical implications, not includ-
22 ing research designed to advance future deploy-
23 ment of these strategies and technologies;

24 (H) the development of effective strategies
25 for educating and training future climate

1 change researchers, and climate change re-
2 sponse and mitigation professionals, in both re-
3 search and development methods, as well as
4 community engagement and science commu-
5 nication;

6 (I) the development of effective strategies
7 for public and community engagement in the all
8 stages of the research and development process;
9 and

10 (J) partnerships with other agencies to ad-
11 dress climate related challenges for specific
12 agency missions.

13 (h) VIOLENCE RESEARCH.—

14 (1) IN GENERAL.—The Director shall award
15 grants, on a competitive basis, to institutions of
16 higher education or non-profit organizations (or con-
17 sortia of such institutions or organizations) to sup-
18 port research to improve our understanding of the
19 nature, scope, causes, consequences, prevention, and
20 response to all forms of violence.

21 (2) USE OF FUNDS.—Activities funded by a
22 grant under this subsection may include—

23 (A) research on the magnitude and dis-
24 tribution of fatal and nonfatal violence;

25 (B) research on risk and protective factors;

1 (C) research on the design, development,
2 implementation, and evaluation of interventions
3 for preventing and responding to violence;

4 (D) research on scaling up effective inter-
5 ventions; and

6 (E) one or more interdisciplinary research
7 centers to conduct violence research, foster new
8 and expanded collaborations, and support ca-
9 pacity building activities to increase the number
10 and diversity of new researchers trained in
11 cross-disciplinary violence research.

12 (i) SOCIAL, BEHAVIORAL, AND ECONOMIC
13 SCIENCES.—The Director shall—

14 (1) actively communicate opportunities and so-
15 licit proposals for social, behavioral, and economic
16 science researchers to participate in cross-cutting
17 and interdisciplinary programs, including the Con-
18 vergence Accelerator and agency priority activities,
19 and the Mid-Scale Research Infrastructure program;
20 and

21 (2) ensure social, behavioral, and economic
22 science researchers are represented on relevant merit
23 review panels for such activities.

24 (j) MEASURING IMPACTS OF FEDERALLY FUNDED
25 R&D.—The Director shall award grants on a competitive,

1 merit-reviewed basis to institutions of higher education or
2 non-profit organizations (or consortia of such institutions
3 or organizations) to support research and development of
4 data, models, indicators, and associated analytical tools to
5 improve our understanding of the impacts of Federally
6 funded research on society, the economy, and the work-
7 force, including domestic job creation.

8 (k) FOOD-ENERGY-WATER RESEARCH.—The Direc-
9 tor shall award grants on a competitive basis to institu-
10 tions of higher education or non-profit organizations (or
11 consortia of such institutions or organizations) to—

12 (1) support research to significantly advance
13 our understanding of the food-energy-water system
14 through quantitative and computational modeling,
15 including support for relevant cyberinfrastructure;

16 (2) develop real-time, cyber-enabled interfaces
17 that improve understanding of the behavior of food-
18 energy-water systems and increase decision support
19 capability;

20 (3) support research that will lead to innovative
21 solutions to critical food-energy-water system prob-
22 lems; and

23 (4) grow the scientific workforce capable of
24 studying and managing the food-energy-water sys-

1 tem, through education and other professional devel-
2 opment.

3 (l) BIOLOGICAL FIELD STATIONS AND MARINE LAB-
4 ORATORIES.—The Director shall continue to support en-
5 hancing, repairing and maintaining research instrumenta-
6 tion, laboratories, telecommunications and housing at bio-
7 logical field stations and marine laboratories.

8 (m) SUSTAINABLE CHEMISTRY RESEARCH AND EDU-
9 CATION.—In accordance with section 263 of the National
10 Defense Authorization Act for Fiscal Year 2021, the Di-
11 rector shall carry out activities in support of sustainable
12 chemistry, including—

13 (1) establishing a program to award grants, on
14 a competitive basis, to institutions of higher edu-
15 cation or non-profit organizations (or consortia of
16 such institutions or organizations) to support—

17 (A) individual investigators and teams of
18 investigators, including to the extent prac-
19 ticable, early career investigators for research
20 and development;

21 (B) collaborative research and development
22 partnerships among universities, industry, and
23 non-profit organizations; and

24 (C) integrating sustainable chemistry prin-
25 ciples into elementary, secondary, under-

1 graduate, and graduate chemistry and chemical
2 engineering curriculum and research training,
3 as appropriate to that level of education and
4 training; and

5 (2) incorporating sustainable chemistry into ex-
6 isting Foundation research and development pro-
7 grams.

8 (n) RISK AND RESILIENCE RESEARCH.—The Direc-
9 tor shall award grants on a competitive basis to institu-
10 tions of higher education or non-profit organizations (or
11 consortia of such institutions or organizations) to advance
12 knowledge of risk assessment and predictability and to
13 support the creation of tools and technologies, including
14 advancing data analytics and utilization of artificial intel-
15 ligence, for increased resilience through—

16 (1) improvements in our ability to understand,
17 model, and predict extreme events and natural haz-
18 ards, including pandemics;

19 (2) the creation of novel engineered systems so-
20 lutions for resilient complex infrastructures, particu-
21 larly those that address critical interdependence
22 among infrastructures and leverage the growing in-
23 fusion of cyber-physical-social components into the
24 infrastructures;

1 (3) development of equipment and instrumenta-
2 tion for innovation in resilient engineered infrastruc-
3 tures;

4 (4) multidisciplinary research on the behaviors
5 individuals and communities engage in to detect,
6 perceive, understand, predict, assess, mitigate, and
7 prevent risks and to improve and increase resilience;
8 and

9 (5) advancements in multidisciplinary wildfire
10 science, including those related to air quality im-
11 pacts, human behavior, and early detection and
12 warning.

13 (o) UAV TECHNOLOGIES.—The Director shall carry
14 out a program of research and related activities for un-
15 manned aerial vehicle technologies, which may include a
16 prize competition pursuant to section 24 of the Stevenson-
17 Wydler Technology Innovation Act of 1980 (15 U.S.C.
18 3719) and support for undergraduate and graduate cur-
19 riculum development.

20 (p) LEVERAGING INTERNATIONAL EXPERTISE IN RE-
21 SEARCH.—The Director shall explore and advance oppor-
22 tunities for leveraging international capabilities and re-
23 sources that align with the Foundation and United States
24 research community priorities and have the potential to
25 benefit United States prosperity, security, health, and

1 well-being, including through binational research and de-
2 velopment organizations and foundations and by sending
3 teams of Foundation scientific staff for site visits of sci-
4 entific facilities and agencies in other countries.

5 (q) BIOLOGICAL RESEARCH COLLECTIONS.—

6 (1) IN GENERAL.—The Director shall continue
7 to support databases, tools, methods, and other ac-
8 tivities that secure and improve existing physical and
9 digital biological research collections, improve the ac-
10 cessibility of collections and collection-related data
11 for research and educational purposes, develop ca-
12 pacity for curation and collection management, and
13 to transfer ownership of collections that are signifi-
14 cant to the biological research community, including
15 to museums and universities.

16 (2) SPECIMEN MANAGEMENT PLAN.—In con-
17 sultation with other relevant Federal research agen-
18 cies, the Director shall require that every proposal
19 for funding for research that involves collecting or
20 generating specimens include a specimen manage-
21 ment plan that includes a description of how the
22 specimens and associated data will be accessioned
23 into and permanently maintained in an established
24 biological collection.

1 (3) ACTION CENTER FOR BIOLOGICAL COLLEC-
2 TIONS.—The Director shall award grants on a com-
3 petitive basis to institutions of higher education or
4 non-profit organizations (or consortia of such insti-
5 tutions or organizations) to establish an Action Cen-
6 ter for Biological Collections to facilitate coordina-
7 tion and data sharing among communities of prac-
8 tice for research, education, workforce training, eval-
9 uation, and business model development.

10 (r) CLEAN WATER RESEARCH AND TECHNOLOGY
11 ACCELERATION.—The Director shall award grants on a
12 competitive, merit-reviewed basis to institutions of higher
13 education or non-profit organizations (or consortia of such
14 institutions or organizations) to—

15 (1) support transdisciplinary research to signifi-
16 cantly advance our understanding of water avail-
17 ability, quality, and dynamics and the impact of
18 human activity and a changing climate on urban and
19 rural water and wastewater systems, including in
20 low-income, underserved, and disadvantaged commu-
21 nities;

22 (2) develop, pilot and deploy innovative tech-
23 nologies, systems, and other approaches to identi-
24 fying and addressing challenges that affect water
25 availability, quality, and security, including through

1 direct engagement with affected communities and
2 partnerships with the private sector, State, terri-
3 torial, tribal, and local governments, non-profit orga-
4 nizations and water management professionals; and

5 (3) grow the scientific workforce capable of
6 studying and managing water and wastewater sys-
7 tems, through education, training, and other profes-
8 sional development.

9 (s) TECHNOLOGY AND BEHAVIORAL SCIENCE RE-
10 SEARCH.—The Director shall award grants on a merit-
11 based, competitive basis for research to—

12 (1) increase understanding of social media and
13 consumer technology access and use patterns and re-
14 lated psychological and behavioral issues, particu-
15 larly for adolescents; and

16 (2) explore the role of social media and con-
17 sumer technology in rising rates of depressive symp-
18 toms, suicidal ideation, drug use, and deaths of de-
19 spair, particularly for communities experiencing
20 long-term economic distress.

21 (t) MANUFACTURING RESEARCH AMENDMENT.—
22 Section 506(a) of the America COMPETES Reauthoriza-
23 tion Act of 2010 (42 U.S.C. 1862p–1(a)) is amended—

24 (1) in paragraph (5), by striking “and” at the
25 end;

1 (2) in paragraph (6)—

2 (A) by striking “and” before “virtual man-
3 ufacturing”; and

4 (B) by striking the period at the end and
5 inserting “; and artificial intelligence and ma-
6 chine learning;”; and

7 (3) by adding at the end the following:

8 “(7) additive manufacturing, including new ma-
9 terial designs, complex materials, rapid printing
10 techniques, and real-time process controls; and

11 “(8) continuous manufacturing of biological
12 products and similar innovative monitoring and con-
13 trol techniques.”.

14 (u) CRITICAL MINERALS MINING RESEARCH AND
15 DEVELOPMENT.—

16 (1) IN GENERAL.—The Director shall award
17 grants, on a competitive basis, to institutions of
18 higher education or nonprofit organizations (or con-
19 sortium of such institutions or organizations) to sup-
20 port basic research that will accelerate innovation to
21 advance critical minerals mining strategies and tech-
22 nologies for the purpose of making better use of do-
23 mestic resources and eliminating national reliance on
24 minerals and mineral materials that are subject to
25 supply disruptions.

1 (2) USE OF FUNDS.—Activities funded by a
2 grant under this subsection may include—

3 (A) advancing mining research and devel-
4 opment activities to develop new mapping and
5 mining technologies and techniques, including
6 advanced critical mineral extraction, production,
7 separation, alloying, or processing techniques
8 and technologies that can decrease energy in-
9 tensity, potential environmental impact and
10 costs of those activities;

11 (B) conducting long-term Earth observa-
12 tion of reclaimed mine sites, including the study
13 of the evolution of microbial diversity at such
14 sites;

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

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

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

1 (F) improved understanding of the geologi-
2 cal and geochemical processes through which
3 critical minerals form and are concentrated into
4 economically viable deposits; or

5 (G) providing training and researcher op-
6 portunities to undergraduate and graduate stu-
7 dents to prepare the next generation of mining
8 engineers and researchers.

9 (3) EXISTING PROGRAMS.—The Director shall
10 ensure awards made under this subsection are com-
11plementary and not duplicative of existing programs
12 across the foundation and Federal Government.

13 (v) STUDY OF AI RESEARCH CAPACITY.—

14 (1) IN GENERAL.—The Director shall conduct a
15 study, or support the development of a study
16 through the Science and Technology Policy Institute
17 or by any other appropriate organization as deter-
18 mined by the Director, on artificial intelligence re-
19 search capacity at U.S. institutions of higher edu-
20 cation.

21 (2) STUDY CONTENTS.—The Director shall en-
22 sure that, at a minimum, the study under subsection
23 (a) addresses the following topics:

24 (A) Which universities are putting out sig-
25 nificant peer-reviewed artificial intelligence re-

1 search, including based on quantity and number
2 of citations.

3 (B) For each of the universities described
4 in paragraph (1), what specific factors enable
5 their AI research, including computing power,
6 data sets and availability, specialized cur-
7 riculum, and industry and other partnerships.

8 (C) Promising practices at universities de-
9 scribed in paragraph (1) for advancing diver-
10 sity, equity, and inclusion in AI research pro-
11 grams.

12 (D) How universities not included in para-
13 graph (1) could implement the factors in para-
14 graph (2) to produce AI research, as well as
15 case studies that universities can look to as ex-
16 amples and potential pilot programs that the
17 Federal Government could develop or support
18 to help universities produce AI research.

19 (3) WORKSHOPS.—The Director may support
20 workshops to help inform the study required under
21 this subsection.

22 (4) PUBLICATION.—The Director shall ensure
23 that the study carried out under this subsection is
24 made publicly available not later than 12 months
25 after the date of enactment of this Act.

1 (w) ADVANCING IOT FOR PRECISION AGRI-
2 CULTURE.—

3 (1) NATIONAL SCIENCE FOUNDATION DIREC-
4 TIVE ON AGRICULTURAL SENSOR RESEARCH.—In
5 awarding grants under its sensor systems and
6 networked systems programs, and in consultation
7 with the Secretary of Agriculture, the Director shall
8 include in consideration of portfolio balance research
9 and development on sensor connectivity in environ-
10 ments of intermittent connectivity and intermittent
11 computation—

12 (A) to improve the reliable use of advance
13 sensing systems in rural and agricultural areas;
14 and

15 (B) that considers—

16 (i) direct gateway access for locally
17 stored data;

18 (ii) attenuation of signal transmission;

19 (iii) loss of signal transmission; and

20 (iv) at-scale performance for wireless
21 power.

22 (2) UPDATING CONSIDERATIONS FOR PRECI-
23 SION AGRICULTURE TECHNOLOGY WITHIN THE NSF
24 ADVANCED TECHNICAL EDUCATION PROGRAM.—Sec-
25 tion 3 of the Scientific and Advanced-Technology

1 Act of 1992 (42 U.S.C. 1862i) is amended in sub-
2 section (e)(3)—

3 (A) in subparagraph (C), by striking
4 “and” after the semicolon;

5 (B) in subparagraph (D), by striking the
6 period at the end and inserting “; and”; and

7 (C) by adding at the end the following:

8 “(E) applications that incorporate distance
9 learning tools and approaches.”.

10 (3) GAO REVIEW.—Not later than 18 months
11 after the date of enactment of this Act, the Comp-
12 troller General of the United States shall provide—

13 (A) a technology assessment of precision
14 agriculture technologies, such as the existing
15 use of—

16 (i) sensors, scanners, radio-frequency
17 identification, and related technologies that
18 can monitor soil properties, irrigation con-
19 ditions, and plant physiology;

20 (ii) sensors, scanners, radio-frequency
21 identification, and related technologies that
22 can monitor livestock activity and health;

23 (iii) network connectivity and wireless
24 communications that can securely support

1 digital agriculture technologies in rural
2 and remote areas;

3 (iv) aerial imagery generated by sat-
4 ellites or unmanned aerial vehicles;

5 (v) ground-based robotics;

6 (vi) control systems design and
7 connectivity, such as smart irrigation con-
8 trol systems;

9 (vii) Global Positioning System-based
10 applications; and

11 (viii) data management software and
12 advanced analytics that can assist decision
13 making and improve agricultural outcomes;
14 and

15 (B) a review of Federal programs that pro-
16 vide support for precision agriculture research,
17 development, adoption, education, or training,
18 in existence on the date of enactment of this
19 Act.

20 (x) ASTRONOMY AND SATELLITE CONSTELLA-
21 TIONS.—The Director shall support research into and the
22 design, development, and testing of mitigation measures
23 to address the impact of satellite constellations on Foun-
24 dation scientific programs by—

1 (1) awarding grants on a competitive basis to
2 support investigations into the impacts of satellite
3 constellations on ground-based optical, infrared, and
4 radio astronomy, including through existing pro-
5 grams such Spectrum and Wireless Innovation en-
6 abled by Future Technologies (SWIFT) and the
7 Spectrum Innovation Initiative;

8 (2) supporting research on satellite impacts and
9 benefits and mitigation strategies to be carried out
10 at one or more Foundation supported Federally
11 Funded Research and Development Centers or large
12 facilities, as appropriate; and

13 (3) supporting workshops related to the impact
14 of satellite constellations on scientific research and
15 how those constellations could be used to improve
16 scientific research.

17 (y) GAO TECHNOLOGY ASSESSMENT TO ADDRESS
18 THE OPIOID EPIDEMIC.—

19 (1) IN GENERAL.—The Comptroller General of
20 the United States shall conduct a technology assess-
21 ment on the use of current and emerging predictive
22 analytic tools and technologies to address the opioid
23 epidemic. Such assessment shall address the fol-
24 lowing:

1 (A) The prevention of deaths occurring
2 from overdoses of opioid drugs.

3 (B) The improvement of Federal, State,
4 and local government responses to the opioid
5 epidemic and the quality of interventions, treat-
6 ments, and resources for opioid use disorder.

7 (C) The identification of challenges and
8 risks related to the use of predictive analytic
9 tools and technologies.

10 (2) RECOMMENDATIONS.—Not later than 1
11 year after the date of the enactment of this Act, the
12 Comptroller General of the United States shall sub-
13 mit to Congress recommendations based on the find-
14 ings of the technology assessment conducted under
15 paragraph (1). Not later than 180 days after such
16 date of enactment, the Comptroller General shall
17 provide a briefing to Congress on the progress of
18 such recommendations.

19 (3) DEFINITIONS.—In this subsection:

20 (A) OPIOID DRUG.—The term “opioid
21 drug” means a class of drugs that contains an
22 opioid and includes heroin, synthetic opioids
23 (including fentanyl), and prescription pain re-
24 lievers.

1 (B) OPIOID EPIDEMIC.—The term “opioid
2 epidemic” means the misuse of and addiction to
3 opioid drugs.

4 (z) NATIONAL SCIENCE FOUNDATION STUDY ON IN-
5 FLATION.—

6 (1) IN GENERAL.—Not later than 45 days after
7 the date of enactment of this Act, the Director shall
8 commission a study to—

9 (A) measure the economic impact of infla-
10 tion on the American people, including an anal-
11 ysis of cost-of-living impacts;

12 (B) assess how the increase in inflation
13 has harmed the American workforce through
14 decreased, less valuable wages;

15 (C) consider the impact of inflation on
16 American international competitiveness, par-
17 ticularly as it relates to offshoring jobs in the
18 manufacturing industry;

19 (D) evaluate the impact of inflation on
20 rural and underserved communities throughout
21 the country;

22 (E) assess the ways inflation at its current
23 trajectory could impact future American gen-
24 erations; and

1 (F) make recommendations to Congress on
2 the impact of further government spending in
3 regards to inflation.

4 (2) FUNDING.—Of the funds authorized to
5 carry out this section, \$1,000,000 shall be used to
6 carry out the study under paragraph (1).

7 **SEC. 10307. RESEARCH INFRASTRUCTURE.**

8 (a) FACILITY OPERATION AND MAINTENANCE.—

9 (1) IN GENERAL.—The Director shall continue
10 the Facility Operation Transition pilot program for
11 a total of 5 years.

12 (2) COST SHARING.—The Facility Operation
13 Transition program shall provide funding for 10–50
14 percent of the operations and maintenance costs for
15 major research facilities that are within the first five
16 years of operation, where the share is determined
17 based on—

18 (A) the operations and maintenance costs
19 of the major research facility; and

20 (B) the capacity of the managing direc-
21 torate or division to absorb such costs.

22 (3) REPORT.—After the fifth year of the pilot
23 program, the Director shall transmit a report to
24 Congress that includes—

1 (A) an assessment, that includes feedback
2 from the research community, of the effective-
3 ness of the pilot program for—

4 (i) supporting research directorates
5 and divisions in balancing investments in
6 research grants and funding for the initial
7 operation and maintenance of major facili-
8 ties;

9 (ii) incentivizing the development of
10 new world-class facilities;

11 (iii) facilitating interagency and inter-
12 national partnerships;

13 (iv) funding core elements of multi-
14 disciplinary facilities; and

15 (v) supporting facility divestment
16 costs; and

17 (B) if deemed effective, a plan for perma-
18 nent implementation of the pilot program.

19 (b) REVIEWS.—The Director shall periodically carry
20 out reviews within each of the directorates and divisions
21 to assess the cost and benefits of extending the operations
22 of research facilities that have exceeded their planned
23 operational lifespan.

24 (c) HELIUM CONSERVATION.—

1 (1) MAJOR RESEARCH INSTRUMENTATION SUP-
2 PORT.—

3 (A) IN GENERAL.—The Director shall sup-
4 port, through the Major Research Instrumenta-
5 tion program, proposal requests that include
6 the purchase, installation, operation, and main-
7 tenance of equipment and instrumentation to
8 reduce consumption of helium.

9 (B) COST SHARING.—The Director may
10 waive the cost-sharing requirement for helium
11 conservation measures for non-Ph.D.-granting
12 institutions of higher education and Ph.D.-
13 granting institutions of higher education that
14 are not ranked among the top 100 institutions
15 receiving Federal research and development
16 funding, as documented by the National Center
17 for Science and Engineering Statistics.

18 (2) ANNUAL REPORT.—No later than 1 year
19 after the date of enactment of this Act and annually
20 for the subsequent two years, the Director shall sub-
21 mit an annual report to Congress on the use of
22 funding awarded by the Foundation for the purchase
23 and conservation of helium. The report should in-
24 clude—

1 (A) the volume and price of helium pur-
2 chased;

3 (B) changes in pricing and availability of
4 helium; and

5 (C) any supply disruptions impacting a
6 substantial number of institutions.

7 (d) ADVANCED COMPUTING.—

8 (1) COMPUTING NEEDS.—To gather informa-
9 tion about the computational needs of Foundation-
10 funded projects, the Director shall require grant pro-
11 posals submitted to the Foundation, as appropriate,
12 to include estimates of computational resource needs
13 for projects that require use of advanced computing.
14 The Director shall encourage and provide access to
15 tools that facilitate the inclusion of these measures,
16 including those identified in the 2016 Academies re-
17 port entitled “Future Directions for NSF Advanced
18 Computing Infrastructure to Support U.S. Science
19 and Engineering in 2017–2020”.

20 (2) REPORTS.—The Director shall document
21 and publish every two years a summary of the
22 amount and types of advanced computing capabili-
23 ties that are needed to fully meet the Foundation’s
24 project needs as identified under paragraph (1).

1 (3) ROADMAP.—To set priorities and guide
2 strategic decisions regarding investments in ad-
3 vanced computing capabilities, the Director shall de-
4 velop, publish, and regularly update a 5-year ad-
5 vanced computing roadmap that—

6 (A) describes the advanced computing re-
7 sources and capabilities that would fully meet
8 anticipated project needs, including through in-
9 vestments in the Mid-Scale Research Infra-
10 structure program and the Major Research
11 Equipment and Facilities Construction account;

12 (B) draws on community input, informa-
13 tion contained in research proposals, allocation
14 requests, insights from Foundation-funded
15 cyber-infrastructure operators, and Foundation-
16 wide information gathering regarding commu-
17 nity needs;

18 (C) considers computational needs of
19 planned major facilities;

20 (D) reflects anticipated technology trends;

21 (E) informs users and potential partners
22 about future facilities and services;

23 (F) addresses the needs of groups histori-
24 cally underrepresented in STEM and geo-

1 graphic regions with low availability and high
2 demand for advanced computing resources;

3 (G) considers how Foundation-supported
4 advanced computing capabilities can be lever-
5 aged for activities through the Directorate for
6 Science and Engineering Solutions; and

7 (H) provides an update to Congress about
8 the level of funding necessary to fully meet
9 computational resource needs for the research
10 community.

11 (4) SECURING AMERICAN RESEARCH FROM
12 CYBER THEFT.—

13 (A) NETWORKING AND INFORMATION
14 TECHNOLOGY RESEARCH AND DEVELOPMENT
15 UPDATE.—Section 101(a)(1) of the High-Per-
16 formance Computing Act of 1991 (15 U.S.C.
17 5511) is amended—

18 (i) by moving the margins of subpara-
19 graphs (D) and (J) through (O) two ems
20 to the left;

21 (ii) by redesignating subparagraphs
22 (J) through (O) as subparagraphs (K)
23 through (P), respectively; and

24 (iii) by inserting after subparagraph
25 (I) the following:

1 “(J) provide for improving the security, reli-
2 ability, and resiliency of computing and networking
3 systems used by institutions of higher education and
4 other nonprofit research institutions for the proc-
5 essing, storage and transmission of sensitive feder-
6 ally funded research and associated data;”.

7 (B) COMPUTING ENCLAVE PILOT PRO-
8 GRAM.—

9 (i) IN GENERAL.—The Director, in
10 consultation with the Director of the Na-
11 tional Institute of Standards and Tech-
12 nology and the Secretary of Energy, shall
13 establish a pilot program to award grants
14 to ensure the security of federally-sup-
15 ported research data and to assist regional
16 institutions of higher education and their
17 researchers in compliance with regulations
18 regarding the safeguarding of sensitive in-
19 formation and other relevant regulations
20 and Federal guidelines.

21 (ii) STRUCTURE.—In carrying out the
22 pilot program established pursuant to
23 clause (i), the Director shall select three
24 institutions of higher education from
25 among institutions classified under the In-

1 diana University Center for Postsecondary
2 Research Carnegie Classification as a doc-
3 torate-granting university with a very high
4 level of research activity, and with a his-
5 tory of working with secure information for
6 the development, installation, maintenance,
7 or sustainment of secure computing en-
8 claves.

9 (iii) REGIONALIZATION.—

10 (I) IN GENERAL.—In selecting
11 universities pursuant to clause (ii),
12 the Director shall give preference to
13 institutions of higher education with
14 the capability of serving other regional
15 universities.

16 (II) GEOGRAPHIC DISPERSAL.—

17 The enclaves should be geographically
18 dispersed to better meet the needs of
19 regional interests.

20 (iv) PROGRAM ELEMENTS.—The Di-
21 rector shall work with institutions of high-
22 er education selected pursuant to clause
23 (ii) to—

1 (I) develop an approved design
2 blueprint for compliance with Federal
3 data protection protocols;

4 (II) develop a comprehensive and
5 confidential list, or a bill of materials,
6 of each binary component of the soft-
7 ware, firmware, or product that is re-
8 quired to deploy additional secure
9 computing enclaves;

10 (III) develop templates for all
11 policies and procedures required to
12 operate the secure computing enclave
13 in a research setting;

14 (IV) develop a system security
15 plan template; and

16 (V) develop a process for man-
17 aging a plan of action and milestones
18 for the secure computing enclave.

19 (v) DURATION.—Subject to other
20 availability of appropriations, the pilot pro-
21 gram established pursuant to clause (i)
22 shall operate for not less than 3 years.

23 (vi) REPORT.—

24 (I) IN GENERAL.—The Director
25 shall report to Congress not later than

1 6 months after the completion of the
2 pilot program under clause (i).

3 (II) CONTENTS.—The report re-
4 quired under subclause (I) shall in-
5 clude—

6 (aa) an assessment of the
7 pilot program under clause (i),
8 including an assessment of the
9 security benefits provided by such
10 secure computing enclaves;

11 (bb) recommendations re-
12 lated to the value of expanding
13 the network of secure computing
14 enclaves; and

15 (cc) recommendations on the
16 efficacy of the use of secure com-
17 puting enclaves by other Federal
18 agencies in a broader effort to
19 expand security of Federal re-
20 search.

21 (vii) AUTHORIZATION OF APPROPRIA-
22 TIONS.—There is authorized to be appro-
23 priated to the Director, \$38,000,000 for
24 fiscal years 2022 through 2024, to carry
25 out the activities outlined in this section.

1 (e) NATIONAL SECURE DATA SERVICE.—

2 (1) IN GENERAL.—The Director, in consulta-
3 tion with the Chief Statistician of the United States,
4 shall establish a demonstration project to develop,
5 refine and test models to inform the full implemen-
6 tation of the Commission on Evidence-Based Policy-
7 making recommendation for a government-wide data
8 linkage and access infrastructure for statistical ac-
9 tivities conducted for statistical purposes, as defined
10 in chapter 35 of title 44, United States Code.

11 (2) ESTABLISHMENT.—Not later than one year
12 after the date of enactment of this Act, the Director
13 shall establish a National Secure Data Service dem-
14 onstration project. The National Secure Data Serv-
15 ice demonstration project shall be—

16 (A) aligned with the principles, best prac-
17 tices, and priority actions recommended by the
18 Advisory Committee on Data for Evidence
19 Building, to the extent feasible; and

20 (B) operated directly by or via a contract
21 that is managed by the National Center for
22 Science and Engineering Statistics.

23 (3) DATA.—In carrying out this subsection, the
24 Director shall engage with Federal and State agen-
25 cies to collect, acquire, analyze, report, and dissemi-

1 nate statistical data in the United States and other
2 nations to support government-wide evidence-build-
3 ing activities consistent with the Foundations for
4 Evidence-Based Policymaking Act of 2018.

5 (4) PRIVACY AND CONFIDENTIALITY PROTEC-
6 TIONS.—If the Director issues a management con-
7 tract under paragraph (2), the awardee shall be des-
8 ignated as an “agent” under chapter 35 of title 44,
9 United States Code, subchapter III, section 3561 et
10 seq., with all requirements and obligations for pro-
11 tecting confidential information delineated in the
12 Confidential Information Protection and Statistical
13 Efficiency Act of 2018 and the Privacy Act of 1974.

14 (5) TECHNOLOGY AND PRIVACY STANDARDS.—
15 In carrying out this subsection, the Director shall—

16 (A) consider application and use of sys-
17 tems and technologies that incorporate protec-
18 tion measures to reasonably ensure confidential
19 data and statistical products are protected in
20 accordance with obligations under chapter 35 of
21 title 44, United States Code, subchapter III,
22 section 3561 et seq., including systems and
23 technologies that ensure raw data and other
24 sensitive inputs are not accessible to recipients

1 of statistical outputs from the National Secure
2 Data Service demonstration project; and

3 (B) to the extent feasible, consider apply-
4 ing privacy-enhancing technologies to approved
5 projects when appropriate, or take appropriate
6 measures to minimize re-identification risks
7 consistent with any applicable guidance or regu-
8 lations issued under chapter 35 of title 44,
9 United States Code, subchapter III, section
10 3561 et seq.

11 (6) TRANSPARENCY.—The National Secure
12 Data Service established under paragraph (2) shall
13 maintain a public website with up-to-date informa-
14 tion on supported projects.

15 (7) REPORT.—Not later than 2 years after the
16 date of enactment of this Act, the National Secure
17 Data Service demonstration project established
18 under paragraph (2) shall submit a report to Con-
19 gress that includes—

20 (A) a description of policies for protecting
21 data, consistent with applicable Federal law;

22 (B) a comprehensive description of all
23 completed or active data linkage activities and
24 projects;

1 (C) an assessment of the effectiveness of
2 the demonstration project for mitigating risks
3 and removing barriers to a sustained implemen-
4 tation of the National Secure Data Service as
5 recommended by the Commission on Evidence-
6 Based Policymaking; and

7 (D) if deemed effective by the Director, a
8 plan for scaling up the demonstration project to
9 facilitate data access for evidence building while
10 ensuring transparency and privacy.

11 (8) AUTHORIZATION OF APPROPRIATIONS.—

12 There are authorized to be appropriated to the Di-
13 rector to carry out this subsection \$9,000,000 for
14 each of fiscal years 2022 through 2026.

15 **SEC. 10308. DIRECTORATE FOR SCIENCE AND ENGINEER-**
16 **ING SOLUTIONS.**

17 (a) ESTABLISHMENT.—Subject to the availability of
18 appropriated funds, there is established within the Foun-
19 dation the Directorate for Science and Engineering Solu-
20 tions to advance research and development solutions to ad-
21 dress societal and national challenges for the benefit of
22 all Americans.

23 (b) PURPOSE.—The purpose of the Directorate estab-
24 lished under subsection (a) is to support use-inspired re-
25 search, accelerate the translation of Foundation-supported

1 fundamental research and to advance technologies, facili-
2 tate commercialization and use of federally funded re-
3 search, and expand the pipeline of United States students
4 and researchers in areas of societal and national impor-
5 tance.

6 (c) ACTIVITIES.—The Director shall achieve the pur-
7 poses described in subsection (b) by awarding financial as-
8 sistance through the Directorate to—

9 (1) support transformational advances in use-
10 inspired and translational research through diverse
11 funding mechanisms and models, including conver-
12 gence accelerators;

13 (2) translate research into science and engineer-
14 ing innovations, including through developing inno-
15 vative approaches to connect research with societal
16 outcomes, developing approaches to technology
17 transfer that do not rely only on traditional market
18 and commercialization tools, education and training
19 for students and researchers on engaging with end
20 users and the public, partnerships that facilitate re-
21 search uptake, application, and scaling, prototype
22 development, entrepreneurial education, developing
23 tech-to-market strategies, and partnerships that con-
24 nect research products to businesses, accelerators,

1 and incubators and encourage the formation and
2 growth of new companies;

3 (3) develop and expand sustainable and mutu-
4 ally-beneficial use-inspired and translational research
5 and development partnerships and collaborations
6 among institutions of higher education, including
7 minority serving institutions and emerging research
8 institutions, non-profit organizations, labor organiza-
9 tions, businesses and other for-profit entities, Fed-
10 eral or State agencies, community organizations,
11 other Foundation directorates, national labs, field
12 stations and marine laboratories, international enti-
13 ties as appropriate, binational research and develop-
14 ment foundations and funds, excluding foreign enti-
15 ties of concern, and other organizations;

16 (4) build capacity for use-inspired and
17 translational research at institutions of higher edu-
18 cation, including necessary administrative support;

19 (5) expand opportunities for researchers to con-
20 tribute to use-inspired and translational research in-
21 cluding through support for workshops and con-
22 ferences, targeted incentives and training, and multi-
23 disciplinary research centers;

24 (6) support the education, mentoring, and
25 training of undergraduate students, graduate stu-

1 dents, and postdoctoral researchers in use-inspired
2 and translational approaches to research and entre-
3 preneurship in key focus areas identified under sub-
4 section (g) through scholarships, fellowships, and
5 traineeships;

6 (7) support translational research infrastruc-
7 ture, including platforms and testbeds, data manage-
8 ment and software tools, and networks and commu-
9 nication platforms for interactive and collective
10 learning and information sharing;

11 (8) identify social, behavioral, and economic
12 drivers and consequences of technological innova-
13 tions; and

14 (9) ensure the programmatic work of the Direc-
15 torate and Foundation incorporates a worker per-
16 spective through participation by labor organizations
17 and workforce training organizations.

18 (d) ASSISTANT DIRECTOR.—

19 (1) IN GENERAL.—The Director shall appoint
20 an Assistant Director responsible for the manage-
21 ment of the Directorate established under this sec-
22 tion.

23 (2) TERM LIMIT.—The Assistant Director ap-
24 pointed under paragraph (1) shall serve a term last-
25 ing no longer than 4 years.

1 (3) QUALIFICATIONS.—The Assistant Director
2 shall be an individual, who by reason of professional
3 background and experience, is specially qualified
4 to—

5 (A) advise the Director on all matters per-
6 taining to use-inspired and translational re-
7 search, development, and commercialization at
8 the Foundation, including partnership with the
9 private sector and other users of Foundation
10 funded research; and

11 (B) develop and implement the necessary
12 policies and procedures to promote a culture of
13 use-inspired and translational research within
14 the Directorate and across the Foundation and
15 carry out the responsibilities under paragraph
16 (4).

17 (4) RESPONSIBILITIES.—The responsibilities of
18 the Assistant Director shall include—

19 (A) advising the Director on all matters
20 pertaining to use-inspired and translational re-
21 search and development activities at the Foun-
22 dation, including effective practices for conver-
23 gence research;

24 (B) identifying opportunities for and facili-
25 tating coordination and collaboration, where ap-

1 appropriate, on use-inspired and translational re-
2 search, development, commercialization, and so-
3 cietal application activities—

4 (i) among the offices, directorates,
5 and divisions within the Foundation; and

6 (ii) between the Foundation and
7 stakeholders in academia, the private sec-
8 tor, including non-profit entities, labor or-
9 ganizations, Federal or State agencies, and
10 international entities, as appropriate;

11 (C) ensuring that the activities carried out
12 under this section are not duplicative of activi-
13 ties supported by other parts of the Foundation
14 or other relevant Federal agencies;

15 (D) approving all new programs within the
16 Directorate;

17 (E) developing and testing diverse merit-
18 review models and mechanisms for selecting
19 and providing awards for use-inspired and
20 translational research and development at dif-
21 ferent scales, from individual investigator
22 awards to large multi-institution collaborations;

23 (F) assessing the success of programs;

24 (G) administering awards to achieve the
25 purposes described in subsection (b); and

1 (H) performing other such duties per-
2 taining to the purposes in subsection (b) as are
3 required by the Director.

4 (5) RELATIONSHIP TO THE DIRECTOR.—The
5 Assistant Director shall report to the Director.

6 (6) RELATIONSHIP TO OTHER PROGRAMS.—No
7 other directorate within the Foundation shall report
8 to the Assistant Director.

9 (e) ADVISORY COMMITTEE.—

10 (1) IN GENERAL.—In accordance with the Fed-
11 eral Advisory Committee Act (5 U.S.C. App.) the
12 Director shall establish an advisory committee to as-
13 sess, and make recommendations regarding, the ac-
14 tivities carried out under this section.

15 (2) MEMBERSHIP.—The advisory committee
16 members shall—

17 (A) be individuals with relevant experience
18 or expertise, including individuals from industry
19 and national labs, educators, academic subject
20 matter experts, including individuals with
21 knowledge of the technical and social dimen-
22 sions of science and technology, technology
23 transfer experts, labor organizations, and rep-
24 resentatives of civil society, community organi-

1 zations, and other nongovernmental organiza-
2 tions; and

3 (B) consist of at least 10 members broadly
4 representative of stakeholders, including no less
5 than 3 members from the private sector, none
6 of whom shall be an employee of the Federal
7 Government.

8 (3) RESPONSIBILITIES.—The Committee shall
9 be responsible for—

10 (A) reviewing and evaluating activities car-
11 ried out under this section; and

12 (B) assessing the success of the Direc-
13 torate in and proposing new strategies for ful-
14 filling the purposes in subsection (b).

15 (f) EXISTING PROGRAMS.—The Convergence Accel-
16 erator, the Growing Convergence Research Big Idea, and
17 any other program, at the discretion of the Director, may
18 be managed by the Directorate.

19 (g) FOCUS AREAS.—In consultation with the Assist-
20 ant Director, the Board, and other Federal agencies and
21 taking into account advice under subsection (e), the Direc-
22 tor shall identify, and regularly update, up to 5 focus
23 areas to guide activities under this section. In selecting
24 such focus areas, the Director shall consider the following
25 societal challenges:

1 (1) Climate change and environmental sustain-
2 ability.

3 (2) Global competitiveness and domestic job
4 creation in critical technologies.

5 (3) Cybersecurity.

6 (4) National security.

7 (5) STEM education and workforce.

8 (6) Social and economic inequality.

9 (h) ELIGIBILITY.—Recipients of funds under this
10 section may include institutions of higher education, re-
11 search institutions, non-profit organizations, private sector
12 entities, consortia, or other entities, as defined by the Di-
13 rector.

14 (i) TECHNOLOGY RESEARCH INSTITUTES.—

15 (1) IN GENERAL.—The Director may award
16 grants and cooperative agreements to institutions of
17 higher education, or consortia thereof, for the plan-
18 ning, establishment, and support of Technology Re-
19 search Institutes in key technology areas, as deter-
20 mined by the Director.

21 (2) USES OF FUNDS.—Funds awarded under
22 this section may be used by a Technology Research
23 Institute to—

24 (A) conduct fundamental research to ad-
25 vance innovation in a key technology;

1 (B) conduct research involving a key tech-
2 nology to solve challenges with social, economic,
3 health, scientific, and national security implica-
4 tions;

5 (C) further the development, adoption, and
6 commercialization of innovations in key tech-
7 nology focus areas, including through partner-
8 ship with other Federal agencies and Federal
9 laboratories, industry, including startup compa-
10 nies, labor organizations, civil society organiza-
11 tions, and State, territorial, local, and Tribal
12 governments;

13 (D) develop and manage multi-user re-
14 search testbeds and instrumentation for key
15 technologies;

16 (E) develop and manage an accessible re-
17 pository, as appropriate, for research data and
18 computational models relevant to the relevant
19 key technology field, consistent with applicable
20 privacy and intellectual property laws;

21 (F) convene national workshops for re-
22 searchers and other stakeholders in that tech-
23 nology area;

24 (G) establish traineeship programs for
25 graduate students who pursue research related

1 to the technology leading to a masters or doc-
2 torate degree by providing funding and other
3 assistance, and by providing graduate students
4 opportunities for research experiences in gov-
5 ernment or industry related to the students'
6 studies in that technology area;

7 (H) engage in outreach and engagement to
8 broaden participation in technology research
9 and education; and

10 (I) support such other activities that the
11 Director determines appropriate.

12 (3) CONSIDERATIONS.—In making awards
13 under this section, the Director may consider the ex-
14 tent to which the activities proposed—

15 (A) have the potential to create an innova-
16 tion ecosystem, or enhance existing ecosystems,
17 to translate Technology Research Institute re-
18 search into applications and products, as appro-
19 priate to the topic of each Institute;

20 (B) support transdisciplinary research and
21 development across multiple institutions of
22 higher education and organizations;

23 (C) support transdisciplinary education ac-
24 tivities, including curriculum development, re-
25 search experiences, and faculty professional de-

1 velopment across undergraduate, graduate, and
2 professional academic programs;

3 (D) involve partnerships with multiple
4 types of institutions, including emerging re-
5 search institutions, historically Black colleges
6 and universities, Tribal Colleges or Universities,
7 and minority serving institutions, and with
8 other Federal agencies, Federal laboratories, in-
9 dustry, State, territorial, local, and Tribal gov-
10 ernments, labor organizations, civil society or-
11 ganizations, and other entities that may use or
12 be affected by the technology; and

13 (E) include a component that addresses
14 the ethical, societal, safety, and security impli-
15 cations relevant to the application of the tech-
16 nology.

17 (4) DURATION.—

18 (A) INITIAL PERIOD.—An award under
19 this section shall be for an initial period of 5
20 years.

21 (B) RENEWAL.—An established Tech-
22 nology Institute may apply for, and the Direc-
23 tor may grant, extended funding for periods of
24 5 years on a merit-reviewed basis.

1 (5) APPLICATION.—An institution of higher
2 education or consortia thereof seeking financial as-
3 sistance under this section shall submit to the Direc-
4 tor an application at such time, in such manner, and
5 containing such information as the Director may re-
6 quire.

7 (6) COMPETITIVE, MERIT-REVIEW.—In making
8 awards under the section, the Director shall—

9 (A) use a competitive, merit review process
10 that includes peer review by a diverse group of
11 individuals with relevant expertise from both
12 the private and public sectors; and

13 (B) ensure the focus areas of the Institute
14 do not substantially and unnecessarily duplicate
15 the efforts of any other Technology Research
16 Institute or any other similar effort at another
17 Federal agency.

18 (7) COLLABORATION.—In making awards under
19 this section, the Director may collaborate with Fed-
20 eral departments and agencies whose missions con-
21 tribute to or are affected by the technology focus
22 area of the institute.

23 (j) PLANNING AND CAPACITY BUILDING GRANTS.—
24 Section 602 of the American Innovation and Competitive-
25 ness Act (42 U.S.C. 1862s–9) is amended—

1 (1) by redesignating subsection (e) as sub-
2 section (f); and

3 (2) by inserting after subsection (d), the fol-
4 lowing:

5 “(e) PLANNING AND CAPACITY BUILDING GRANTS.—

6 “(1) IN GENERAL.—Under the program estab-
7 lished in section 508 of the America COMPETES
8 Reauthorization Act of 2010 (42 U.S.C. 1862p-2)
9 and the activities authorized under this section, the
10 Director shall award grants to eligible entities for
11 planning and capacity building at institutions of
12 higher education.

13 “(2) ELIGIBLE ENTITY DEFINED.—In this sub-
14 section, the term ‘eligible entity’ means an institu-
15 tion of higher education (or a consortium of such in-
16 stitutions) that, according to the data published by
17 the National Center for Science and Engineering
18 Statistics, is not, on average, among the top 100 in-
19 stitutions in Federal R&D expenditures during the 3
20 year period prior to the year of the award.

21 “(3) USE OF FUNDS.—In addition to activities
22 listed under subsection (c), an eligible entity receiv-
23 ing a grant under this subsection may use funds
24 to—

1 “(A) ensure the availability of staff, includ-
2 ing technology transfer professionals, entre-
3 preneurs in residence, and other mentors as re-
4 quired to accomplish the purpose of this sub-
5 section;

6 “(B) revise institution policies, including
7 policies related to intellectual property and fac-
8 ulty entrepreneurship, and taking other nec-
9 essary steps to implement relevant best prac-
10 tices for academic technology transfer;

11 “(C) develop new local and regional part-
12 nerships among institutions of higher education
13 and between institutions of higher education
14 and private sector entities and other relevant
15 organizations with the purpose of building net-
16 works, expertise, and other capacity to identify
17 promising research that may have potential
18 market value and enable researchers to pursue
19 further development and transfer of their ideas
20 into possible commercial or other use;

21 “(D) develop seminars, courses, and other
22 educational opportunities for students, post-doc-
23 toral researchers, faculty, and other relevant
24 staff at institutions of higher education to in-
25 crease awareness and understanding of entre-

1 preneurship, patenting, business planning, and
2 other areas relevant to technology transfer, and
3 connect students and researchers to relevant re-
4 sources, including mentors in the private sector;
5 and

6 “(E) create and fund competitions to allow
7 entrepreneurial students and faculty to illus-
8 trate the commercialization potential of their
9 ideas.

10 “(4) MINIMUM DURATION AND SIZE OF
11 AWARD.—Grants awarded under this subsection
12 shall be at least 3 years in duration and \$500,000
13 in total amount.

14 “(5) APPLICATION.—An eligible entity seeking
15 funding under this subsection shall submit an appli-
16 cation to the Director of the Foundation at such
17 time, in such manner, and containing such informa-
18 tion and assurances as such Director may require.
19 The application shall include, at a minimum, a de-
20 scription of how the eligible entity submitting an ap-
21 plication plans to sustain the proposed activities be-
22 yond the duration of the grant.

23 “(6) AUTHORIZATION OF APPROPRIATIONS.—
24 From within funds authorized for the Directorate
25 for Science and Engineering Solutions, there are au-

1 thorized to carry out the activities under this sub-
2 section \$40 million for each of fiscal years 2022
3 through 2026.”.

4 (k) ENTREPRENEURIAL FELLOWSHIPS.—

5 (1) IN GENERAL.—The Director shall award
6 fellowships to Ph.D.-trained scientists and engineers
7 to help develop leaders capable of maturing prom-
8 ising ideas and technologies from lab to market and
9 forge connections between academic research and
10 government, industry, and finance.

11 (2) APPLICATIONS.—An applicant for a fellow-
12 ship under this subsection shall submit to the Direc-
13 tor an application at such time, in such manner, and
14 containing such information as the Director may re-
15 quire. At a minimum, the Director shall require that
16 applicants—

17 (A) have completed a doctoral degree in a
18 STEM field no more than 5 years prior to the
19 date of the application; and

20 (B) have included in the application a let-
21 ter of support from the intended host institu-
22 tion that describes how the fellow will be em-
23 bedded in that institution’s research environ-
24 ment.

1 (3) OUTREACH.—The Director shall conduct
2 program outreach to recruit fellowship applicants—

3 (A) from diverse research institutions;

4 (B) from all regions of the country; and

5 (C) from groups historically underrep-
6 resented in STEM fields;

7 (4) The Director may enter into an agreement
8 with a third-party entity to administer the fellow-
9 ships, subject to the provisions of this subsection.

10 (5) AUTHORIZATION OF APPROPRIATIONS.—
11 There is authorized to be appropriated to the Direc-
12 tor \$100,000,000 for fiscal years 2022 through
13 2026, to carry out the activities outlined in this sub-
14 section.

15 (1) LOW-INCOME SCHOLARSHIP PROGRAM.—

16 (1) IN GENERAL.—The Director shall award
17 scholarships to low-income individuals to enable such
18 individuals to pursue associate, undergraduate, or
19 graduate level degrees in mathematics, engineering,
20 or computer science.

21 (2) ELIGIBILITY.—

22 (A) IN GENERAL.—To be eligible to receive
23 a scholarship under this section, an indi-
24 vidual—

1 (i) must be a citizen of the United
2 States, a national of the United States (as
3 defined in section 1101(a) of title 8), an
4 alien admitted as a refugee under section
5 1157 of title 8, or an alien lawfully admit-
6 ted to the United States for permanent
7 residence;

8 (ii) shall prepare and submit to the
9 Director an application at such time, in
10 such manner, and containing such infor-
11 mation as the Director may require; and

12 (iii) shall certify to the Director that
13 the individual intends to use amounts re-
14 ceived under the scholarship to enroll or
15 continue enrollment at an institution of
16 higher education (as defined in section
17 1001(a) of title 20) in order to pursue an
18 associate, undergraduate, or graduate level
19 degree in mathematics, engineering, com-
20 puter science, or other technology and
21 science programs designated by the Direc-
22 tor.

23 (B) ABILITY.—Awards of scholarships
24 under this section shall be made by the Director
25 solely on the basis of the ability of the appli-

1 cant, except that in any case in which 2 or
2 more applicants for scholarships are deemed by
3 the Director to be possessed of substantially
4 equal ability, and there are not sufficient schol-
5 arships available to grant one to each of such
6 applicants, the available scholarship or scholar-
7 ships shall be awarded to the applicants in a
8 manner that will tend to result in a geographi-
9 cally wide distribution throughout the United
10 States of recipients' places of permanent resi-
11 dence.

12 (3) SCHOLARSHIP AMOUNT AND RENEWAL.—
13 The amount of a scholarship awarded under this
14 section shall be determined by the Director. The Di-
15 rector may renew scholarships for up to 5 years.

16 (4) AUTHORIZATION.—Of amounts authorized
17 for the Directorate for Science and Engineering So-
18 lutions, \$100,000,000 shall be authorized for this
19 program.

20 (m) AUTHORITIES.—In addition to existing authori-
21 ties available to the Foundation, the Director may exercise
22 the following authorities in carrying out the activities
23 under this section:

24 (1) AWARDS.—In carrying out this section, the
25 Director may provide awards in the form of grants,

1 contracts, cooperative agreements, cash prizes, and
2 other transactions.

3 (2) APPOINTMENTS.—The Director shall have
4 the authority to make appointments of scientific, en-
5 gineering, and professional personnel for carrying
6 out research and development functions which re-
7 quire the services of specially qualified personnel re-
8 lating to the focus areas identified under subsection
9 (g) and such other areas of national research prior-
10 ities as the Director may determine.

11 (n) ETHICAL, LEGAL, AND SOCIETAL CONSIDER-
12 ATIONS.—The Director shall establish policies regarding
13 engagement with experts in the social dimensions of
14 science and technology and set up formal avenues for pub-
15 lic input, as appropriate, to ensure that ethical, legal, and
16 societal considerations are explicitly integrated into the
17 priorities for the Directorate, including the selection of
18 focus areas under subsection (g), the award-making proc-
19 ess, and throughout all stages of supported projects.

20 (o) REPORTS AND ROADMAPS.—

21 (1) ANNUAL REPORT.—The Director shall pro-
22 vide to the relevant authorizing and appropriations
23 committees of Congress an annual report describing
24 projects supported by the Directorate during the
25 previous year.

1 (2) ROADMAP.—Not later than 1 year after the
2 date of enactment of this Act, the Director shall pro-
3 vide to the relevant authorizing and appropriations
4 committees of Congress a roadmap describing the
5 strategic vision that the Directorate will use to guide
6 investment decisions over the following 3 years.

7 (p) EVALUATION.—

8 (1) IN GENERAL.—After the Directorate has
9 been in operation for 6 years, the National Science
10 Board shall evaluate how well the Directorate is
11 achieving the purposes identified in subsection (b),
12 including an assessment of the impact of Directorate
13 activities on the Foundation’s primary science mis-
14 sion.

15 (2) INCLUSIONS.—The evaluation shall in-
16 clude—

17 (A) a recommendation on whether the Di-
18 rectorate should be continued or terminated;
19 and

20 (B) a description of lessons learned from
21 operation of the Directorate.

22 (3) AVAILABILITY.—On completion of the eval-
23 uation, the evaluation shall be made available to
24 Congress and the public.

1 **SEC. 10309. ADMINISTRATIVE AMENDMENTS.**

2 (a) SUPPORTING VETERANS IN STEM CAREERS.—
3 Section 3(c) of the Supporting Veterans in STEM Careers
4 Act is amended by striking “annual” and inserting “bien-
5 nial”.

6 (b) SUNSHINE ACT COMPLIANCE.—Section 15 of the
7 National Science Foundation Authorization Act of 2002
8 is amended—

9 (1) so that paragraph (3) reads as follows:

10 “(3) COMPLIANCE REVIEW.—The Inspector
11 General of the Foundation shall conduct a review of
12 the compliance by the Board with the requirements
13 described in paragraph (2) as necessary based on a
14 triennial risk assessment. Any review deemed nec-
15 essary shall examine the proposed and actual con-
16 tent of closed meetings and determine whether the
17 closure of the meetings was consistent with section
18 552b of title 5, United States Code.”; and

19 (2) by striking paragraphs (4) and (5) and in-
20 serting the following:

21 “(4) MATERIALS RELATING TO CLOSED POR-
22 TIONS OF MEETING.—To facilitate the risk assess-
23 ment required under paragraph (3) of this sub-
24 section, and any subsequent review conducted by the
25 Inspector General, the Office of the National Science
26 Board shall maintain the General Counsel’s certifi-

1 cate, the presiding officer’s statement, and a tran-
2 script or recording of any closed meeting, for at
3 least 3 years after such meeting.”.

4 (c) SCIENCE AND ENGINEERING INDICATORS RE-
5 PORT SUBMISSION.—Section 4(j)(1) of the National
6 Science Foundation Act of 1950 (42 U.S.C. 1863(j)(1))
7 is amended by striking “January 15” and inserting
8 “March 15”.

9 (d) OTHER REQUIREMENTS.—All laborers and me-
10 chanics employed by contractors or subcontractors in the
11 performance of construction, alteration or repair work as-
12 sisted in whole or in part under this title shall be paid
13 wages at rates not less than those prevailing on projects
14 of a similar character in the locality as determined by the
15 Secretary of Labor in accordance with subchapter IV of
16 chapter 31 of title 40, United States Code. With respect
17 to the labor standards specified in this section, the Sec-
18 retary of Labor shall have the authority and functions set
19 forth in Reorganization Plan Numbered 14 of 1950 (64
20 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40,
21 United States Code.

22 **SEC. 10310. MICROGRAVITY UTILIZATION POLICY.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that space technology and the utilization of the
25 microgravity environment for science, engineering, and

1 technology development is critical to long-term competi-
2 tiveness with near-peer competitors, including China.

3 (b) POLICY.—To the greatest extent appropriate, the
4 National Science Foundation (in this section referred to
5 as the “Foundation”) shall facilitate access to the micro-
6 gravity environment for awardees of funding from the
7 Foundation, including in private sector platforms, for the
8 development of science, engineering, and technology.

9 (c) REPORT.—Not later than 180 days after the date
10 of enactment of this Act, the Director of the Foundation
11 shall provide to the appropriate committees of Congress
12 a report on the Foundation’s plan for facilitating awardee
13 access to the microgravity environment.

14 **SEC. 10311. RECOGNITION OF THE ARECIBO OBSERVATORY.**

15 (a) FINDINGS.—Congress finds the following:

16 (1) The Department of Defense began devel-
17 oping the Arecibo Observatory located in Barrio
18 Esperanza, Arecibo, Puerto Rico, during the 1950s,
19 and its characteristic instrument, a large radio tele-
20 scope of 305 meters in diameter was completed in
21 1963.

22 (2) The facility was later owned by the National
23 Science Foundation, and supported by the National
24 Aeronautics and Space Administration and various
25 university partners.

1 (3) The Arecibo Observatory’s 305-meter fixed
2 spherical radio telescope, was the world’s largest sin-
3 gle-dish radio telescope until the Five-Hundred-
4 Meter Aperture Spherical Radio Telescope located in
5 Gizhou, China, began observing in 2016.

6 (4) The 305-meter radio telescope made unpar-
7 alleled contributions to the fields of radio astronomy,
8 planetary, and atmospheric sciences, and played a
9 role in inspiring thousands of students in Puerto
10 Rico, the Nation, and the world to pursue careers in
11 STEM fields through the Arecibo Observatory Edu-
12 cation and Public Outreach Programs.

13 (5) The radio telescope significantly advanced
14 the field of radio astronomy, including the first indi-
15 rect detection of gravitational waves, the first detec-
16 tion of extrasolar planets, innumerable contributions
17 to the field of time domain astronomy and the study
18 of the interstellar medium, and played a key role in
19 the search for extraterrestrial intelligence.

20 (6) The Arecibo Observatory had the best plan-
21 etary radar system in the world, used by the Na-
22 tional Aeronautics and Space Administration for
23 near-Earth object detection and was an essential
24 part of the agency’s planetary defense program.

1 (7) The planetary radar at the Arecibo Observ-
2 atory has contributed fundamentally and signifi-
3 cantly to the knowledge of the solar system.

4 (8) The Arecibo Observatory’s Incoherent Scat-
5 ter Radar and supporting facilities have provided
6 fundamental understanding of the ionosphere and
7 upper atmosphere, and the interface between the at-
8 mosphere and space that protects the planet from
9 solar wind, meteors, and other potential threats.

10 (9) December 1, 2021, marks the 1-year anni-
11 versary of the uncontrolled collapse sustained by the
12 radio telescope after a series of cable failures in
13 tower 4.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the Congress—

16 (1) acknowledges the loss of the Arecibo Ob-
17 servatory’s radio telescope due to its collapse and its
18 implications for the loss of a unique world-class mul-
19 tidisciplinary science facility which conducted re-
20 search in the areas of space and atmospheric
21 sciences, radar astronomy and planetary sciences,
22 astronomy, and astrophysics;

23 (2) acknowledges that the uncontrolled collapse
24 of the 305-meter radio telescope represents a loss of
25 astronomical observation capabilities, scientific re-

1 search and development, planetary defense capabili-
2 ties, and applied science capabilities for the United
3 States;

4 (3) recognizes the rich scientific, educational,
5 and economic benefits that the Arecibo Telescope
6 has made to the people of Puerto Rico, the Nation,
7 and the world;

8 (4) recognizes the work and contributions made
9 by the thousands of dedicated staff who have sup-
10 ported the Arecibo Observatory for close to 6 dec-
11 ades;

12 (5) commends the National Science Foundation
13 for convening a virtual workshop in June 2021, to
14 explore ideas for future scientific and educational ac-
15 tivities at the Arecibo Observatory; and

16 (6) encourages the National Science Founda-
17 tion, the National Aeronautics and Space Adminis-
18 tration, and other agencies to explore opportunities
19 for strengthening and expanding the role of the Arecibo
20 Observatory in Puerto Rico through education,
21 outreach, and diversity programs, and future re-
22 search capabilities and technology at the site.

23 **SEC. 10312. HANDS-ON LEARNING OPPORTUNITIES IN STEM**
24 **EDUCATION.**

25 (a) DEFINITIONS.—In this section:

1 (1) ESEA TERMS.—The terms “elementary
2 school”, “high school”, “secondary school”, and
3 “State” have the meanings given the terms in sec-
4 tion 8101 of the Elementary and Secondary Edu-
5 cation Act of 1965 (20 U.S.C. 7801).

6 (2) ELIGIBLE NONPROFIT PROGRAM.—The
7 term “eligible nonprofit program”—

8 (A) means a nonprofit program serving
9 prekindergarten, elementary school, or sec-
10 ondary school students; and

11 (B) includes a program described in sub-
12 paragraph (A) that covers the continuum of
13 education from prekindergarten through high
14 school and is available in every State.

15 (3) DIRECTOR.—The term “Director” means
16 the Director of the National Science Foundation.

17 (4) STEM.—The term “STEM” means science,
18 technology, engineering, and mathematics.

19 (b) PURPOSES.—The purposes of this section are
20 to—

21 (1) provide effective, compelling, and engaging
22 means for teaching and reinforcing fundamental
23 STEM concepts and inspiring the youth of the
24 United States to pursue careers in STEM-related
25 fields;

1 (2) expand the STEM workforce pipeline by de-
2 veloping and training students for careers in United
3 States STEM fields; and

4 (3) broaden participation in the STEM work-
5 force by underrepresented population groups.

6 (c) PROGRAM AUTHORIZED.—

7 (1) IN GENERAL.—The Director shall, subject
8 to the availability of appropriations for such pur-
9 poses, make awards to eligible nonprofit programs
10 for supporting hands-on learning opportunities in
11 STEM education, including via after-school activities
12 and innovative learning opportunities such as robot-
13 ics competitions and for the purposes of evaluating
14 the impact of such programs on STEM learning and
15 disseminating the results of such evaluations.

16 (2) PRIORITY.—In making awards under the
17 program, the Director shall give priority to eligible
18 nonprofit programs serving students that attend ele-
19 mentary schools or secondary schools (including high
20 schools) that—

21 (A) are implementing comprehensive sup-
22 port and improvement activities or targeted
23 support and improvement activities under para-
24 graph (1) or (2) of section 1111(d) of the Ele-

1 elementary and Secondary Education Act of 1965
2 (20 U.S.C. 6311(d)); or

3 (B) serve high percentages of students who
4 are eligible for a free or reduced price lunch
5 under the Richard B. Russell National School
6 Lunch Act (42 U.S.C. 1751 et seq.) (which, in
7 the case of a high school, may be calculated
8 using comparable data from the schools that
9 feed into the high school).

10 **TITLE IV—BIOECONOMY** 11 **RESEARCH AND DEVELOPMENT**

12 **SEC. 10401. FINDINGS.**

13 The Congress makes the following findings:

14 (1) Cellular and molecular processes may be
15 used, mimicked, or redesigned to develop new prod-
16 ucts, processes, and systems that improve societal
17 well-being, strengthen national security, and con-
18 tribute to the economy.

19 (2) Engineering biology relies on a workforce
20 with a diverse and unique set of skills combining the
21 biological, physical, chemical, and information
22 sciences and engineering.

23 (3) Long-term research and development is nec-
24 essary to create breakthroughs in engineering biol-
25 ogy. Such research and development requires govern-

1 ment investment as many of the benefits are too dis-
2 tant or uncertain for industry to support alone.

3 (4) Research is necessary to inform evidence-
4 based governance of engineering biology and to sup-
5 port the growth of the engineering biology industry.

6 (5) The Federal Government has an obligation
7 to ensure that ethical, legal, environmental, safety,
8 security, and societal implications of its science and
9 technology research and investment follows policies
10 of responsible innovation and fosters public trans-
11 parency.

12 (6) The Federal Government can play an im-
13 portant role by facilitating the development of tools
14 and technologies to further advance engineering biol-
15 ogy, including user facilities, by facilitating public-
16 private partnerships, by supporting risk research,
17 and by facilitating the commercial application in the
18 United States of research funded by the Federal
19 Government.

20 (7) The United States led the development of
21 the science and engineering techniques that created
22 the field of engineering biology, but due to increas-
23 ing international competition, the United States is
24 at risk of losing its competitive advantage if it does
25 not strategically invest the necessary resources.

1 (8) A National Engineering Biology Initiative
2 can serve to establish new research directions and
3 technology goals, improve interagency coordination
4 and planning processes, drive technology transfer to
5 the private sector, and help ensure optimal returns
6 on the Federal investment.

7 **SEC. 10402. DEFINITIONS.**

8 In this title:

9 (1) **BIOMANUFACTURING.**—The term “bio-
10 manufacturing” means the utilization of biological
11 systems to develop new and advance existing prod-
12 ucts, tools, and processes at commercial scale.

13 (2) **ENGINEERING BIOLOGY.**—The term “engi-
14 neering biology” means the application of engineer-
15 ing design principles and practices to biological sys-
16 tems, including molecular and cellular systems, to
17 advance fundamental understanding of complex nat-
18 ural systems and to enable novel or optimize func-
19 tions and capabilities.

20 (3) **INITIATIVE.**—The term “Initiative” means
21 the National Engineering Biology Research and De-
22 velopment Initiative established under section
23 10403.

24 (4) **OMICS.**—The term “omics” refers to the
25 collective technologies used to explore the roles, rela-

1 tionships, and actions of the various types of mol-
2 ecules that make up the cells and systems of an or-
3 ganism and the systems level analysis of their func-
4 tions.

5 **SEC. 10403. NATIONAL ENGINEERING BIOLOGY RESEARCH**
6 **AND DEVELOPMENT INITIATIVE.**

7 (a) IN GENERAL.—The President, acting through the
8 Office of Science and Technology Policy, shall implement
9 a National Engineering Biology Research and Develop-
10 ment Initiative to advance societal well-being, national se-
11 curity, sustainability, and economic productivity and com-
12 petitiveness through—

13 (1) advancing areas of research at the intersec-
14 tion of the biological, physical, chemical, data, and
15 computational and information sciences and engi-
16 neering to accelerate scientific understanding and
17 technological innovation in engineering biology;

18 (2) advancing areas of biomanufacturing re-
19 search to optimize, standardize, scale, and deliver
20 new products and solutions;

21 (3) supporting social and behavioral sciences
22 and economics research that advances the field of
23 engineering biology and contributes to the develop-
24 ment and public understanding of new products,
25 processes, and technologies;

1 (4) improving the understanding of engineering
2 biology of the scientific and lay public and sup-
3 porting greater evidence-based public discourse
4 about its benefits and risks;

5 (5) supporting research relating to the risks
6 and benefits of engineering biology, including under
7 subsection (d);

8 (6) supporting the development of novel tools
9 and technologies to accelerate scientific under-
10 standing and technological innovation in engineering
11 biology;

12 (7) expanding the number of researchers, edu-
13 cators, and students and a retooled workforce with
14 engineering biology training, including from tradi-
15 tionally underrepresented and underserved popu-
16 lations;

17 (8) accelerating the translation and commer-
18 cialization of engineering biology and biomanufac-
19 turing research and development by the private sec-
20 tor; and

21 (9) improving the interagency planning and co-
22 ordination of Federal Government activities related
23 to engineering biology.

24 (b) INITIATIVE ACTIVITIES.—The activities of the
25 Initiative shall include—

1 (1) sustained support for engineering biology
2 research and development through—

3 (A) grants to fund the work of individual
4 investigators and teams of investigators, includ-
5 ing interdisciplinary teams;

6 (B) projects funded under joint solicita-
7 tions by a collaboration of no fewer than two
8 agencies participating in the Initiative; and

9 (C) interdisciplinary research centers that
10 are organized to investigate basic research
11 questions, carry out technology development
12 and demonstration activities, and increase un-
13 derstanding of how to scale up engineering biol-
14 ogy processes, including biomanufacturing;

15 (2) sustained support for databases and related
16 tools, including—

17 (A) support for the establishment,
18 curation, and maintenance of curated genomics,
19 epigenomics, and other relevant omics data-
20 bases, including plant, animal, and microbial
21 databases, that are available to researchers to
22 carry out engineering biology research in a
23 manner that does not compromise national se-
24 curity or the privacy or security of information
25 within such databases;

1 (B) development of standards for such
2 databases, including for curation, interoper-
3 ability, and protection of privacy and security;

4 (C) support for the development of com-
5 putational tools, including artificial intelligence
6 tools, that can accelerate research and innova-
7 tion using such databases; and

8 (D) an inventory and assessment of all
9 Federal government omics databases to identify
10 opportunities to improve the utility of such
11 databases, as appropriate and in a manner that
12 does not compromise national security or the
13 privacy and security of information within such
14 databases, and inform investment in such data-
15 bases as critical infrastructure for the engineer-
16 ing biology research enterprise;

17 (3) sustained support for the development, opti-
18 mization, and validation of novel tools and tech-
19 nologies to enable the dynamic study of molecular
20 processes in situ, including through—

21 (A) research conducted at Federal labora-
22 tories;

23 (B) grants to fund the work of investiga-
24 tors at institutions of higher education and
25 other nonprofit research institutions;

1 (C) incentivized development of retooled in-
2 dustrial sites across the country that foster a
3 pivot to modernized engineering biology initia-
4 tives; and

5 (D) awards under the Small Business In-
6 novation Research Program and the Small
7 Business Technology Transfer Program, as de-
8 scribed in section 9 of the Small Business Act
9 (15 U.S.C. 638);

10 (4) support for education and training of un-
11 dergraduate and graduate students in engineering
12 biology, biomanufacturing, bioprocess engineering,
13 and computational science applied to engineering bi-
14 ology and in the related ethical, legal, environmental,
15 safety, security, and other societal domains;

16 (5) support for a national network of testbeds
17 based on open standards, interfaces, and processes,
18 including by repurposing existing facilities such as
19 those in paragraph 3(C), that would enable scale up
20 of laboratory engineering biology research;

21 (6) activities to develop robust mechanisms for
22 documenting and quantifying the outputs and eco-
23 nomic benefits of engineering biology; and

1 (7) activities to accelerate the translation and
2 commercialization of new products, processes, and
3 technologies by—

4 (A) identifying precompetitive research op-
5 portunities;

6 (B) facilitating public-private partnerships
7 in engineering biology research and develop-
8 ment, including to address barriers to scaling
9 up innovations in engineering biology;

10 (C) connecting researchers, graduate stu-
11 dents, and postdoctoral fellows with entrepre-
12 neurship education and training opportunities;
13 and

14 (D) supporting proof of concept activities
15 and the formation of startup companies includ-
16 ing through programs such as the Small Busi-
17 ness Innovation Research Program and the
18 Small Business Technology Transfer Program.

19 (c) EXPANDING PARTICIPATION.—The Initiative
20 shall include, to the maximum extent practicable, outreach
21 to primarily undergraduate and minority-serving institu-
22 tions about Initiative opportunities, and shall encourage
23 the development of research collaborations between re-
24 search-intensive universities and primarily undergraduate
25 and minority-serving institutions.

1 (d) ETHICAL, LEGAL, ENVIRONMENTAL, SAFETY,
2 SECURITY, AND SOCIETAL ISSUES.—Initiative activities
3 shall take into account ethical, legal, environmental, safe-
4 ty, security, and other appropriate societal issues by—

5 (1) supporting research, including in the social
6 sciences, and other activities addressing ethical,
7 legal, environmental, and other appropriate societal
8 issues related to engineering biology, including inte-
9 grating research on such topics with the research
10 and development in engineering biology, and encour-
11 aging the dissemination of the results of such re-
12 search, including through interdisciplinary engineer-
13 ing biology research centers described in subsection
14 (b)(1);

15 (2) supporting research and other activities re-
16 lated to the safety and security implications of engi-
17 neering biology, including outreach to increase
18 awareness among Federal researchers and Federally-
19 funded researchers at institutions of higher edu-
20 cation about potential safety and security implica-
21 tions of engineering biology research, as appropriate;

22 (3) ensuring that input from Federal and non-
23 Federal experts on the ethical, legal, environmental,
24 safety, security, and other appropriate societal issues

1 related to engineering biology is integrated into the
2 Initiative;

3 (4) ensuring, through the agencies and depart-
4 ments that participate in the Initiative, that public
5 input and outreach are integrated into the Initiative
6 by the convening of regular and ongoing public dis-
7 cussions through mechanisms such as workshops,
8 consensus conferences, and educational events, as
9 appropriate; and

10 (5) complying with all applicable provisions of
11 Federal law.

12 **SEC. 10404. INITIATIVE COORDINATION.**

13 (a) INTERAGENCY COMMITTEE.—The President, act-
14 ing through the Office of Science and Technology Policy,
15 shall designate an interagency committee to coordinate ac-
16 tivities of the Initiative as appropriate, which shall be co-
17 chaired by the Office of Science and Technology Policy.
18 The Director of the Office of Science and Technology Pol-
19 icy shall select an additional co-chairperson from among
20 the members of the Interagency Committee. The Inter-
21 agency Committee shall oversee the planning, manage-
22 ment, and coordination of the Initiative. The Interagency
23 Committee shall—

24 (1) provide for interagency coordination of Fed-
25 eral engineering biology research, development, and

1 other activities undertaken pursuant to the Initia-
2 tive;

3 (2) establish and periodically update goals and
4 priorities for the Initiative;

5 (3) develop, not later than 12 months after the
6 date of the enactment of this Act, and update every
7 5 years thereafter, a strategic plan submitted to the
8 Committee on Science, Space, and Technology, the
9 Committee on Agriculture, and the Committee on
10 Energy and Commerce of the House of Representa-
11 tives and the Committee on Commerce, Science, and
12 Transportation, the Committee on Agriculture, Nu-
13 trition, and Forestry, and the Committee on Health,
14 Education, Labor, and Pensions of the Senate
15 that—

16 (A) guides the activities of the Initiative
17 for purposes of meeting the goals and priorities
18 established under (and updated pursuant to)
19 paragraph (2); and

20 (B) describes—

21 (i) the Initiative's support for long-
22 term funding for interdisciplinary engineer-
23 ing biology research and development;

24 (ii) the Initiative's support for edu-
25 cation and public outreach activities;

1 (iii) the Initiative’s support for re-
2 search and other activities on ethical, legal,
3 environmental, safety, security, and other
4 appropriate societal issues related to engi-
5 neering biology including—

6 (I) an applied biorisk manage-
7 ment research plan;

8 (II) recommendations for inte-
9 grating security into biological data
10 access and international reciprocity
11 agreements;

12 (III) recommendations for manu-
13 facturing restructuring to support en-
14 gineering biology research, develop-
15 ment, and scaling-up initiatives; and

16 (IV) an evaluation of existing
17 biosecurity governance policies, guid-
18 ance, and directives for the purposes
19 of creating an adaptable, evidence-
20 based framework to respond to emerg-
21 ing biosecurity challenges created by
22 advances in engineering biology;

23 (iv) how the Initiative will contribute
24 to moving results out of the laboratory and

1 into application for the benefit of society
2 and United States competitiveness; and

3 (v) how the Initiative will measure
4 and track the contributions of engineering
5 biology to United States economic growth
6 and other societal indicators;

7 (4) develop a national genomic sequencing
8 strategy to ensure engineering biology research fully
9 leverages plant, animal, and microbe biodiversity, as
10 appropriate and in a manner that does not com-
11 promise economic competitiveness, national security,
12 or the privacy or security of human genetic informa-
13 tion, to enhance long-term innovation and competi-
14 tiveness in engineering biology in the United States;

15 (5) develop a plan to utilize Federal programs,
16 such as the Small Business Innovation Research
17 Program and the Small Business Technology Trans-
18 fer Program as described in section 9 of the Small
19 Business Act (15 U.S.C. 638), in support of the ac-
20 tivities described in section 10403(b)(3); and

21 (6) in carrying out this section, take into con-
22 sideration the recommendations of the advisory com-
23 mittee established under section 10405, the results
24 of the workshop convened under section 10406, ex-
25 isting reports on related topics, and the views of aca-

1 demic, State, industry, and other appropriate
2 groups.

3 (b) QUINQUENNIAL REPORT.—Beginning with fiscal
4 year 2022 and ending in fiscal year 2028, not later than
5 90 days after submission of the President’s annual budget
6 request and every fifth fiscal year thereafter, the Inter-
7 agency Committee shall prepare and submit to the Com-
8 mittee on Science, Space, and Technology and the Com-
9 mittee on Agriculture of the House of Representatives and
10 the Committee on Commerce, Science, and Transportation
11 and the Committee on Agriculture, Nutrition, and For-
12 estry of the Senate a report that includes—

13 (1) a summarized agency budget in support of
14 the Initiative for the fiscal year to which such budg-
15 et request applies, for the following 2 fiscal years,
16 for the then current fiscal year, including a breakout
17 of spending for each agency participating in the Pro-
18 gram, and for the development and acquisition of
19 any research facilities and instrumentation; and

20 (2) an assessment of how Federal agencies are
21 implementing the plan described in subsection
22 (a)(3), including—

23 (A) a description of the amount and num-
24 ber of awards made under the Small Business
25 Innovation Research Program and the Small

1 Business Technology Transfer Program (as de-
2 scribed in section 9 of the Small Business Act
3 (15 U.S.C. 638)) in support of the Initiative;

4 (B) a description of the amount and num-
5 ber of projects funded under joint solicitations
6 by a collaboration of no fewer than 2 agencies
7 participating in the Initiative; and

8 (C) a description of the effect of the newly
9 funded projects by the Initiative.

10 (c) INITIATIVE OFFICE.—

11 (1) IN GENERAL.—The President shall establish
12 an Initiative Coordination Office, with a Director
13 and full-time staff, which shall—

14 (A) provide technical and administrative
15 support to the interagency committee and the
16 advisory committee established under section
17 10405;

18 (B) serve as the point of contact on Fed-
19 eral engineering biology activities for govern-
20 ment organizations, academia, industry, profes-
21 sional societies, State governments, interested
22 citizen groups, and others to exchange technical
23 and programmatic information;

24 (C) oversee interagency coordination of the
25 Initiative, including by encouraging and sup-

1 porting joint agency solicitation and selection of
2 applications for funding of activities under the
3 Initiative, as appropriate;

4 (D) conduct public outreach, including dis-
5 semination of findings and recommendations of
6 the advisory committee established under sec-
7 tion 10405, as appropriate;

8 (E) serve as the coordinator of ethical,
9 legal, environmental, safety, security, and other
10 appropriate societal input; and

11 (F) promote access to, and early applica-
12 tion of, the technologies, innovations, and ex-
13 pertise derived from Initiative activities to agen-
14 cy missions and systems across the Federal
15 Government, and to United States industry, in-
16 cluding startup companies.

17 (2) FUNDING.—The Director of the Office of
18 Science and Technology Policy, in coordination with
19 each participating Federal department and agency,
20 as appropriate, shall develop and annually update an
21 estimate of the funds necessary to carry out the ac-
22 tivities of the Initiative Coordination Office and sub-
23 mit such estimate with an agreed summary of con-
24 tributions from each agency to Congress as part of
25 the President’s annual budget request to Congress.

1 (3) **TERMINATION.**—The Initiative Coordination
2 Office established under this subsection shall termi-
3 nate on the date that is 10 years after the date of
4 the enactment of this Act.

5 (d) **RULE OF CONSTRUCTION.**—Nothing in this sec-
6 tion shall be construed to alter the policies, processes, or
7 practices of individual Federal agencies in effect on the
8 day before the date of the enactment of this Act relating
9 to the conduct of biomedical research and advanced devel-
10 opment, including the solicitation and review of extra-
11 mural research proposals.

12 **SEC. 10405. ADVISORY COMMITTEE.**

13 (a) **IN GENERAL.**—The agency co-chair of the inter-
14 agency committee established in section 10404 shall, in
15 consultation with the Office of Science and Technology
16 Policy, designate or establish an advisory committee on
17 engineering biology research and development (in this sec-
18 tion referred to as the “advisory committee”) to be com-
19 posed of not fewer than 12 members, including representa-
20 tives of research and academic institutions, industry, and
21 nongovernmental entities, who are qualified to provide ad-
22 vice on the Initiative.

23 (b) **ASSESSMENT.**—The advisory committee shall as-
24 sess—

1 (1) the current state of United States competi-
2 tiveness in engineering biology, including the scope
3 and scale of United States investments in engineer-
4 ing biology research and development in the inter-
5 national context;

6 (2) current market barriers to commercializa-
7 tion of engineering biology products, processes, and
8 tools in the United States;

9 (3) progress made in implementing the Initia-
10 tive;

11 (4) the need to revise the Initiative;

12 (5) the balance of activities and funding across
13 the Initiative;

14 (6) whether the strategic plan developed or up-
15 dated by the interagency committee established
16 under section 10404 is helping to maintain United
17 States leadership in engineering biology; and

18 (7) whether ethical, legal, environmental, safety,
19 security, and other appropriate societal issues are
20 adequately addressed by the Initiative.

21 (c) REPORTS.—Beginning not later than 2 years
22 after the date of enactment of this Act, and not less fre-
23 quently than once every 5 years thereafter, the advisory
24 committee shall submit to the President, the Committee
25 on Science, Space, and Technology and the Committee on

1 Agriculture of the House of Representatives, and the Com-
2 mittee on Commerce, Science, and Transportation and the
3 Committee on Agriculture, Nutrition, and Forestry of the
4 Senate, a report on—

5 (1) the findings of the advisory committee's as-
6 sessment under subsection (b); and

7 (2) the advisory committee's recommendations
8 for ways to improve the Initiative.

9 (d) APPLICATION OF FEDERAL ADVISORY COM-
10 MITTEE ACT.—Section 14 of the Federal Advisory Com-
11 mittee Act (5 U.S.C. App.) shall not apply to the Advisory
12 Committee.

13 (e) TERMINATION.—The advisory committee estab-
14 lished under subsection (a) shall terminate on the date
15 that is 10 years after the date of the enactment of this
16 Act.

17 **SEC. 10406. EXTERNAL REVIEW OF ETHICAL, LEGAL, ENVI-**
18 **RONMENTAL, SAFETY, SECURITY, AND SOCI-**
19 **ETAL ISSUES.**

20 (a) IN GENERAL.—Not later than 6 months after the
21 date of enactment of this Act, the Director of the National
22 Science Foundation shall seek to enter into an agreement
23 with the National Academies of Sciences, Engineering,
24 and Medicine to conduct a review, and make recommenda-
25 tions with respect to, the ethical, legal, environmental,

1 safety, security, and other appropriate societal issues re-
2 lated to engineering biology research and development.

3 The review shall include—

4 (1) an assessment of the current research on
5 such issues;

6 (2) a description of the research gaps relating
7 to such issues;

8 (3) recommendations on how the Initiative can
9 address the research needs identified pursuant to
10 paragraph (2); and

11 (4) recommendations on how researchers en-
12 gaged in engineering biology can best incorporate
13 considerations of ethical, legal, environmental, safe-
14 ty, security, and other societal issues into the devel-
15 opment of research proposals and the conduct of re-
16 search.

17 (b) REPORT TO CONGRESS.—The agreement entered
18 into under subsection (a) shall require the National Acad-
19 emies of Sciences, Engineering, and Medicine to, not later
20 than 2 years after the date of the enactment of this Act—

21 (1) submit to the Committee on Science, Space,
22 and Technology and the Committee on Agriculture
23 of the House of Representatives and the Committee
24 on Commerce, Science, and Transportation and the
25 Committee on Agriculture, Nutrition, and Forestry

1 of the Senate a report containing the findings and
2 recommendations of the review conducted under sub-
3 section (a); and

4 (2) make a copy of such report available on a
5 publicly accessible website.

6 **SEC. 10407. AGENCY ACTIVITIES.**

7 (a) NATIONAL SCIENCE FOUNDATION.—As part of
8 the Initiative, the National Science Foundation shall—

9 (1) support research in engineering biology and
10 biomanufacturing through individual grants, collabo-
11 rative grants, and through interdisciplinary research
12 centers;

13 (2) support research on the environmental,
14 legal, ethical, and social implications of engineering
15 biology;

16 (3) provide support for research instrumenta-
17 tion, equipment, and cyberinfrastructure for engi-
18 neering biology disciplines, including support for re-
19 search, development, optimization and validation of
20 novel technologies to enable the dynamic study of
21 molecular processes in situ;

22 (4) support curriculum development and re-
23 search experiences for secondary, undergraduate,
24 and graduate students in engineering biology and
25 biomanufacturing, including through support for

1 graduate fellowships and traineeships in engineering
2 biology; and

3 (5) award grants, on a competitive basis, to en-
4 able institutions to support graduate students and
5 postdoctoral fellows who perform some of their engi-
6 neering biology research in an industry setting.

7 (b) DEPARTMENT OF COMMERCE.—

8 (1) NATIONAL INSTITUTE OF STANDARDS AND
9 TECHNOLOGY.—As part of the Initiative, the Direc-
10 tor of the National Institute of Standards and Tech-
11 nology shall—

12 (A) advance the development of standard
13 reference materials and measurements, includ-
14 ing to promote interoperability between new
15 component technologies and processes for engi-
16 neering biology and biomanufacturing discovery,
17 innovation, and production processes;

18 (B) create new data tools, techniques, and
19 processes necessary to advance engineering biol-
20 ogy and biomanufacturing;

21 (C) provide access to user facilities with
22 advanced or unique equipment, services, mate-
23 rials, and other resources to industry, institu-
24 tions of higher education, nonprofit organiza-

1 tions, and government agencies to perform re-
2 search and testing; and

3 (D) provide technical expertise to inform
4 the potential development of guidelines or safe-
5 guards for new products, processes, and sys-
6 tems of engineering biology.

7 (2) NATIONAL OCEANIC AND ATMOSPHERIC AD-
8 MINISTRATION.—As part of the initiative, the Ad-
9 ministrators of the National Oceanic and Atmos-
10 pheric Administration shall—

11 (A) conduct and support research in omics
12 and associated bioinformatic sciences and de-
13 velop tools and products to improve ecosystem
14 stewardship, monitoring, management, assess-
15 ments and forecasts, consistent with the mis-
16 sion of the agency; and

17 (B) collaborate with other agencies to un-
18 derstand potential environmental threats and
19 safeguards related to engineering biology.

20 (c) DEPARTMENT OF ENERGY.—As part of the Ini-
21 tiative, the Secretary of Energy shall—

22 (1) conduct and support research, development,
23 demonstration, and commercial application activities
24 in engineering biology, including in the areas of syn-
25 thetic biology, advanced biofuel and bioproduct de-

1 velopment, biobased materials, and environmental
2 remediation;

3 (2) support the development, optimization and
4 validation of novel, scalable tools and technologies to
5 enable the dynamic study of molecular processes in
6 situ;

7 (3) provide access to user facilities with ad-
8 vanced or unique equipment, services, materials, and
9 other resources, including secure access to high-per-
10 performance computing, as appropriate, to industry, in-
11 stitutions of higher education, nonprofit organiza-
12 tions, and government agencies to perform research
13 and testing; and

14 (4) strengthen collaboration between the Office
15 of Science and the Energy Efficiency and Renewable
16 Energy Office to help transfer fundamental research
17 results to industry and accelerate commercial appli-
18 cations.

19 (d) NATIONAL AERONAUTICS AND SPACE ADMINIS-
20 TRATION.—As part of the Initiative, the National Aero-
21 nautics and Space Administration shall—

22 (1) conduct and support research in engineering
23 biology, including in synthetic biology, and related to
24 Earth and space sciences, aeronautics, space tech-
25 nology, and space exploration and experimentation,

1 consistent with the priorities established in the Na-
2 tional Academies' decadal surveys; and

3 (2) award grants, on a competitive basis, that
4 enable institutions to support graduate students and
5 postdoctoral fellows who perform some of their engi-
6 neering biology research in an industry setting.

7 (e) DEPARTMENT OF AGRICULTURE.—As part of the
8 Initiative, the Secretary of Agriculture shall support re-
9 search and development in engineering biology, including
10 in synthetic biology, alternative proteins, and biomaterials,
11 through the Agricultural Research Service, the National
12 Institute of Food and Agriculture programs, and the Of-
13 fice of the Chief Scientist.

14 (f) ENVIRONMENTAL PROTECTION AGENCY.—As
15 part of the Initiative, the Environmental Protection Agen-
16 cy shall support research on how products, processes, and
17 systems of engineering biology will affect or can protect
18 the environment.

19 (g) DEPARTMENT OF HEALTH AND HUMAN SERV-
20 ICES.—As part of the Initiative, the Secretary of Health
21 and Human Services, as appropriate and consistent with
22 activities of the Department of Health and Human Serv-
23 ices in effect on the day before the date of the enactment
24 of this Act, shall—

1 (1) support research and development to ad-
2 vance the understanding and application of engineer-
3 ing biology for human health;

4 (2) support relevant interdisciplinary research
5 and coordination; and

6 (3) support activities necessary to facilitate
7 oversight of relevant emerging biotechnologies.

8 **SEC. 10408. RULE OF CONSTRUCTION.**

9 Nothing in this title shall be construed to require
10 public disclosure of information that is exempt from man-
11 datory disclosure under section 552 of title 5, United
12 States Code.

13 **TITLE V—BROADENING**
14 **PARTICIPATION IN SCIENCE**
15 **Subtitle A—STEM Opportunities**

16 **SEC. 10501. FINDINGS.**

17 The Congress finds the following:

18 (1) Many reports over the past decade have
19 found that it is critical to our Nation’s economic
20 leadership and global competitiveness that the
21 United States educates and trains more scientists
22 and engineers.

23 (2) Research shows that women and minorities
24 who are interested in STEM careers are dispropor-

1 tionately lost at nearly every educational transition
2 and at every career milestone.

3 (3) The National Center for Science and Engi-
4 neering Statistics at the National Science Founda-
5 tion collects, compiles, analyzes, and publishes data
6 on the demographics of STEM degrees and STEM
7 jobs in the United States.

8 (4) Women now earn nearly 37 percent of all
9 STEM bachelor's degrees, but major variations per-
10 sist among fields. In 2017, women earned only 20
11 percent of all bachelor's degrees awarded in engi-
12 neering and 19 percent of bachelor's degrees award-
13 ed in computer sciences. Based on Bureau of Labor
14 Statistics data, jobs in computing occupations are
15 expected to account for nearly 60 percent of the pro-
16 jected annual growth of newly created STEM job
17 openings from 2016 to 2026.

18 (5) In 2017, underrepresented minority groups
19 comprised 39 percent of the college-age population
20 of the United States, but only 18 percent of stu-
21 dents who earned bachelor's degrees in STEM fields.
22 The Higher Education Research Institute at the
23 University of California, Los Angeles, found that,
24 while freshmen from underrepresented minority
25 groups express an interest in pursuing a STEM un-

1 dergraduate degree at the same rate as all other
2 freshmen, only 22.1 percent of Latino students, 18.4
3 percent of African-American students, and 18.8 per-
4 cent of Native American students studying in STEM
5 fields complete their degree within 5 years, com-
6 pared to approximately 33 percent of White students
7 and 42 percent of Asian students who complete their
8 degree within 5 years.

9 (6) In some STEM fields, including the com-
10 puter sciences, women persist at about the same rate
11 through doctorate degrees. In other STEM fields,
12 women persist through doctorate degrees at a lower
13 rate. In mathematics, women earn just 26 percent of
14 doctorate degrees compared with 42 percent of un-
15 dergraduate degrees. Overall, women earned 38 per-
16 cent of STEM doctorate degrees in 2016. The rate
17 of minority students earning STEM doctorate de-
18 grees in physics is 9 percent, compared with 15 per-
19 cent for bachelor's degree. Students from underrep-
20 resented minority groups accounted for only 11.5
21 percent of STEM doctorate degrees awarded in
22 2016.

23 (7) The representation of women in STEM
24 drops significantly from the doctorate degree level to
25 the faculty level. Overall, women hold only 26 per-

1 cent of all tenured and tenure-track positions and 27
2 percent of full professor positions in STEM fields in
3 our Nation's universities and 4-year colleges. Black
4 and Hispanic faculty together hold about 6.8 percent
5 of all tenured and tenure-track positions and 7.5
6 percent of full professor positions. Many of the num-
7 bers in the American Indian or Alaskan Native and
8 Native Hawaiian or Other Pacific Islander cat-
9 egories for different faculty ranks were too small for
10 the National Science Foundation to report publicly
11 without potentially compromising confidential infor-
12 mation about the individuals being surveyed.

13 (8) The representation of women is especially
14 low at our Nation's top research universities. Even
15 in the biological sciences, in which women now earn
16 more than 50 percent of the doctorates and passed
17 the 25 percent level 37 years ago, women make up
18 only 25 percent of the full professors at the approxi-
19 mately 100 most research-intensive universities in
20 the United States. In the physical sciences and
21 mathematics, women make up only 11 percent of full
22 professors, in computer sciences only 10 percent,
23 and across engineering fields only 7 percent. The
24 data suggest that approximately 6 percent of all ten-
25 ure-track STEM faculty members at the most re-

1 search-intensive universities are from underrep-
2 resented minority groups, but in some fields the
3 numbers are too small to report publicly.

4 (9) By 2050, underrepresented minorities will
5 comprise 52 percent of the college-age population of
6 the United States. If the percentage of female stu-
7 dents and students from underrepresented minority
8 groups earning bachelor's degrees in STEM fields
9 does not significantly increase, the United States
10 will face an acute shortfall in the overall number of
11 students who earn degrees in STEM fields just as
12 United States companies are increasingly seeking
13 students with those skills. With this impending
14 shortfall, the United States will almost certainly lose
15 its competitive edge in the 21st century global econ-
16 omy.

17 (10) According to a 2014 Association for
18 Women in Science survey of over 4,000 scientists
19 across the globe, 70 percent of whom were men,
20 STEM researchers face significant challenges in
21 work-life integration. Researchers in the United
22 States were among the most likely to experience a
23 conflict between work and their personal life at least
24 weekly. One-third of researchers surveyed said that
25 ensuring good work-life integration has negatively

1 impacted their careers, and, of researchers intending
2 to leave their current job within the next year, 9
3 percent indicated it was because they were unable to
4 balance work and life demands.

5 (11) Female students and students from under-
6 represented minority groups at institutions of higher
7 education who see few others “like themselves”
8 among faculty and student populations often do not
9 experience the social integration that is necessary for
10 success in all disciplines, including STEM.

11 (12) One in five children in the United States
12 attend school in a rural community. The data shows
13 that rural students are at a disadvantage with re-
14 spect to STEM readiness. Among STEM-interested
15 students, 17 percent of students in rural high
16 schools and 18 percent of students in town-located
17 high schools meet the ACT STEM Benchmark, com-
18 pared with 33 percent of students in suburban high
19 schools and 27 percent of students in urban high
20 schools.

21 (13) A substantial body of evidence establishes
22 that most people hold implicit biases. Decades of
23 cognitive psychology research reveal that most peo-
24 ple carry prejudices of which they are unaware but
25 that nonetheless play a large role in evaluations of

1 people and their work. Unintentional biases and out-
2 moded institutional structures are hindering the ac-
3 cess and advancement of women, minorities, and
4 other groups historically underrepresented in STEM.

5 (14) Workshops held to educate faculty about
6 unintentional biases have demonstrated success in
7 raising awareness of such biases.

8 (15) In 2012, the Office of Diversity and Equal
9 Opportunity of the National Aeronautics and Space
10 Administration (in this subtitle referred to as
11 “NASA”) completed a report that—

12 (A) is specifically designed to help NASA
13 grant recipients identify why the dearth of
14 women in STEM fields continues and to ensure
15 that it is not due to discrimination; and

16 (B) provides guidance that is usable by all
17 institutions of higher education receiving sig-
18 nificant Federal research funding on how to
19 conduct meaningful self-evaluations of campus
20 culture and policies.

21 (16) The Federal Government provides 55 per-
22 cent of research funding at institutions of higher
23 education and, through its grant-making policies,
24 has had significant influence on institution of higher

1 education policies, including policies related to insti-
2 tutional culture and structure.

3 **SEC. 10502. PURPOSES.**

4 The purposes of this subtitle are as follows:

5 (1) To ensure that Federal science agencies and
6 institutions of higher education receiving Federal re-
7 search and development funding are fully engaging
8 the entire talent pool of the United States.

9 (2) To promote research on, and increase un-
10 derstanding of, the participation and trajectories of
11 women, minorities, and other groups historically
12 underrepresented in STEM studies and careers, in-
13 cluding persons with disabilities, older learners, vet-
14 erans, and rural, poor, and tribal populations, at in-
15 stitutions of higher education and Federal science
16 agencies, including Federal laboratories.

17 (3) To raise awareness within Federal science
18 agencies, including Federal laboratories, and institu-
19 tions of higher education about cultural and institu-
20 tional barriers limiting the recruitment, retention,
21 promotion, and other indicators of participation and
22 achievement of women, minorities, and other groups
23 historically underrepresented in academic and Gov-
24 ernment STEM research careers at all levels.

1 (4) To identify, disseminate, and implement
2 best practices at Federal science agencies, including
3 Federal laboratories, and at institutions of higher
4 education to remove or reduce cultural and institu-
5 tional barriers limiting the recruitment, retention,
6 and success of women, minorities, and other groups
7 historically underrepresented in academic and Gov-
8 ernment STEM research careers.

9 (5) To provide grants to institutions of higher
10 education to recruit, retain, and advance STEM fac-
11 ulty members from underrepresented minority
12 groups and to implement or expand reforms in un-
13 dergraduate STEM education in order to increase
14 the number of students from underrepresented mi-
15 nority groups receiving degrees in these fields.

16 **SEC. 10503. FEDERAL SCIENCE AGENCY POLICIES FOR**
17 **CAREGIVERS.**

18 (a) OSTP GUIDANCE.—Not later than 6 months
19 after the date of enactment of this Act, the Director, in
20 consultation with relevant agencies, shall provide guidance
21 to each Federal science agency to establish policies that—

22 (1) apply to all—

23 (A) research awards granted by such agen-
24 cy; and

1 (B) principal investigators of such research
2 and their trainees, including postdoctoral re-
3 searchers and graduate students, who have
4 caregiving responsibilities, including care for a
5 newborn or newly adopted child and care for an
6 immediate family member who is sick or dis-
7 abled; and

8 (2) provide—

9 (A) flexibility in timing for the initiation of
10 approved research awards granted by such
11 agency;

12 (B) no-cost extensions of such research
13 awards;

14 (C) grant supplements, as appropriate, to
15 research awards for research technicians or
16 equivalent positions to sustain research activi-
17 ties conducted under such awards; and

18 (D) any other appropriate accommodations
19 at the discretion of the director of each such
20 agency.

21 (b) UNIFORMITY OF GUIDANCE.—In providing guid-
22 ance under subsection (a), the Director shall encourage
23 uniformity and consistency in the policies established pur-
24 suant to such guidance across all Federal science agencies.

1 (c) ESTABLISHMENT OF POLICIES.—Consistent with
2 the guidance under subsection (a), Federal science agen-
3 cies shall—

4 (1) maintain or develop and implement policies
5 for individuals described in paragraph (1)(B) of
6 such subsection; and

7 (2) broadly disseminate such policies to current
8 and potential grantees.

9 (d) DATA ON USAGE.—Federal science agencies
10 shall—

11 (1) collect data on the usage of the policies
12 under subsection (c), by gender, at both institutions
13 of higher education and Federal laboratories; and

14 (2) report such data on an annual basis to the
15 Director in such form as required by the Director.

16 **SEC. 10504. COLLECTION AND REPORTING OF DATA ON**
17 **FEDERAL RESEARCH GRANTS.**

18 (a) COLLECTION OF DATA.—

19 (1) IN GENERAL.—Each Federal science agency
20 shall collect, as practicable, with respect to all appli-
21 cations for merit-reviewed research and development
22 grants to institutions of higher education and Fed-
23 eral laboratories supported by that agency, the
24 standardized record-level annual information on de-
25 mographics, primary field, award type, institution

1 type, review rating, budget request, funding out-
2 come, and awarded budget.

3 (2) UNIFORMITY AND STANDARDIZATION.—The
4 Director, in consultation with the Director of the
5 National Science Foundation, shall establish a policy
6 to ensure uniformity and standardization of the data
7 collection required under paragraph (1).

8 (3) RECORD-LEVEL DATA.—

9 (A) REQUIREMENT.—Beginning not later
10 than 2 years after the date of the enactment of
11 this Act, and on an annual basis thereafter,
12 each Federal science agency shall submit to the
13 Director of the National Science Foundation
14 record-level data collected under paragraph (1)
15 in the form required by such Director.

16 (B) PREVIOUS DATA.—As part of the first
17 submission under subparagraph (A), each Fed-
18 eral science agency, to the extent practicable,
19 shall also submit comparable record-level data
20 for the 5 years preceding the date of such sub-
21 mission.

22 (b) REPORTING OF DATA.—The Director of the Na-
23 tional Science Foundation shall publish statistical sum-
24 mary data, as practicable, collected under this section,
25 disaggregated and cross-tabulated by race, ethnicity, gen-

1 der, and years since completion of doctoral degree, includ-
2 ing in conjunction with the National Science Foundation’s
3 report required by section 37 of the Science and Tech-
4 nology Equal Opportunities Act (42 U.S.C. 1885d; Public
5 Law 96–516).

6 **SEC. 10505. POLICIES FOR REVIEW OF FEDERAL RESEARCH**
7 **GRANTS.**

8 (a) IN GENERAL.—Each Federal science agency shall
9 implement the policy recommendations with respect to re-
10 ducing the impact of implicit bias at Federal science agen-
11 cies and grantee institutions as developed by the Office
12 of Science and Technology Policy in the 2016 report enti-
13 tled “Reducing the Impact of Bias in the STEM Work-
14 force” and any subsequent updates.

15 (b) PILOT ACTIVITY.—In consultation with the Na-
16 tional Science Foundation and consistent with policy rec-
17 ommendations referenced in subsection (a), each Federal
18 science agency shall implement a 2-year pilot orientation
19 activity for program officers and members of standing re-
20 view committees to educate reviewers on research related
21 to, and minimize the effects of, implicit bias in the review
22 of extramural and intramural Federal research grants.

23 (c) ESTABLISHMENT OF POLICIES.—Drawing upon
24 lessons learned from the pilot activity under subsection
25 (b), each Federal science agency shall maintain or develop

1 and implement evidence-based policies and practices to
2 minimize the effects of implicit bias in the review of extra-
3 mural and intramural Federal research grants.

4 (d) ASSESSMENT OF POLICIES.—Federal science
5 agencies shall regularly assess, and amend as necessary,
6 the policies and practices implemented pursuant to sub-
7 section (c) to ensure effective measures are in place to
8 minimize the effects of implicit bias in the review of extra-
9 mural and intramural Federal research grants.

10 **SEC. 10506. COLLECTION OF DATA ON DEMOGRAPHICS OF**
11 **FACULTY.**

12 (a) COLLECTION OF DATA.—

13 (1) IN GENERAL.—Not later than 3 years after
14 the date of enactment of this Act, and at least every
15 5 years thereafter, the Director of the National
16 Science Foundation shall carry out a survey to col-
17 lect data from grantees on the demographics of
18 STEM faculty, by broad fields of STEM, at dif-
19 ferent types of institutions of higher education.

20 (2) CONSIDERATIONS.—To the extent prac-
21 ticable, the Director of the National Science Foun-
22 dation shall consider, by gender, race, ethnicity, citi-
23 zenship status, and years since completion of doc-
24 toral degree—

25 (A) the number and percentage of faculty;

1 (B) the number and percentage of faculty
2 at each rank;

3 (C) the number and percentage of faculty
4 who are in nontenure-track positions, including
5 teaching and research;

6 (D) the number and percentage of faculty
7 who are reviewed for promotion, including ten-
8 ure, and the percentage of that number who are
9 promoted, including being awarded tenure;

10 (E) faculty years in rank;

11 (F) the number and percentage of faculty
12 to leave tenure-track positions;

13 (G) the number and percentage of faculty
14 hired, by rank; and

15 (H) the number and percentage of faculty
16 in leadership positions.

17 (b) EXISTING SURVEYS.—The Director of the Na-
18 tional Science Foundation, may, in modifying or expand-
19 ing existing Federal surveys of higher education (as nec-
20 essary)—

21 (1) take into account the considerations under
22 subsection (a)(2) by collaborating with statistical
23 centers at other Federal agencies; or

1 (2) award a grant or contract to an institution
2 of higher education or other nonprofit organization
3 to take such considerations into account.

4 (c) REPORTING DATA.—The Director of the National
5 Science Foundation shall publish statistical summary data
6 collected under this section, including as part of the Na-
7 tional Science Foundation’s report required by section 37
8 of the Science and Technology Equal Opportunities Act
9 (42 U.S.C. 1885d; Public Law 96–516).

10 (d) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to the Director of the
12 National Science Foundation \$3,000,000 in each of fiscal
13 years 2022 through 2024 to develop and carry out the
14 initial survey required under subsection (a).

15 **SEC. 10507. CULTURAL AND INSTITUTIONAL BARRIERS TO**
16 **EXPANDING THE ACADEMIC AND FEDERAL**
17 **STEM WORKFORCE.**

18 (a) BEST PRACTICES AT INSTITUTIONS OF HIGHER
19 EDUCATION AND FEDERAL LABORATORIES.—

20 (1) DEVELOPMENT OF GUIDANCE.—Not later
21 than 12 months after the date of enactment of this
22 Act, the Director, in consultation with the inter-
23 agency working group on inclusion in STEM, shall
24 develop written guidance for institutions of higher

1 education and Federal laboratories on the best prac-
2 tices for—

3 (A) conducting periodic climate surveys of
4 STEM departments and divisions, with a par-
5 ticular focus on identifying any cultural or in-
6 stitutional barriers to the recruitment, reten-
7 tion, or advancement of women, racial and eth-
8 nic minorities, and other groups historically
9 underrepresented in STEM studies and careers;
10 and

11 (B) providing educational opportunities, in-
12 cluding workshops as described in subsection
13 (b), for STEM faculty, research personnel, and
14 administrators to learn about current research
15 on implicit bias in recruitment, evaluation, and
16 promotion of undergraduate and graduate stu-
17 dents and research personnel.

18 (2) EXISTING GUIDANCE.—In developing the
19 guidance under paragraph (1), the Director shall
20 utilize guidance already developed by Federal science
21 agencies.

22 (3) DISSEMINATION OF GUIDANCE.—Federal
23 science agencies shall broadly disseminate the guid-
24 ance developed under paragraph (1) to institutions

1 of higher education that receive Federal research
2 funding and Federal laboratories.

3 (4) ESTABLISHMENT OF POLICIES.—Consistent
4 with the guidance developed under paragraph (1)—

5 (A) the Director of the National Science
6 Foundation shall develop a policy that—

7 (i) applies to, at a minimum, doctoral
8 degree granting institutions that receive
9 Federal research funding; and

10 (ii) requires each such institution, not
11 later than 3 years after the date of enact-
12 ment of this Act, to report to the Director
13 of the National Science Foundation on ac-
14 tivities and policies developed and imple-
15 mented based on the guidance developed
16 under paragraph (1); and

17 (B) each Federal science agency with a
18 Federal laboratory shall maintain or develop
19 and implement practices and policies for the
20 purposes described in paragraph (1) for such
21 laboratory.

22 (b) WORKSHOPS TO ADDRESS CULTURAL BARRIERS
23 TO EXPANDING THE ACADEMIC AND FEDERAL STEM
24 WORKFORCE.—

1 (1) IN GENERAL.—Not later than 6 months
2 after the date of enactment of this Act, the Director,
3 in consultation with the interagency working group
4 on inclusion in STEM, shall recommend a uniform
5 policy for Federal science agencies to carry out a
6 program of workshops that educate STEM depart-
7 ment chairs at institutions of higher education, sen-
8 ior managers at Federal laboratories, and other fed-
9 erally funded researchers about methods that mini-
10 mize the effects of implicit bias in the career ad-
11 vancement, including hiring, tenure, promotion, and
12 selection for any honor based in part on the recipi-
13 ent’s research record, of academic and Federal
14 STEM researchers.

15 (2) INTERAGENCY COORDINATION.—The Direc-
16 tor shall, to the extent practicable, ensure that work-
17 shops supported under this subsection are coordi-
18 nated across Federal science agencies and jointly
19 supported as appropriate.

20 (3) MINIMIZING COSTS.—To the extent prac-
21 ticable, workshops shall be held in conjunction with
22 national or regional STEM disciplinary meetings to
23 minimize costs associated with participant travel.

24 (4) PRIORITY FIELDS FOR ACADEMIC PARTICI-
25 PANTS.—In considering the participation of STEM

1 department chairs and other academic researchers,
2 the Director shall prioritize workshops for the broad
3 fields of STEM in which the national rate of rep-
4 resentation of women among tenured or tenure-track
5 faculty or nonfaculty researchers at doctorate-grant-
6 ing institutions of higher education is less than 25
7 percent, according to the most recent data available
8 from the National Center for Science and Engineer-
9 ing Statistics.

10 (5) ORGANIZATIONS ELIGIBLE TO CARRY OUT
11 WORKSHOPS.—A Federal science agency may carry
12 out the program of workshops under this subsection
13 by making grants to organizations made eligible by
14 the Federal science agency and any of the following
15 organizations:

16 (A) Nonprofit scientific and professional
17 societies and organizations that represent one
18 or more STEM disciplines.

19 (B) Nonprofit organizations that have the
20 primary mission of advancing the participation
21 of women, minorities, or other groups histori-
22 cally underrepresented in STEM.

23 (6) CHARACTERISTICS OF WORKSHOPS.—The
24 workshops shall have the following characteristics:

1 (A) Invitees to workshops shall include at
2 least—

3 (i) the chairs of departments in the
4 relevant STEM discipline or disciplines
5 from doctoral degree granting institutions
6 that receive Federal research funding; and

7 (ii) in the case of Federal laboratories,
8 individuals with personnel management re-
9 sponsibilities comparable to those of an in-
10 stitution of higher education department
11 chair.

12 (B) Activities at the workshops shall in-
13 clude research presentations and interactive dis-
14 cussions or other activities that increase the
15 awareness of the existence of implicit bias in re-
16 cruitment, hiring, tenure review, promotion, and
17 other forms of formal recognition of individual
18 achievement for faculty and other federally
19 funded STEM researchers and shall provide
20 strategies to overcome such bias.

21 (C) Research presentations and other
22 workshop programs, as appropriate, shall in-
23 clude a discussion of the unique challenges
24 faced by different underrepresented groups, in-
25 cluding minority women, minority men, persons

1 from rural and underserved areas, persons with
2 disabilities, gender and sexual minority individ-
3 uals, and first generation graduates in research.

4 (D) Workshop programs shall include in-
5 formation on best practices for mentoring un-
6 dergraduate, graduate, and postdoctoral
7 women, minorities, and other students from
8 groups historically underrepresented in STEM.

9 (7) DATA ON WORKSHOPS.—Any proposal for
10 funding by an organization seeking to carry out a
11 workshop under this subsection shall include a de-
12 scription of how such organization will—

13 (A) collect data on the rates of attendance
14 by invitees in workshops, including information
15 on the home institution and department of
16 attendees, and the rank of faculty attendees;

17 (B) conduct attitudinal surveys on work-
18 shop attendees before and after the workshops;
19 and

20 (C) collect follow-up data on any relevant
21 institutional policy or practice changes reported
22 by attendees not later than 1 year after attend-
23 ance in such a workshop.

24 (8) REPORT TO NSF.—Organizations receiving
25 funding to carry out workshops under this sub-

1 section shall report the data required in paragraph
2 (7) to the Director of the National Science Founda-
3 tion in such form as required by such Director.

4 (c) REPORT TO CONGRESS.—Not later than 4 years
5 after the date of enactment of this Act, the Director of
6 the National Science Foundation shall submit a report to
7 Congress that includes—

8 (1) a summary and analysis of the types and
9 frequency of activities and policies developed and
10 carried out under subsection (a) based on the re-
11 ports submitted under paragraph (4) of such sub-
12 section; and

13 (2) a description and evaluation of the status
14 and effectiveness of the program of workshops re-
15 quired under subsection (b), including a summary of
16 any data reported under paragraph (8) of such sub-
17 section.

18 (d) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to the Director of the
20 National Science Foundation \$1,000,000 in each of fiscal
21 years 2022 through 2026 to carry out this section.

22 **SEC. 10508. RESEARCH AND DISSEMINATION AT THE NA-**
23 **TIONAL SCIENCE FOUNDATION.**

24 (a) IN GENERAL.—The Director of the National
25 Science Foundation shall award research grants and carry

1 out dissemination activities consistent with the purposes
2 of this subtitle, including—

3 (1) research grants to analyze the record-level
4 data collected under section 10504 and section
5 10506, consistent with policies to ensure the privacy
6 of individuals identifiable by such data;

7 (2) research grants to study best practices for
8 work-life accommodation;

9 (3) research grants to study the impact of poli-
10 cies and practices that are implemented under this
11 subtitle or that are otherwise consistent with the
12 purposes of this subtitle;

13 (4) collaboration with other Federal science
14 agencies and professional associations to exchange
15 best practices, harmonize work-life accommodation
16 policies and practices, and overcome common bar-
17 riers to work-life accommodation; and

18 (5) collaboration with institutions of higher
19 education in order to clarify and catalyze the adop-
20 tion of a coherent and consistent set of work-life ac-
21 commodation policies and practices.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the Director of the
24 National Science Foundation \$5,000,000 in each of fiscal
25 years 2022 through 2026 to carry out this section.

1 **SEC. 10509. RESEARCH AND RELATED ACTIVITIES TO EX-**
2 **PAND STEM OPPORTUNITIES.**

3 (a) NATIONAL SCIENCE FOUNDATION SUPPORT FOR
4 INCREASING DIVERSITY AMONG STEM FACULTY AT IN-
5 STITUTIONS OF HIGHER EDUCATION.—Section 305 of the
6 American Innovation and Competitiveness Act (42 U.S.C.
7 1862s–5) is amended—

8 (1) by redesignating subsections (e) and (f) as
9 subsections (f) and (g), respectively; and

10 (2) by inserting after subsection (d) the fol-
11 lowing:

12 “(e) SUPPORT FOR INCREASING DIVERSITY AMONG
13 STEM FACULTY AT INSTITUTIONS OF HIGHER EDU-
14 CATION.—

15 “(1) IN GENERAL.—The Director of the Foun-
16 dation shall award grants to institutions of higher
17 education (or consortia thereof) for the development
18 and assessment of innovative reform efforts designed
19 to increase the recruitment, retention, and advance-
20 ment of individuals from underrepresented minority
21 groups in academic STEM careers.

22 “(2) MERIT REVIEW; COMPETITION.—Grants
23 shall be awarded under this subsection on a merit-
24 reviewed, competitive basis.

25 “(3) USE OF FUNDS.—Activities supported by
26 grants under this subsection may include—

1 “(A) institutional assessment activities,
2 such as data analyses and policy review, in
3 order to identify and address specific issues in
4 the recruitment, retention, and advancement of
5 faculty members from underrepresented minor-
6 ity groups;

7 “(B) implementation of institution-wide
8 improvements in workload distribution, such
9 that faculty members from underrepresented
10 minority groups are not disadvantaged in the
11 amount of time available to focus on research,
12 publishing papers, and engaging in other activi-
13 ties required to achieve tenure status and run
14 a productive research program;

15 “(C) development and implementation of
16 training courses for administrators and search
17 committee members to ensure that candidates
18 from underrepresented minority groups are not
19 subject to implicit biases in the search and hir-
20 ing process;

21 “(D) development and hosting of intra- or
22 inter-institutional workshops to propagate best
23 practices in recruiting, retaining, and advancing
24 faculty members from underrepresented minor-
25 ity groups;

1 “(E) professional development opportuni-
2 ties for faculty members from underrepresented
3 minority groups;

4 “(F) activities aimed at making under-
5 graduate STEM students from underrep-
6 resented minority groups aware of opportunities
7 for academic careers in STEM fields;

8 “(G) activities to identify and engage ex-
9 ceptional graduate students and postdoctoral
10 researchers from underrepresented minority
11 groups at various stages of their studies and to
12 encourage them to enter academic careers; and

13 “(H) other activities consistent with para-
14 graph (1), as determined by the Director of the
15 Foundation.

16 “(4) SELECTION PROCESS.—

17 “(A) APPLICATION.—An institution of
18 higher education (or a consortium of such insti-
19 tutions) seeking funding under this subsection
20 shall submit an application to the Director of
21 the Foundation at such time, in such manner,
22 and containing such information and assur-
23 ances as such Director may require. The appli-
24 cation shall include, at a minimum, a descrip-
25 tion of—

1 “(i) the reform effort that is being
2 proposed for implementation by the insti-
3 tution of higher education;

4 “(ii) any available evidence of specific
5 difficulties in the recruitment, retention,
6 and advancement of faculty members from
7 underrepresented minority groups in
8 STEM academic careers within the institu-
9 tion of higher education submitting an ap-
10 plication, and how the proposed reform ef-
11 fort would address such issues;

12 “(iii) how the institution of higher
13 education submitting an application plans
14 to sustain the proposed reform effort be-
15 yond the duration of the grant; and

16 “(iv) how the success and effective-
17 ness of the proposed reform effort will be
18 evaluated and assessed in order to con-
19 tribute to the national knowledge base
20 about models for catalyzing institutional
21 change.

22 “(B) REVIEW OF APPLICATIONS.—In se-
23 lecting grant recipients under this subsection,
24 the Director of the Foundation shall consider,
25 at a minimum—

1 “(i) the likelihood of success in under-
2 taking the proposed reform effort at the
3 institution of higher education submitting
4 the application, including the extent to
5 which the administrators of the institution
6 are committed to making the proposed re-
7 form effort a priority;

8 “(ii) the degree to which the proposed
9 reform effort will contribute to change in
10 institutional culture and policy such that
11 greater value is placed on the recruitment,
12 retention, and advancement of faculty
13 members from underrepresented minority
14 groups;

15 “(iii) the likelihood that the institu-
16 tion of higher education will sustain or ex-
17 pand the proposed reform effort beyond
18 the period of the grant; and

19 “(iv) the degree to which evaluation
20 and assessment plans are included in the
21 design of the proposed reform effort.

22 “(C) GRANT DISTRIBUTION.—The Director
23 of the Foundation shall ensure, to the extent
24 practicable, that grants awarded under this sec-

1 tion are made to a variety of types of institu-
2 tions of higher education.

3 “(5) AUTHORIZATION OF APPROPRIATIONS.—

4 There are authorized to be appropriated to carry out
5 this subsection \$8,000,000 for each of fiscal years
6 2022 through 2026.”.

7 (b) NATIONAL SCIENCE FOUNDATION SUPPORT FOR
8 BROADENING PARTICIPATION IN UNDERGRADUATE
9 STEM EDUCATION.—Section 305 of the American Inno-
10 vation and Competitiveness Act (42 U.S.C. 1862s–5), as
11 amended by subsection (b), is further amended by insert-
12 ing after subsection (e) the following:

13 “(f) SUPPORT FOR BROADENING PARTICIPATION IN
14 UNDERGRADUATE STEM EDUCATION.—

15 “(1) IN GENERAL.—The Director of the Foun-
16 dation shall award grants to institutions of higher
17 education (or a consortium of such institutions) to
18 implement or expand research-based reforms in un-
19 dergraduate STEM education for the purpose of re-
20 cruiting and retaining students from minority
21 groups who are underrepresented in STEM fields.

22 “(2) MERIT REVIEW; COMPETITION.—Grants
23 shall be awarded under this subsection on a merit-
24 reviewed, competitive basis.

1 “(3) USE OF FUNDS.—Activities supported by
2 grants under this subsection may include—

3 “(A) implementation or expansion of inno-
4 vative, research-based approaches to broaden
5 participation of underrepresented minority
6 groups in STEM fields;

7 “(B) implementation or expansion of
8 bridge, cohort, tutoring, or mentoring pro-
9 grams, including those involving community col-
10 leges and technical schools, designed to enhance
11 the recruitment and retention of students from
12 underrepresented minority groups in STEM
13 fields;

14 “(C) implementation or expansion of out-
15 reach programs linking institutions of higher
16 education and K–12 school systems in order to
17 heighten awareness among pre-college students
18 from underrepresented minority groups of op-
19 portunities in college-level STEM fields and
20 STEM careers;

21 “(D) implementation or expansion of fac-
22 ulty development programs focused on improv-
23 ing retention of undergraduate STEM students
24 from underrepresented minority groups;

1 “(E) implementation or expansion of
2 mechanisms designed to recognize and reward
3 faculty members who demonstrate a commit-
4 ment to increasing the participation of students
5 from underrepresented minority groups in
6 STEM fields;

7 “(F) expansion of successful reforms
8 aimed at increasing the number of STEM stu-
9 dents from underrepresented minority groups
10 beyond a single course or group of courses to
11 achieve reform within an entire academic unit,
12 or expansion of successful reform efforts beyond
13 a single academic unit or field to other STEM
14 academic units or fields within an institution of
15 higher education;

16 “(G) expansion of opportunities for stu-
17 dents from underrepresented minority groups to
18 conduct STEM research in industry, at Federal
19 labs, and at international research institutions
20 or research sites;

21 “(H) provision of stipends for students
22 from underrepresented minority groups partici-
23 pating in research;

24 “(I) development of research collaborations
25 between research-intensive universities and pri-

1 marily undergraduate minority-serving institu-
2 tions;

3 “(J) support for graduate students and
4 postdoctoral fellows from underrepresented mi-
5 nority groups to participate in instructional or
6 assessment activities at primarily under-
7 graduate institutions, including primarily un-
8 dergraduate minority-serving institutions and 2-
9 year institutions of higher education; and

10 “(K) other activities consistent with para-
11 graph (1), as determined by the Director of the
12 Foundation.

13 “(4) SELECTION PROCESS.—

14 “(A) APPLICATION.—An institution of
15 higher education (or a consortia thereof) seek-
16 ing a grant under this subsection shall submit
17 an application to the Director of the Founda-
18 tion at such time, in such manner, and con-
19 taining such information and assurances as
20 such Director may require. The application
21 shall include, at a minimum—

22 “(i) a description of the proposed re-
23 form effort;

24 “(ii) a description of the research
25 findings that will serve as the basis for the

1 proposed reform effort or, in the case of
2 applications that propose an expansion of a
3 previously implemented reform, a descrip-
4 tion of the previously implemented reform
5 effort, including data about the recruit-
6 ment, retention, and academic achievement
7 of students from underrepresented minor-
8 ity groups;

9 “(iii) evidence of an institutional com-
10 mitment to, and support for, the proposed
11 reform effort, including a long-term com-
12 mitment to implement successful strategies
13 from the current reform beyond the aca-
14 demic unit or units included in the grant
15 proposal;

16 “(iv) a description of existing or
17 planned institutional policies and practices
18 regarding faculty hiring, promotion, ten-
19 ure, and teaching assignment that reward
20 faculty contributions to improving the edu-
21 cation of students from underrepresented
22 minority groups in STEM; and

23 “(v) how the success and effectiveness
24 of the proposed reform effort will be evalu-
25 ated and assessed in order to contribute to

1 the national knowledge base about models
2 for catalyzing institutional change.

3 “(B) REVIEW OF APPLICATIONS.—In se-
4 lecting grant recipients under this subsection,
5 the Director of the Foundation shall consider,
6 at a minimum—

7 “(i) the likelihood of success of the
8 proposed reform effort at the institution
9 submitting the application, including the
10 extent to which the faculty, staff, and ad-
11 ministrators of the institution are com-
12 mitted to making the proposed institu-
13 tional reform a priority of the participating
14 academic unit or units;

15 “(ii) the degree to which the proposed
16 reform effort will contribute to change in
17 institutional culture and policy such that
18 greater value is placed on faculty engage-
19 ment in the retention of students from
20 underrepresented minority groups;

21 “(iii) the likelihood that the institu-
22 tion will sustain or expand the proposed
23 reform effort beyond the period of the
24 grant; and

1 “(iv) the degree to which evaluation
2 and assessment plans are included in the
3 design of the proposed reform effort.

4 “(C) GRANT DISTRIBUTION.—The Director
5 of the Foundation shall ensure, to the extent
6 practicable, that grants awarded under this
7 subsection are made to a variety of types of in-
8 stitutions of higher education, including 2-year
9 and minority-serving institutions of higher edu-
10 cation.

11 “(5) EDUCATION RESEARCH.—

12 “(A) IN GENERAL.—All grants made under
13 this subsection shall include an education re-
14 search component that will support the design
15 and implementation of a system for data collec-
16 tion and evaluation of proposed reform efforts
17 in order to build the knowledge base on prom-
18 ising models for increasing recruitment and re-
19 tention of students from underrepresented mi-
20 nority groups in STEM education at the under-
21 graduate level across a diverse set of institu-
22 tions.

23 “(B) DISSEMINATION.—The Director of
24 the Foundation shall coordinate with relevant
25 Federal agencies in disseminating the results of

1 the research under this paragraph to ensure
2 that best practices in broadening participation
3 in STEM education at the undergraduate level
4 are made readily available to all institutions of
5 higher education, other Federal agencies that
6 support STEM programs, non-Federal funders
7 of STEM education, and the general public.

8 “(6) AUTHORIZATION OF APPROPRIATIONS.—
9 There are authorized to be appropriated to carry out
10 this subsection \$15,000,000 for each of fiscal years
11 2022 through 2026.”.

12 **SEC. 10510. TRIBAL COLLEGES AND UNIVERSITIES PRO-**
13 **GRAM.**

14 (a) GRANTS TO BROADEN TRIBAL COLLEGE AND
15 UNIVERSITY STUDENT PARTICIPATION IN COMPUTER
16 SCIENCE.—Section 525 of the America COMPETES Re-
17 authorization Act of 2010 (42 U.S.C. 1862p–13) is
18 amended by inserting after subsection (c) the following:

19 “(d) GRANTS TO BROADEN TRIBAL COLLEGE AND
20 UNIVERSITY STUDENT PARTICIPATION IN COMPUTER
21 SCIENCE.—

22 “(1) IN GENERAL.—The Director, as part of
23 the program authorized under this section, shall
24 award grants on a competitive, merit-reviewed basis
25 to eligible entities to increase the participation of

1 tribal populations in computer science and computa-
2 tional thinking education programs to enable stu-
3 dents to develop skills and competencies in coding,
4 problem-solving, critical thinking, creativity and col-
5 laboration.

6 “(2) PURPOSE.—Grants awarded under this
7 subsection shall support—

8 “(A) research and development needed to
9 bring computer science and computational
10 thinking courses and degrees to tribal colleges
11 and universities;

12 “(B) research and development of instruc-
13 tional materials needed to integrate computer
14 science and computational thinking into pro-
15 grams that are culturally relevant to students
16 attending tribal colleges and universities;

17 “(C) research, development and evaluation
18 of distance education for computer science and
19 computational thinking courses and degree pro-
20 grams for students attending tribal colleges and
21 universities; and

22 “(D) other activities consistent with the
23 activities described in paragraphs (1) through
24 (4) of subsection (b), as determined by the Di-
25 rector.

1 “(3) PARTNERSHIPS.—A tribal college or uni-
2 versity seeking a grant under this subsection, or a
3 consortia thereof, may partner with an institution of
4 higher education or nonprofit organization with dem-
5 onstrated expertise in academic program develop-
6 ment.

7 “(4) COORDINATION.—In carrying out this sub-
8 section, the Director shall consult and cooperate
9 with the programs and policies of other relevant
10 Federal agencies to avoid duplication with and en-
11 hance the effectiveness of the program under this
12 subsection.

13 “(5) AUTHORIZATION OF APPROPRIATIONS.—
14 There are authorized to be appropriated to the Di-
15 rector of the Foundation \$2,000,000 in each of fis-
16 cal years 2022 through 2026 to carry out this sub-
17 section.”.

18 (b) EVALUATION.—

19 (1) IN GENERAL.—Not later than 2 years after
20 the date of enactment of this Act, the Director of
21 the National Science Foundation shall evaluate the
22 grant program authorized under section 525 of the
23 America COMPETES Reauthorization Act of 2010
24 (42 U.S.C. 1862p–13), as amended.

1 (2) REQUIREMENTS.—In conducting the evalua-
2 tion under paragraph (1), the Director of the Na-
3 tional Science Foundation shall, as practicable—

4 (A) use a common set of benchmarks and
5 assessment tools to identify best practices and
6 materials developed or demonstrated by the re-
7 search conducted pursuant to grants programs
8 under section 525 of the America COMPETES
9 Reauthorization Act of 2010 (42 U.S.C.
10 1862p–13);

11 (B) include an assessment of the effective-
12 ness of such grant programs in expanding ac-
13 cess to high quality STEM education, research,
14 and outreach at tribal colleges and universities,
15 as applicable;

16 (C) assess the number of students who
17 participated in such grant programs; and

18 (D) assess the percentage of students par-
19 ticipating in such grant programs who success-
20 fully complete their education programs.

21 (3) REPORT.—Not later than 180 days after
22 the date on which the evaluation under paragraph
23 (1) is completed, the Director of the National
24 Science Foundation shall submit to Congress and
25 make available to the public, a report on the results

1 of the evaluation, including any recommendations for
2 legislative action that could optimize the effective-
3 ness of the grant program authorized under section
4 525 of the America COMPETES Reauthorization
5 Act of 2010, as amended by subsection (a).

6 **SEC. 10511. REPORT TO CONGRESS.**

7 Not later than 4 years after the date of enactment
8 of this Act, the Director shall submit a report to Congress
9 that includes—

10 (1) a description and evaluation of the status
11 and usage of policies implemented pursuant to sec-
12 tion 10503 at all Federal science agencies, including
13 any recommendations for revising or expanding such
14 policies;

15 (2) with respect to efforts to minimize the ef-
16 fects of implicit bias in the review of extramural and
17 intramural Federal research grants under section
18 10505—

19 (A) what steps all Federal science agencies
20 have taken to implement policies and practices
21 to minimize such effects;

22 (B) a description of any significant up-
23 dates to the policies for review of Federal re-
24 search grants required under such section; and

1 (C) any evidence of the impact of such
2 policies on the review or awarding of Federal
3 research grants; and

4 (3) a description and evaluation of the status of
5 institution of higher education and Federal labora-
6 tory policies and practices required under section
7 10507(a), including any recommendations for revis-
8 ing or expanding such policies.

9 **SEC. 10512. MERIT REVIEW.**

10 Nothing in this subtitle shall be construed as altering
11 any intellectual or broader impacts criteria at Federal
12 science agencies for evaluating grant applications.

13 **SEC. 10513. DETERMINATION OF BUDGETARY EFFECTS.**

14 The budgetary effects of this subtitle, for the purpose
15 of complying with the Statutory Pay-As-You-Go Act of
16 2010, shall be determined by reference to the latest state-
17 ment titled “Budgetary Effects of PAYGO Legislation”
18 for this subtitle, submitted for printing in the Congres-
19 sional Record by the Chairman of the House Budget Com-
20 mittee, provided that such statement has been submitted
21 prior to the vote on passage.

22 **SEC. 10514. DEFINITIONS.**

23 In this subtitle:

1 (1) DIRECTOR.—The term “Director” means
2 the Director of the Office of Science and Technology
3 Policy.

4 (2) FEDERAL LABORATORY.—The term “Fed-
5 eral laboratory” has the meaning given such term in
6 section 4 of the Stevenson-Wydler Technology Inno-
7 vation Act of 1980 (15 U.S.C. 3703).

8 (3) FEDERAL SCIENCE AGENCY.—The term
9 “Federal science agency” means any Federal agency
10 with an annual extramural research expenditure of
11 over \$100,000,000.

12 (4) INSTITUTION OF HIGHER EDUCATION.—The
13 term “institution of higher education” has the
14 meaning given such term in section 101(a) of the
15 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

16 (5) INTERAGENCY WORKING GROUP ON INCLU-
17 SION IN STEM.—The term “interagency working
18 group on inclusion in STEM” means the interagency
19 working group established by section 308 of the
20 American Innovation and Competitiveness Act (42
21 U.S.C. 6626).

22 (6) STEM.—The term “STEM” means science,
23 technology, engineering, and mathematics, including
24 computer science.

1 **Subtitle B—Rural STEM Education**
2 **Research**

3 **SEC. 10521. FINDINGS.**

4 Congress finds the following:

5 (1) The supply of STEM workers is not keeping
6 pace with the rapidly evolving needs of the public
7 and private sector, resulting in a deficit often re-
8 ferred to as a STEM skills shortage.

9 (2) According to the Bureau of Labor Statis-
10 tics, the United States will need one million addi-
11 tional STEM professionals than it is on track to
12 produce in the coming decade.

13 (3) Many STEM occupations offer higher
14 wages, more opportunities for advancement, and a
15 higher degree of job security than non-STEM jobs.

16 (4) The 60,000,000 individuals in the United
17 States who live in rural settings are significantly
18 under-represented in STEM.

19 (5) According to the National Center for Edu-
20 cation Statistics, nine million students in the United
21 States—nearly 20 percent of the total K–12 popu-
22 lation—attend rural schools, and for reasons rang-
23 ing from teacher quality to shortages of resources,
24 these students often have fewer opportunities for

1 high-quality STEM learning than their peers in the
2 Nation's urban and suburban schools.

3 (6) Rural areas represent one of the most
4 promising, yet underutilized, opportunities for
5 STEM education to impact workforce development
6 and regional innovation, including agriculture.

7 (7) The study of agriculture, food, and natural
8 resources involves biology, engineering, physics,
9 chemistry, math, geology, computer science, and
10 other scientific fields.

11 (8) Employment in computer and information
12 technology occupations is projected to grow 11 per-
13 cent from 2019 to 2029. To help meet this demand,
14 it is important rural students have the opportunity
15 to acquire computing skills through exposure to com-
16 puter science learning in grades Pre-K through 12
17 and in informal learning settings.

18 (9) More than 293,000,000 individuals in the
19 United States use high-speed broadband to work,
20 learn, access healthcare, and operate their busi-
21 nesses, while 19,000,000 individuals in the United
22 States still lack access to high-speed broadband.
23 Rural areas are hardest hit, with over 26 percent of
24 individuals in rural areas in the United States lack-
25 ing access to high-speed broadband compared to 1.7

1 percent of individuals in urban areas in the United
2 States.

3 **SEC. 10522. NIST ENGAGEMENT WITH RURAL COMMU-**
4 **NITIES.**

5 (a) MEP OUTREACH.—Section 25 of the National
6 Institute of Standards and Technology Act (15 U.S.C.
7 278k) is amended—

8 (1) in subsection (c)—

9 (A) in paragraph (6), by striking “commu-
10 nity colleges and area career and technical edu-
11 cation schools” and inserting the following:
12 “secondary schools (as defined in section 8101
13 of the Elementary and Secondary Education
14 Act of 1965 (20 U.S.C. 7801)), community col-
15 leges, and area career and technical education
16 schools, including those in underserved and
17 rural communities,”; and

18 (B) in paragraph (7)—

19 (i) by striking “and local colleges”
20 and inserting the following: “local high
21 schools and local colleges, including histori-
22 cally Black colleges and universities, Tribal
23 Colleges or Universities, minority serving
24 institutions, and those in underserved and
25 rural communities,”; and

1 (ii) by inserting “or other applied
2 learning opportunities” after “apprentice-
3 ships”; and

4 (2) in subsection (d)(3) by striking “, commu-
5 nity colleges, and area career and technical edu-
6 cation schools,” and inserting the following: “and
7 local high schools, community colleges, and area ca-
8 reer and technical education schools, including those
9 in underserved and rural communities,”.

10 (b) RURAL CONNECTIVITY PRIZE COMPETITION.—

11 (1) PRIZE COMPETITION.—Pursuant to section
12 24 of the Stevenson-Wydler Technology Innovation
13 Act of 1980 (15 U.S.C. 3719), the Secretary of
14 Commerce, acting through the Under Secretary of
15 Commerce for Standards and Technology (referred
16 to in this subsection as the “Secretary”), shall, sub-
17 ject to appropriations, carry out a program to award
18 prizes competitively to stimulate research and devel-
19 opment of creative technologies in order to deploy
20 affordable and reliable broadband connectivity to un-
21 derserved rural communities.

22 (2) PLAN FOR DEPLOYMENT IN RURAL COMMU-
23 NITIES.—Each proposal submitted pursuant to para-
24 graph (1) shall include a plan for deployment of the

1 technology that is the subject of such proposal in an
2 underserved rural community.

3 (3) PRIZE AMOUNT.—In carrying out the pro-
4 gram under paragraph (1), the Secretary may award
5 not more than a total of \$5,000,000 to one or more
6 winners of the prize competition.

7 (4) REPORT.—Not later than 60 days after the
8 date on which a prize is awarded under the prize
9 competition, the Secretary shall submit to the rel-
10 evant committees of Congress a report that describes
11 the winning proposal of the prize competition.

12 (5) CONSULTATION.—In carrying out the pro-
13 gram under subsection (a), the Secretary may con-
14 sult with the heads of relevant departments and
15 agencies of the Federal Government.

16 **SEC. 10523. NITR-D BROADBAND WORKING GROUP.**

17 Title I of the High-Performance Computing Act of
18 1991 (15 U.S.C. 5511 et seq.) is amended by adding at
19 the end the following:

20 **“SEC. 103. BROADBAND RESEARCH AND DEVELOPMENT**
21 **WORKING GROUP.**

22 “(a) IN GENERAL.—The Director shall establish a
23 broadband research and development working group to ad-
24 dress national research challenges and opportunities for

1 improving broadband access and adoption across the
2 United States.

3 “(b) ACTIVITIES.—The working group shall identify
4 and coordinate key research priorities for addressing
5 broadband access and adoption, including—

6 “(1) promising research areas;

7 “(2) requirements for data collection and shar-
8 ing;

9 “(3) opportunities for better alignment and co-
10 ordination across Federal agencies and external
11 stakeholders; and

12 “(4) input on the development of new Federal
13 policies and programs to enhance data collection and
14 research.

15 “(c) COORDINATION.—The working group shall co-
16 ordinate, as appropriate, with the Rural Broadband Inte-
17 gration Working Group established under section 6214 of
18 the Agriculture Improvement Act of 2018 (Public Law
19 115–334) and the National Institute of Food and Agri-
20 culture of the Department of Agriculture.

21 “(d) REPORT.—The working group shall report to
22 Congress on their activities as part of the annual report
23 submitted under section 101(a)(2)(D).

24 “(e) SUNSET.—The authority to carry out this sec-
25 tion shall terminate on the date that is 5 years after the

1 date of enactment of the America COMPETES Act of
2 2022.”.

3 **SEC. 10524. NATIONAL ACADEMY OF SCIENCES EVALUA-**
4 **TION.**

5 (a) STUDY.—Not later than 12 months after the date
6 of enactment of this Act, the Director shall enter into an
7 agreement with the National Academy of Sciences under
8 which the National Academy agrees to conduct an evalua-
9 tion and assessment that—

10 (1) evaluates the quality and quantity of cur-
11 rent Federal programming and research directed at
12 examining STEM education for students in grades
13 Pre–K through 12 and workforce development in
14 rural areas;

15 (2) assesses the impact of the scarcity of
16 broadband connectivity in rural communities has on
17 STEM and technical literacy for students in grades
18 Pre–K through 12 in rural areas;

19 (3) assesses the core research and data needed
20 to understand the challenges rural areas are facing
21 in providing quality STEM education and workforce
22 development; and

23 (4) makes recommendations for action at the
24 Federal, State, and local levels for improving STEM

1 education for students in grades Pre–K through 12
2 and workforce development in rural areas.

3 (b) REPORT TO DIRECTOR.—The agreement entered
4 into under subsection (a) shall require the National Acad-
5 emy of Sciences, not later than 24 months after the date
6 of enactment of this Act, to submit to the Director a re-
7 port on the study conducted under such subsection, includ-
8 ing the National Academy’s findings and recommenda-
9 tions.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to the Director to carry
12 out this section \$1,000,000 for fiscal year 2022.

13 **SEC. 10525. GAO REVIEW.**

14 Not later than 3 years after the date of enactment
15 of this Act, the Comptroller General of the United States
16 shall conduct a study on the engagement of rural popu-
17 lations in Federal STEM programs and submit to Con-
18 gress a report that includes—

19 (1) an assessment of how Federal STEM edu-
20 cation programs are serving rural populations;

21 (2) a description of initiatives carried out by
22 Federal agencies that are targeted at supporting
23 STEM education in rural areas;

24 (3) an assessment of what is known about the
25 impact and effectiveness of Federal investments in

1 STEM education programs that are targeted to
2 rural areas; and

3 (4) an assessment of challenges that state and
4 Federal STEM education programs face in reaching
5 rural population centers.

6 **SEC. 10526. CAPACITY BUILDING THROUGH EPSCOR.**

7 Section 517(f)(2) of the America COMPETES Reau-
8 thorization Act of 2010 (42 U.S.C. 1862p–9(f)(2)) is
9 amended—

10 (1) in subparagraph (A), by striking “and” at
11 the end; and

12 (2) by adding at the end the following:

13 “(C) to increase the capacity of rural com-
14 munities to provide quality STEM education
15 and STEM workforce development program-
16 ming to students, and teachers; and”.

17 **SEC. 10527. NATIONAL SCIENCE FOUNDATION RURAL STEM**
18 **RESEARCH ACTIVITIES.**

19 (a) PREPARING RURAL STEM EDUCATORS.—

20 (1) IN GENERAL.—The Director shall provide
21 grants on a merit-reviewed, competitive basis to in-
22 stitutions of higher education or nonprofit organiza-
23 tions (or a consortium thereof) for research and de-
24 velopment to advance innovative approaches to sup-

1 port and sustain high-quality STEM teaching in
2 rural schools.

3 (2) USE OF FUNDS.—

4 (A) IN GENERAL.—Grants awarded under
5 this section shall be used for the research and
6 development activities referred to in paragraph
7 (1), which may include—

8 (i) engaging rural educators of stu-
9 dents in grades Pre-K through 12 in pro-
10 fessional learning opportunities to enhance
11 STEM knowledge, including computer
12 science, and develop best practices;

13 (ii) supporting research on effective
14 STEM teaching practices in rural settings,
15 including the use of rubrics and mastery-
16 based grading practices to assess student
17 performance when employing the transdis-
18 ciplinary teaching approach for STEM dis-
19 ciplines;

20 (iii) designing and developing pre-
21 service and in-service training resources to
22 assist such rural educators in adopting
23 transdisciplinary teaching practices across
24 STEM courses;

1 (iv) coordinating with local partners
2 to adapt STEM teaching practices to lever-
3 age local natural and community assets in
4 order to support in-place learning in rural
5 areas;

6 (v) providing hands-on training and
7 research opportunities for rural educators
8 described in clause (i) at Federal Labora-
9 tories, institutions of higher education, or
10 in industry;

11 (vi) developing training and best prac-
12 tices for educators who teach multiple
13 grade levels within a STEM discipline;

14 (vii) designing and implementing pro-
15 fessional development courses and experi-
16 ences, including mentoring, for rural edu-
17 cators described in clause (i) that combine
18 face-to-face and online experiences; and

19 (viii) any other activity the Director
20 determines will accomplish the goals of this
21 subsection.

22 (B) RURAL STEM COLLABORATIVE.—The
23 Director may establish a pilot program of re-
24 gional cohorts in rural areas that will provide
25 peer support, mentoring, and hands-on research

1 experiences for rural STEM educators of stu-
2 dents in grades Pre-K through 12, in order to
3 build an ecosystem of cooperation among edu-
4 cators, researchers, academia, and local indus-
5 try.

6 (b) BROADENING PARTICIPATION OF RURAL STU-
7 DENTS IN STEM.—

8 (1) IN GENERAL.—The Director shall provide
9 grants on a merit-reviewed, competitive basis to in-
10 stitutions of higher education or nonprofit organiza-
11 tions (or a consortium thereof) for—

12 (A) research and development of program-
13 ming to identify the barriers rural students face
14 in accessing high-quality STEM education; and

15 (B) development of innovative solutions to
16 improve the participation and advancement of
17 rural students in grades Pre-K through 12 in
18 STEM studies.

19 (2) USE OF FUNDS.—

20 (A) IN GENERAL.—Grants awarded under
21 this section shall be used for the research and
22 development activities referred to in paragraph
23 (1), which may include—

24 (i) developing partnerships with com-
25 munity colleges to offer advanced STEM

- 1 course work, including computer science, to
2 rural high school students;
- 3 (ii) supporting research on effective
4 STEM practices in rural settings;
- 5 (iii) implementing a school-wide
6 STEM approach;
- 7 (iv) improving the National Science
8 Foundation's Advanced Technology Edu-
9 cation program's coordination and engage-
10 ment with rural communities;
- 11 (v) collaborating with existing commu-
12 nity partners and networks, such as the co-
13 operative research and extension services
14 of the Department of Agriculture and
15 youth serving organizations like 4-H, after
16 school STEM programs, and summer
17 STEM programs, to leverage community
18 resources and develop place-based pro-
19 gramming;
- 20 (vi) connecting rural school districts
21 and institutions of higher education, to im-
22 prove precollegiate STEM education and
23 engagement;
- 24 (vii) supporting partnerships that
25 offer hands-on inquiry-based science activi-

1 ties, including coding, and access to lab re-
2 sources for students studying STEM in
3 grades Pre–K through 12 in a rural area;

4 (viii) evaluating the role of broadband
5 connectivity and its associated impact on
6 the STEM and technology literacy of rural
7 students;

8 (ix) building capacity to support ex-
9 tracurricular STEM programs in rural
10 schools, including mentor-led engagement
11 programs, STEM programs held during
12 nonschool hours, STEM networks, maker-
13 spaces, coding activities, and competitions;

14 (x) creating partnerships with local in-
15 dustries and local educational agencies to
16 tailor STEM curricula and educational ex-
17 periences to the needs of a particular local
18 or regional economy; and

19 (xi) any other activity the Director de-
20 termines will accomplish the goals of this
21 subsection.

22 (c) APPLICATION.—An applicant seeking a grant
23 under subsection (a) or (b) shall submit an application at
24 such time, in such manner, and containing such informa-

1 tion as the Director may require. The application may in-
2 clude the following:

3 (1) A description of the target population to be
4 served by the research activity or activities for which
5 such grant is sought.

6 (2) A description of the process for recruitment
7 and selection of students, educators, or schools from
8 rural areas to participate in such activity or activi-
9 ties.

10 (3) A description of how such activity or activi-
11 ties may inform efforts to promote the engagement
12 and achievement of rural students in grades Pre–K
13 through 12 in STEM studies.

14 (4) In the case of a proposal consisting of a
15 partnership or partnerships with one or more rural
16 schools and one or more researchers, a plan for es-
17 tablishing a sustained partnership that is jointly de-
18 veloped and managed, draws from the capacities of
19 each partner, and is mutually beneficial.

20 (d) PARTNERSHIPS.—In awarding grants under sub-
21 section (a) or (b), the Director shall—

22 (1) encourage applicants which, for the purpose
23 of the activity or activities funded through the grant,
24 include or partner with a nonprofit organization or
25 an institution of higher education (or a consortium

1 thereof) that has extensive experience and expertise
2 in increasing the participation of rural students in
3 grades Pre–K through 12 in STEM;

4 (2) encourage applicants which, for the purpose
5 of the activity or activities funded through the grant,
6 include or partner with a consortium of rural schools
7 or rural school districts; and

8 (3) encourage applications which, for the pur-
9 pose of the activity or activities funded through the
10 grant, include commitments from school principals
11 and administrators to making reforms and activities
12 proposed by the applicant a priority.

13 (e) EVALUATIONS.—All proposals for grants under
14 subsections (a) and (b) shall include an evaluation plan
15 that includes the use of outcome oriented measures to as-
16 sess the impact and efficacy of the grant. Each recipient
17 of a grant under this section shall include results from
18 these evaluative activities in annual and final projects.

19 (f) ACCOUNTABILITY AND DISSEMINATION.—

20 (1) EVALUATION REQUIRED.—The Director
21 shall evaluate the portfolio of grants awarded under
22 subsections (a) and (b). Such evaluation shall—

23 (A) use a common set of benchmarks and
24 tools to assess the results of research conducted

1 under such grants and identify best practices;
2 and

3 (B) to the extent practicable, integrate the
4 findings of research resulting from the activity
5 or activities funded through such grants with
6 the findings of other research on rural student's
7 pursuit of degrees or careers in STEM.

8 (2) REPORT ON EVALUATIONS.—Not later than
9 180 days after the completion of the evaluation
10 under paragraph (1), the Director shall submit to
11 Congress and make widely available to the public a
12 report that includes—

13 (A) the results of the evaluation; and

14 (B) any recommendations for administra-
15 tive and legislative action that could optimize
16 the effectiveness of the grants awarded under
17 this section.

18 (g) REPORT BY COMMITTEE ON EQUAL OPPORTUNI-
19 TIES IN SCIENCE AND ENGINEERING.—

20 (1) IN GENERAL.—As part of the first report
21 required by section 36(e) of the Science and Engi-
22 neering Equal Opportunities Act (42 U.S.C.
23 1885c(e)) transmitted to Congress after the date of
24 enactment of this Act, the Committee on Equal Op-

1 opportunities in Science and Engineering shall in-
2 clude—

3 (A) a description of past and present poli-
4 cies and activities of the Foundation to encour-
5 age full participation of students in rural com-
6 munities in science, mathematics, engineering,
7 and computer science fields; and

8 (B) an assessment of trends in participa-
9 tion of rural students in grades Pre-K through
10 12 in Foundation activities, and an assessment
11 of the policies and activities of the Foundation,
12 along with proposals for new strategies or the
13 broadening of existing successful strategies to-
14 wards facilitating the goals of this subtitle.

15 (2) TECHNICAL CORRECTION.—

16 (A) IN GENERAL.—Section 313 of the
17 American Innovation and Competitiveness Act
18 (Public Law 114–329) is amended by striking
19 “Section 204(e) of the National Science Foun-
20 dation Authorization Act of 1988” and insert-
21 ing “Section 36(e) of the Science and Engineer-
22 ing Equal Opportunities Act”.

23 (B) APPLICABILITY.—The amendment
24 made by paragraph (1) shall take effect as if
25 included in the enactment of section 313 of the

1 American Innovation and Competitiveness Act
2 (Public Law 114–329).

3 (h) COORDINATION.—In carrying out this section, the
4 Director shall, for purposes of enhancing program effec-
5 tiveness and avoiding duplication of activities, consult, co-
6 operate, and coordinate with the programs and policies of
7 other relevant Federal agencies.

8 (i) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to the Director—

10 (1) \$8,000,000 to carry out the activities under
11 subsection (a) for each of fiscal years 2022 through
12 2026; and

13 (2) \$12,000,000 to carry out the activities
14 under subsection (b) for each of fiscal years 2022
15 through 2026.

16 **SEC. 10528. RESEARCHING OPPORTUNITIES FOR ONLINE**
17 **EDUCATION.**

18 (a) IN GENERAL.—The Director shall, subject to ap-
19 propriations, award competitive grants to institutions of
20 higher education or nonprofit organizations (or a consor-
21 tium thereof, which may include a private sector partner)
22 to conduct research on online STEM education courses for
23 rural communities.

24 (b) RESEARCH AREAS.—The research areas eligible
25 for funding under this subsection shall include—

1 (1) evaluating the learning and achievement of
2 rural students in grades Pre–K through 12 in
3 STEM subjects;

4 (2) understanding how computer-based and on-
5 line professional development courses and mentor ex-
6 periences can be integrated to meet the needs of
7 educators of rural students in grades Pre–K through
8 12;

9 (3) combining computer-based and online
10 STEM education and training with apprenticeships,
11 mentoring, or other applied learning arrangements;

12 (4) leveraging online programs to supplement
13 STEM studies for rural students that need physical
14 and academic accommodation; and

15 (5) any other activity the Director determines
16 will accomplish the goals of this subsection.

17 (c) EVALUATIONS.—All proposals for grants under
18 this section shall include an evaluation plan that includes
19 the use of outcome oriented measures to assess the impact
20 and efficacy of the grant. Each recipient of a grant under
21 this section shall include results from these evaluative ac-
22 tivities in annual and final projects.

23 (d) ACCOUNTABILITY AND DISSEMINATION.—

1 (1) EVALUATION REQUIRED.—The Director
2 shall evaluate the portfolio of grants awarded under
3 this section. Such evaluation shall—

4 (A) use a common set of benchmarks and
5 tools to assess the results of research conducted
6 under such grants and identify best practices;
7 and

8 (B) to the extent practicable, integrate
9 findings from activities carried out pursuant to
10 research conducted under this section, with re-
11 spect to the pursuit of careers and degrees in
12 STEM, with those activities carried out pursu-
13 ant to other research on serving rural students
14 and communities.

15 (2) REPORT ON EVALUATIONS.—Not later than
16 180 days after the completion of the evaluation
17 under paragraph (1), the Director shall submit to
18 Congress and make widely available to the public a
19 report that includes—

20 (A) the results of the evaluation; and

21 (B) any recommendations for administra-
22 tive and legislative action that could optimize
23 the effectiveness of the grants awarded under
24 this section.

1 (e) COORDINATION.—In carrying out this section, the
2 Director shall, for purposes of enhancing program effec-
3 tiveness and avoiding duplication of activities, consult, co-
4 operate, and coordinate with the programs and policies of
5 other relevant Federal agencies.

6 **SEC. 10529. DEFINITIONS.**

7 In this subtitle:

8 (1) DIRECTOR.—The term “Director” means
9 the Director of the National Science Foundation es-
10 tablished under section 2 of the National Science
11 Foundation Act of 1950 (42 U.S.C. 1861).

12 (2) FEDERAL LABORATORY.—The term “Fed-
13 eral laboratory” has the meaning given such term in
14 section 4 of the Stevenson-Wydler Technology Inno-
15 vation Act of 1980 (15 U.S.C. 3703).

16 (3) FOUNDATION.—The term “Foundation”
17 means the National Science Foundation established
18 under section 2 of the National Science Foundation
19 Act of 1950 (42 U.S.C. 1861).

20 (4) INSTITUTION OF HIGHER EDUCATION.—The
21 term “institution of higher education” has the
22 meaning given such term in section 101(a) of the
23 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

24 (5) STEM.—The term “STEM” has the mean-
25 ing given the term in section 2 of the America COM-

1 PETES Reauthorization Act of 2010 (42 U.S.C.
2 6621 note).

3 (6) STEM EDUCATION.—The term “STEM
4 education” has the meaning given the term in sec-
5 tion 2 of the STEM Education Act of 2015 (42
6 U.S.C. 6621 note).

7 **Subtitle C—MSI STEM** 8 **Achievement**

9 **SEC. 10531. FINDINGS.**

10 Congress makes the following findings:

11 (1) Evidence suggests that the supply of STEM
12 workers is not keeping pace with the rapidly evolving
13 needs of the public and private sector, resulting in
14 a deficit often referred to as a STEM skills short-
15 age.

16 (2) According to the Bureau of Labor Statis-
17 tics, the United States will need one million addi-
18 tional STEM professionals than it is on track to
19 produce in the coming decade.

20 (3) STEM occupations offer higher wages, more
21 opportunities for advancement, and a higher degree
22 of job security than non-STEM occupations.

23 (4) The composition of the STEM workforce
24 does not reflect the current or projected diversity of
25 the Nation, with Hispanics, African Americans, and

1 other racial and ethnic minorities, significantly
2 underrepresented in the STEM workforce compared
3 to their presence in the workforce more generally.

4 (5) A stronger national commitment to increas-
5 ing the diversity of the STEM workforce is needed
6 to help address the STEM skills shortage.

7 (6) According to a 2019 National Academies of
8 Sciences, Engineering, and Medicine report entitled
9 “Minority Serving Institutions: America’s Underuti-
10 lized Resource for Strengthening the STEM Work-
11 force”, 2- and 4-year minority serving institutions
12 enroll nearly 30 percent of all undergraduate stu-
13 dents—a percentage that is expected to grow in the
14 coming years—in the United States higher education
15 system and play a critical role in providing impor-
16 tant pathways to STEM-related education, training,
17 and careers for students of color.

18 (7) HBCUs, TCUs, and MSIs are highly suc-
19 cessful at educating underrepresented minority stu-
20 dents in STEM fields and can serve as best practice
21 models for other colleges and universities to further
22 expand participation of underrepresented minorities
23 in the STEM workforce.

24 (8) Increased investment in STEM infrastruc-
25 ture at HBCUs, TCUs, and MSIs has the potential

1 to increase these institutions' ability to educate even
2 more students in the STEM disciplines.

3 (9) With the demand for STEM skills exceeding
4 the supply of STEM graduates, success of HBCUs,
5 TCUs, and MSIs in educating and training science
6 and engineering leaders is increasingly important for
7 United States economic growth and competitiveness.

8 **SEC. 10532. GOVERNMENT ACCOUNTABILITY OFFICE RE-**
9 **VIEW.**

10 Not later than 3 years after the date of enactment
11 of this Act, the Comptroller General of the United States
12 shall report to Congress—

13 (1) an inventory of competitive funding pro-
14 grams and initiatives carried out by Federal science
15 agencies that are targeted to HBCUs, TCUs, and
16 MSIs or partnerships with HBCUs, TCUs, and
17 MSIs;

18 (2) an assessment of Federal science agency
19 outreach activities to increase the participation and
20 competitiveness of HBCUs, TCUs, and MSIs in the
21 funding programs and initiatives identified in para-
22 graph (1); and

23 (3) recommendations of the Comptroller Gen-
24 eral to increase the participation of and the rate of
25 success of HBCUs, TCUs, and MSIs in competitive

1 funding programs offered by Federal science agen-
2 cies.

3 **SEC. 10533. RESEARCH AND CAPACITY BUILDING.**

4 (a) IN GENERAL.—The Director of the National
5 Science Foundation shall award grants, on a competitive
6 basis, to institutions of higher education or nonprofit orga-
7 nizations (or consortia thereof) to—

8 (1) conduct research described in subsection (b)
9 with respect to HBCUs, TCUs, and MSIs;

10 (2) conduct activities described in subsection (c)
11 to build the capacity of HBCUs, TCUs, and MSIs
12 to graduate students who are competitive in attain-
13 ing and advancing in the STEM workforce;

14 (3) build the research capacity and competitive-
15 ness of HBCUs, TCUs, and MSIs in STEM dis-
16 ciplines; and

17 (4) identify and broadly disseminate effective
18 models for programs and practices at HBCUs,
19 TCUs, and MSIs that promote the education and
20 workforce preparation of minority students pursuing
21 STEM studies and careers in which such students
22 are underrepresented.

23 (b) RESEARCH.—Research described in this sub-
24 section is research on the contribution of HBCUs, TCUs,
25 and MSIs to the education and training of underrep-

1 resented minority students in STEM fields and to the
2 meeting of national STEM workforce needs, including—

3 (1) the diversity with respect to local context,
4 cultural differences, and institutional structure
5 among HBCUs, TCUs, and MSIs and any associ-
6 ated impact on education and research endeavors;

7 (2) effective practices at HBCUs, TCUs, and
8 MSIs and associated outcomes on student recruit-
9 ment, retention, and advancement in STEM fields,
10 including the ability for students to compete for fel-
11 lowships, employment, and advancement in the
12 workforce;

13 (3) contributions made by HBCUs, TCUs, and
14 MSIs to local, regional, and national workforces;

15 (4) the unique challenges and opportunities for
16 HBCUs, TCUs, and MSIs in attaining the resources
17 needed for integrating effective practices in STEM
18 education, including providing research experiences
19 for underrepresented minority students;

20 (5) the access of students at HBCUs, TCUs,
21 and MSIs to STEM infrastructure and any associ-
22 ated outcomes for STEM competency;

23 (6) models of STEM curriculum, learning, and
24 teaching successful at HBCUs, TCUs, and MSIs for

1 increasing participation, retention, and success of
2 underrepresented minority students; and

3 (7) successful or promising partnerships be-
4 tween HBCUs, TCUs, and MSIs and other institu-
5 tions of higher education, private sector and non-
6 profit organizations, Federal laboratories, and inter-
7 national research institutions.

8 (c) CAPACITY BUILDING.—Activities described in this
9 subsection include the design, development, implementa-
10 tion, expansion, and assessment of—

11 (1) metrics of success to best capture the
12 achievements of HBCUs, TCUs, and MSIs and stu-
13 dents of such institutions to account for institutional
14 context and missions, faculty investment, student
15 populations, student needs, and institutional re-
16 source constraints;

17 (2) enhancements to undergraduate STEM cur-
18 riculum at HBCUs, TCUs, and MSIs to increase the
19 participation, retention, degree completion, and suc-
20 cess of underrepresented students;

21 (3) professional development programs to in-
22 crease the numbers and the high-quality preparation
23 of STEM faculty at HBCUs, TCUs, and MSIs, in-
24 cluding programs to encourage STEM doctoral stu-
25 dents to teach at HBCUs, TCUs, and MSIs; and

1 (4) mechanisms for institutions of higher edu-
2 cation that are not HBCUs, TCUs, or MSIs to part-
3 ner with HBCUs, TCUs, and MSIs on STEM edu-
4 cation, including the facilitation of student transfer,
5 mentoring programs for students and junior faculty,
6 joint research projects, and student access to grad-
7 uate education.

8 (d) RESEARCH EXPERIENCES.—Grants under this
9 section may fund the development or expansion of oppor-
10 tunities for the exchange of students and faculty to con-
11 duct research, facilitate professional development, and
12 provide mentorship including through partnerships with
13 institutions of higher education that are not HBCUs,
14 TCUs, or MSIs, private sector and non-profit organiza-
15 tions, Federal laboratories, and international research in-
16 stitutions.

17 (e) PARTNERSHIPS.—In awarding grants under this
18 section, the Director of the National Science Foundation
19 shall—

20 (1) encourage HBCUs, TCUs, and MSIs and
21 consortia thereof and partnerships with one or more
22 HBCU, TCU, or MSI, to submit proposals;

23 (2) require proposals submitted in partnership
24 with one or more HBCU, TCU, or MSI include a
25 plan for establishing a sustained partnership that is

1 jointly developed and managed, draws from the ca-
2 pacities of each institution, and is mutually bene-
3 ficial; and

4 (3) encourage proposals submitted in partner-
5 ship with the private sector, non-profit organiza-
6 tions, Federal laboratories, and international re-
7 search institutions, as appropriate.

8 (f) MSI CENTERS OF INNOVATION.—Grants under
9 this section may fund the establishment of no more than
10 five MSI Centers of Innovation to leverage successes of
11 HBCUs, TCUs, and MSIs in STEM education and re-
12 search training of underrepresented minority students as
13 models for other institutions, including both HBCUs,
14 TCUs, and MSIs and institutions of higher education that
15 are not HBCUs, TCUs, or MSIs. Such centers will be lo-
16 cated on campuses of selected institutions of higher edu-
17 cation and serve as incubators to allow institutions of
18 higher education to experiment, pilot, evaluate, and scale
19 up promising practices.

20 (g) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Director of the
22 National Science Foundation \$170,000,000 for fiscal year
23 2022, \$175,000,000 for fiscal year 2023, \$180,000,000
24 for fiscal year 2024, \$185,000,000 for fiscal year 2025,

1 and \$190,000,000 fiscal year 2026 to carry out this sec-
2 tion.

3 **SEC. 10534. AGENCY RESPONSIBILITIES.**

4 (a) IN GENERAL.—In consultation with outside
5 stakeholders and the heads of the Federal science agen-
6 cies, the Director shall develop a uniform set of policy
7 guidelines for Federal science agencies to carry out a sus-
8 tained program of outreach activities to increase clarity,
9 transparency, and accountability for Federal science agen-
10 cy investments in STEM education and research activities
11 at HBCUs, TCUs, and MSIs.

12 (b) OUTREACH ACTIVITIES.—In developing policy
13 guidelines under subsection (a) the Director shall include
14 guidelines that require each Federal science agency—

15 (1) to designate a liaison for HBCUs, TCUs,
16 and MSIs responsible for—

17 (A) enhancing direct communication with
18 HBCUs, TCUs, and MSIs to increase the Fed-
19 eral science agency’s understanding of the ca-
20 pacity and needs of such institutions and to
21 raise awareness of available Federal funding op-
22 portunities at such institutions;

23 (B) coordinating programs, activities, and
24 initiatives while accounting for the capacity and
25 needs of HBCUs, TCUs, and MSIs;

1 (C) tracking Federal science agency invest-
2 ments in and engagement with HBCUs, TCUs,
3 and MSIs; and

4 (D) reporting progress toward increasing
5 participation of HBCUs, TCUs, and MSIs in
6 grant programs;

7 (2) to publish annual forecasts of funding op-
8 portunities and proposal deadlines, including for
9 grants, contracts, subcontracts, and cooperative
10 agreements;

11 (3) to conduct on-site reviews of research facili-
12 ties at HBCUs, TCUs, and MSIs, as practicable,
13 and make recommendations regarding strategies for
14 becoming more competitive in research;

15 (4) to hold geographically accessible or virtual
16 workshops on research priorities of the Federal
17 science agency and on how to write competitive
18 grant proposals and how to bolster grant manage-
19 ment capacity for the entire grant lifecycle, from ap-
20 plication to completion;

21 (5) to ensure opportunities for HBCUs, TCUs,
22 and MSIs to directly communicate with Federal
23 science agency officials responsible for managing
24 competitive grant programs in order to receive feed-
25 back on research ideas and proposals, including

1 guidance on the Federal science agency’s peer review
2 process;

3 (6) to foster mutually beneficial public-private
4 collaboration among Federal science agencies, indus-
5 try, Federal laboratories, academia, and nonprofit
6 organizations to—

7 (A) identify alternative sources of funding
8 for STEM education and research at HBCUs,
9 TCUs, and MSIs;

10 (B) provide access to high-quality, relevant
11 research experiences for students and faculty of
12 HBCUs, TCUs, and MSIs;

13 (C) expand the professional networks of
14 students and faculty of HBCUs, TCUs, and
15 MSIs;

16 (D) broaden STEM educational opportuni-
17 ties for students and faculty of HBCUs, TCUs,
18 and MSIs; and

19 (E) support the transition of students of
20 HBCUs, TCUs, and MSIs into the STEM
21 workforce; and

22 (7) to publish an annual report that provides an
23 account of Federal science agency investments in
24 HBCUs, TCUs, and MSIs, including data on the
25 level of participation of HBCUs, TCUs, and MSIs

1 as prime recipients/contractors or subrecipients/sub-
2 contractors.

3 (c) STRATEGIC PLAN.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of enactment of this Act, the Director, in
6 collaboration with the head of each Federal science
7 agency, shall submit to Congress a report containing
8 a strategic plan for each Federal science agency to
9 increase the capacity of HBCUs, TCUs, and MSIs
10 to compete effectively for grants, contracts, or coop-
11 erative agreements and to encourage HBCUs,
12 TCUs, and MSIs to participate in Federal programs.

13 (2) CONSIDERATIONS.—In developing a stra-
14 tegic plan under paragraph (1), the Director and
15 each head of each Federal science agency shall con-
16 sider—

17 (A) issuing new or expanding existing
18 funding opportunities targeted to HBCUs,
19 TCUs, and MSIs;

20 (B) modifying existing research and devel-
21 opment program solicitations to incentivize ef-
22 fective partnerships with HBCUs, TCUs, and
23 MSIs;

24 (C) offering planning grants for HBCUs,
25 TCUs, and MSIs to develop or equip grant of-

1 fices with the requisite depth of knowledge to
2 submit competitive grant proposals and manage
3 awarded grants;

4 (D) offering additional training programs
5 and individualized and timely guidance to grant
6 officers faculty and postdoctoral researchers at
7 HBCUs, TCUs, and MSIs to ensure they un-
8 derstand the requirements for an effective grant
9 proposal; and

10 (E) other approaches for making current
11 competitive funding models more accessible for
12 under-resourced HBCUs, TCUs, and MSIs.

13 (d) REPORT TO CONGRESS.—Not later than 2 years
14 after the date of enactment of this Act, and every 5 years
15 thereafter, the Director shall report to Congress on the
16 implementation by Federal science agencies of the policy
17 guidelines developed under this section.

18 **SEC. 10535. DEFINITIONS.**

19 In this subtitle:

20 (1) DIRECTOR.—The term “Director” means
21 the Director of the Office of Science and Technology
22 Policy.

23 (2) FEDERAL LABORATORY.—The term “Fed-
24 eral laboratory” has the meaning given such term in

1 section 4 of the Stevenson-Wydler Technology Inno-
2 vation Act of 1980 (15 U.S.C. 3703).

3 (3) FEDERAL SCIENCE AGENCY.—The term
4 “Federal science agency” means any Federal agency
5 with an annual extramural research expenditure of
6 over \$100,000,000.

7 (4) HBCU.—The term “HBCU” has the mean-
8 ing given the term “part B institution” in section
9 322 of the Higher Education Act of 1965 (20
10 U.S.C. 1061).

11 (5) INSTITUTION OF HIGHER EDUCATION.—The
12 term “institution of higher education” has the
13 meaning given such term in section 101 of the High-
14 er Education Act of 1965 (20 U.S.C. 1001).

15 (6) MINORITY SERVING INSTITUTION.—The
16 term “minority serving institution” or “MSI” means
17 Hispanic-Serving Institutions as defined in section
18 502 of the Higher Education Act of 1965 (20
19 U.S.C. 1101a); Alaska Native Serving Institutions
20 and Native Hawaiian-Serving Institutions as defined
21 in section 317 of the Higher Education Act of 1965
22 (20 U.S.C. 1059d); and Predominantly Black Insti-
23 tutions, Asian American and Native American Pa-
24 cific Islander-Serving Institutions, and Native Amer-
25 ican-Serving Nontribal Institutions as defined in sec-

1 tion 371 of the Higher Education Act of 1965 (20
2 U.S.C. 1067q(c)).

3 (7) STEM.—The term “STEM” has the mean-
4 ing given the term in the STEM Education Act of
5 2015 (42 U.S.C. 1861 et seq.).

6 (8) TCU.—The term “TCU” has the meaning
7 given the term “Tribal College or University” in sec-
8 tion 316 of the Higher Education Act of 1965 (20
9 U.S.C. 1059e).

10 **Subtitle D—Combating Sexual** 11 **Harassment in Science**

12 **SEC. 10541. FINDINGS.**

13 Congress makes the following findings:

14 (1) According to the report issued by the Na-
15 tional Academies of Sciences, Engineering, and Med-
16 icine in 2018 entitled “Sexual Harassment of
17 Women: Climate, Culture, and Consequences in Aca-
18 demic Sciences, Engineering, and Medicine”—

19 (A) sexual harassment is pervasive in insti-
20 tutions of higher education;

21 (B) the most common type of sexual har-
22 assment is gender harassment, which includes
23 verbal and nonverbal behaviors that convey in-
24 sulting, hostile, and degrading attitudes about
25 members of one gender;

1 (C) 58 percent of individuals in the aca-
2 demic workplace experience sexual harassment,
3 the second highest rate when compared to the
4 military, the private sector, and Federal, State,
5 and local government;

6 (D) women who are members of racial or
7 ethnic minority groups are more likely to expe-
8 rience sexual harassment and to feel unsafe at
9 work than White women, White men, or men
10 who are members of such groups;

11 (E) the training for each individual who
12 has a doctor of philosophy in the science, tech-
13 nology, engineering, and mathematics fields is
14 estimated to cost approximately \$500,000; and

15 (F) attrition of an individual so trained re-
16 sults in a loss of talent and money.

17 (2) Sexual harassment undermines career ad-
18 vancement for women.

19 (3) According to a 2017 University of Illinois
20 study, among astronomers and planetary scientists,
21 18 percent of women who are members of racial or
22 ethnic minority groups and 12 percent of White
23 women skipped professional events because they did
24 not feel safe attending.

1 (4) Many women report leaving employment at
2 institutions of higher education due to sexual har-
3 assment.

4 (5) Research shows the majority of individuals
5 do not formally report experiences of sexual harass-
6 ment due to a justified fear of retaliation or other
7 negative professional or personal consequences.

8 (6) Reporting procedures with respect to such
9 harassment are inconsistent among Federal science
10 agencies and have varying degrees of accessibility.

11 (7) There is not adequate communication
12 among Federal science agencies and between such
13 agencies and grantees regarding reports of sexual
14 harassment, which has resulted in harassers receiv-
15 ing Federal funding after moving to a different in-
16 stitution.

17 **SEC. 10542. DEFINITIONS.**

18 In this subtitle:

19 (1) **ACADEMIES.**—The term “Academies”
20 means the National Academies of Sciences, Engi-
21 neering, and Medicine.

22 (2) **DIRECTOR.**—The term “Director” means
23 the Director of the National Science Foundation.

24 (3) **FEDERAL SCIENCE AGENCY.**—The term
25 “Federal science agency” means any Federal agency

1 with an annual extramural research expenditure of
2 over \$100,000,000.

3 (4) FINDING OR DETERMINATION.—The term
4 “finding or determination” means the final disposi-
5 tion of a matter involving a violation of organiza-
6 tional policies and processes, to include the exhaus-
7 tion of permissible appeals, or a conviction of a sex-
8 ual offense in a criminal court of law.

9 (5) GENDER HARASSMENT.—The term “gender
10 harassment” means verbal and nonverbal behaviors
11 that convey hostility, objectification, exclusion, or
12 second-class status about one’s gender, gender iden-
13 tity, gender presentation, sexual orientation, or preg-
14 nancy status.

15 (6) GRANTEE.—The term “grantee” means the
16 legal entity to which a grant is awarded and that is
17 accountable to the Federal Government for the use
18 of the funds provided.

19 (7) GRANT PERSONNEL.—The term “grant per-
20 sonnel” means principal investigators, co-principal
21 investigators, postdoctoral researchers and other em-
22 ployees supported by a grant award, cooperative
23 agreement, or contract under Federal law.

24 (8) INSTITUTION OF HIGHER EDUCATION.—The
25 term “institution of higher education” has the

1 meaning given such term in section 101 of the High-
2 er Education Act of 1965 (20 U.S.C. 1001).

3 (9) SEXUAL HARASSMENT.—The term “sexual
4 harassment” means conduct that encompasses—

5 (A) unwelcome sexual advances;

6 (B) unwanted physical contact that is sex-
7 ual in nature, including assault;

8 (C) unwanted sexual attention, including
9 sexual comments and propositions for sexual ac-
10 tivity;

11 (D) conditioning professional or edu-
12 cational benefits on sexual activity; and

13 (E) retaliation for rejecting unwanted sex-
14 ual attention.

15 (10) STEM.—The term “STEM” means
16 science, technology, engineering, and mathematics,
17 including computer science.

18 **SEC. 10543. RESEARCH GRANTS.**

19 (a) IN GENERAL.—The Director shall establish a pro-
20 gram to award grants, on a competitive basis, to institu-
21 tions of higher education or nonprofit organizations (or
22 consortia of such institutions or organizations)—

23 (1) to expand research efforts to better under-
24 stand the factors contributing to, and consequences
25 of, sexual harassment and gender harassment affect-

1 ing individuals in the STEM workforce, including
2 students and trainees; and

3 (2) to examine interventions to reduce the inci-
4 dence and negative consequences of such harass-
5 ment.

6 (b) USE OF FUNDS.—Activities funded by a grant
7 under this section may include—

8 (1) research on the sexual harassment and gen-
9 der harassment experiences of individuals in under-
10 represented or vulnerable groups, including racial
11 and ethnic minority groups, disabled individuals, for-
12 eign nationals, sexual- and gender-minority individ-
13 uals, and others;

14 (2) development and assessment of policies,
15 procedures, trainings, and interventions, with respect
16 to sexual harassment and gender harassment, con-
17 flict management, and ways to foster respectful and
18 inclusive climates;

19 (3) research on approaches for remediating the
20 negative impacts and outcomes of such harassment
21 on individuals experiencing such harassment;

22 (4) support for institutions of higher education
23 to develop, adapt, and assess the impact of innova-
24 tive, evidence-based strategies, policies, and ap-

1 proaches to policy implementation to prevent and
2 address sexual harassment and gender harassment;

3 (5) research on alternatives to the hierarchical
4 and dependent relationships, including but not lim-
5 ited to the mentor-mentee relationship, in academia
6 that have been shown to create higher levels of risk
7 for sexual harassment and gender harassment; and

8 (6) establishing a center for the ongoing com-
9 pilation, management, and analysis of campus cli-
10 mate survey data.

11 **SEC. 10544. DATA COLLECTION.**

12 Not later than 180 days after the date of enactment
13 of this Act, the Director shall convene a working group
14 composed of representatives of Federal statistical agen-
15 cies—

16 (1) to develop questions on sexual harassment
17 and gender harassment in STEM departments to
18 gather national data on the prevalence, nature, and
19 implications of sexual harassment and gender har-
20 assment in institutions of higher education; and

21 (2) to include such questions as appropriate,
22 with sufficient protections of the privacy of respon-
23 dents, in relevant surveys conducted by the National
24 Center for Science and Engineering Statistics and
25 other relevant entities.

1 **SEC. 10545. RESPONSIBLE CONDUCT GUIDE.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Director shall enter into
4 an agreement with the Academies to update the report en-
5 titled “On Being a Scientist: A Guide to Responsible Con-
6 duct in Research” issued by the Academies. The report,
7 as so updated, shall include—

8 (1) updated professional standards of conduct
9 in research;

10 (2) standards of treatment individuals can ex-
11 pect to receive under such updated standards of con-
12 duct;

13 (3) evidence-based practices for fostering a cli-
14 mate intolerant of sexual harassment and gender
15 harassment;

16 (4) methods, including bystander intervention,
17 for identifying and addressing incidents of sexual
18 harassment and gender harassment; and

19 (5) professional standards for mentorship and
20 teaching with an emphasis on preventing sexual har-
21 assment and gender harassment.

22 (b) RECOMMENDATIONS.—In updating the report
23 under subsection (a), the Academies shall take into ac-
24 count recommendations made in the report issued by the
25 Academies in 2018 entitled “Sexual Harassment of
26 Women: Climate, Culture, and Consequences in Academic

1 Sciences, Engineering, and Medicine” and other relevant
2 studies and evidence.

3 (c) REPORT.—Not later than 18 months after the ef-
4 fective date of the contract under subsection (a), the Acad-
5 emies, as part of such agreement, shall submit to the Di-
6 rector and the Committee on Science, Space, and Tech-
7 nology of the House of Representatives and the Committee
8 on Commerce, Science, and Transportation of the Senate
9 the report referred to in such subsection, as updated pur-
10 suant to such subsection.

11 **SEC. 10546. INTERAGENCY WORKING GROUP.**

12 (a) IN GENERAL.—The Director of the Office of
13 Science and Technology Policy, acting through the Na-
14 tional Science and Technology Council, shall establish an
15 interagency working group for the purpose of coordinating
16 Federal science agency efforts to reduce the prevalence of
17 sexual harassment and gender harassment involving grant
18 personnel. The working group shall be chaired by the Di-
19 rector of the Office of Science and Technology Policy (or
20 the Director’s designee) and shall include a representative
21 from each Federal science agency with annual extramural
22 research expenditures totaling over \$1,000,000,000, a rep-
23 resentative from the Department of Education, and a rep-
24 resentative from the U.S. Equal Employment Opportunity
25 Commission.

1 (b) RESPONSIBILITIES OF WORKING GROUP.—The
2 interagency working group established under subsection
3 (a) shall coordinate Federal science agency efforts to im-
4 plement the policy guidelines developed under subsection
5 (c)(2).

6 (c) RESPONSIBILITIES OF OSTP.—The Director of
7 the Office of Science and Technology Policy shall—

8 (1) not later than 90 days after the date of the
9 enactment of this Act, submit to the Committee on
10 Science, Space, and Technology of the House of
11 Representatives and the Committee on Commerce,
12 Science, and Transportation of the Senate an inven-
13 tory of policies, procedures, and resources dedicated
14 to preventing and responding to reports of sexual
15 harassment and gender harassment at Federal agen-
16 cies that provide legal definitions to which institu-
17 tions of higher education must comply;

18 (2) not later than 6 months after the date on
19 which the inventory is submitted under paragraph
20 (1)—

21 (A) in consultation with outside stake-
22 holders and Federal science agencies, develop a
23 uniform set of policy guidelines for Federal
24 science agencies; and

1 (B) submit a report to the committees re-
2 ferred to in paragraph (1) containing such
3 guidelines;

4 (3) encourage and monitor efforts of Federal
5 science agencies to develop or maintain and imple-
6 ment policies based on the guidelines developed
7 under paragraph (2), including the extent to which
8 Federal science agency policies depart from the uni-
9 form policy guidelines;

10 (4) not later than 1 year after the date on
11 which the inventory under paragraph (1) is sub-
12 mitted, and every 5 years thereafter, the Director of
13 the Office of Science and Technology Policy shall re-
14 port to Congress on the implementation by Federal
15 science agencies of the policy guidelines developed
16 under paragraph (2); and

17 (5) update such policy guidelines as needed.

18 (d) REQUIREMENTS.—In developing policy guidelines
19 under subsection (c)(2), the Director of the Office of
20 Science and Technology Policy shall include guidelines
21 that require—

22 (1) grantees to submit to the Federal science
23 agency or agencies from which the grantees receive
24 funding reports relating to—

1 (A) administrative action, related to an al-
2 legation against grant personnel of any sexual
3 harassment or gender harassment, as set forth
4 in organizational policies or codes of conduct,
5 statutes, regulations, or executive orders, that
6 affects the ability of grant personnel or their
7 trainees to carry out the activities of the grant;
8 and

9 (B) findings or determinations against
10 grant personnel of sexual harassment or gender
11 harassment, as set forth in organizational poli-
12 cies or codes of conduct, statutes, regulations,
13 or Executive orders, including any findings or
14 determinations related to reports submitted
15 under subparagraph (A) and any disciplinary
16 action that was taken;

17 (2) the sharing, updating, and archiving of re-
18 ports of sexual harassment and gender harassment
19 from grantees submitted under paragraph (1)(B)
20 with relevant Federal science agencies on a quarterly
21 basis; and

22 (3) to the extent practicable, ensure consistency
23 among Federal agencies with regards to the policies
24 and procedures for receiving reports submitted pur-
25 suant to paragraph (1), which may include the des-

1 ignation of a single agency to field reports so sub-
2 mitted.

3 (e) CONSIDERATIONS.—In developing policy guide-
4 lines under subsection (c)(2), the Director of the Office
5 of Science and Technology Policy shall consider guidelines
6 that require or incentivize—

7 (1) grantees to periodically assess their organi-
8 zational climate, which may include the use of cli-
9 mate surveys, focus groups, or exit interviews;

10 (2) grantees to publish on a publicly available
11 internet website the results of assessments con-
12 ducted pursuant to paragraph (1), disaggregated by
13 gender and, if possible, race, ethnicity, disability sta-
14 tus, and sexual orientation;

15 (3) grantees to make public on an annual basis
16 the number of reports of sexual harassment and
17 gender harassment at each such institution;

18 (4) grantees to regularly assess and improve
19 policies, procedures, and interventions to reduce the
20 prevalence of sexual harassment and gender harass-
21 ment;

22 (5) each grantee to demonstrate in its proposal
23 for a grant award, cooperative agreement, or con-
24 tract that a code of conduct is in place for maintain-

1 ing a healthy and welcoming workplace for grant
2 personnel and their trainees;

3 (6) the diffusion of the hierarchical and depend-
4 ent relationships between grant personnel and their
5 trainees;

6 (7) each grantee and Federal science agency to
7 have in place mechanisms for the re-integration of
8 individuals who have experienced sexual harassment
9 and gender harassment; and

10 (8) grantees to work to create a climate intoler-
11 ant of sexual harassment and gender harassment.

12 (f) FEDERAL SCIENCE AGENCY IMPLEMENTATION.—

13 Each Federal science agency shall—

14 (1) develop or maintain and implement policies
15 with respect to sexual harassment and gender har-
16 assment that are consistent with policy guidelines
17 under subsection (c)(2) and that protect the privacy
18 of all parties involved in any report and investigation
19 of sexual harassment and gender harassment, except
20 to the extent necessary to carry out an investigation;

21 (2) broadly disseminate such policies to current
22 and potential recipients of research grants, coopera-
23 tive agreements, or contracts awarded by such agen-
24 cy; and

1 (3) take into consideration any reports filed
2 under subsection (d)(1) when issuing grant awards,
3 cooperative agreements, or contracts.

4 (g) FERPA.—The Director of the Office of Science
5 and Technology Policy shall ensure that such guidelines
6 and requirements are consistent with the requirements of
7 section 444 of the General Education Provisions Act (20
8 U.S.C. 1232g) (commonly referred to as the “Family Edu-
9 cational Rights and Privacy Act of 1974”).

10 (h) SUNSET.—The interagency working group estab-
11 lished under subsection (a) shall terminate on the date
12 that is 7 years after the date of the enactment of this
13 Act.

14 **SEC. 10547. NATIONAL ACADEMIES ASSESSMENT.**

15 (a) IN GENERAL.—Not later than 3 years after the
16 date of enactment of this Act, the Director shall enter into
17 an agreement with the Academies to undertake a study
18 of the influence of sexual harassment and gender harass-
19 ment in institutions of higher education on the career ad-
20 vancement of individuals in the STEM workforce. The
21 study shall assess—

22 (1) the state of research on sexual harassment
23 and gender harassment in such workforce;

1 (2) whether research demonstrates a change in
2 the prevalence of sexual harassment and gender har-
3 assment in such workforce;

4 (3) the progress made with respect to imple-
5 menting recommendations promulgated in the Acad-
6 emies consensus study report entitled “Sexual Har-
7 assment of Women: Climate, Culture, and Con-
8 sequences in Academic Sciences, Engineering, and
9 Medicine”; and

10 (4) where to focus future efforts with respect to
11 decreasing sexual harassment and gender harass-
12 ment in such institutions.

13 **SEC. 10548. AUTHORIZATION OF APPROPRIATIONS.**

14 There is authorized to be appropriated to the Direc-
15 tor to carry out this subtitle, \$17,500,000.

16 **TITLE VI—MISCELLANEOUS**
17 **SCIENCE AND TECHNOLOGY**
18 **PROVISIONS**

19 **Subtitle A—Supporting Early-**
20 **Career Researchers**

21 **SEC. 10601. FINDINGS.**

22 Congress finds the following:

23 (1) The Nation’s universities and industrial re-
24 search labs are facing unprecedented budget pres-
25 sure as part of the COVID–19 health crisis, result-

1 ing in considerably fewer openings for research and
2 teaching positions.

3 (2) Emergency funding is needed to forestall
4 the loss of research talent likely to occur if early-ca-
5 reer researchers are forced to seek employment out-
6 side of research due to the sharp economic decline
7 caused by the COVID–19 health crisis.

8 (3) The future of America’s defense will rely on
9 advanced technologies to maintain its military supe-
10 riority over its rivals, including China. These tech-
11 nologies will require new levels of scientific and engi-
12 neering aptitude and understanding. Early career re-
13 searchers will play a critical role in the development
14 of these technologies, and the loss of an entire gen-
15 eration of researchers due to the COVID–19 pan-
16 demic will be detrimental to the United States na-
17 tional security.

18 **SEC. 10602. EARLY-CAREER RESEARCH FELLOWSHIP PRO-**
19 **GRAM.**

20 (a) IN GENERAL.—The Director of the National
21 Science Foundation may establish a 2-year pilot program
22 to award grants to highly qualified early-career investiga-
23 tors to carry out an independent research program at the
24 qualified institution of higher education chosen by such
25 investigator, to last for a period not greater than 2 years.

1 (b) SELECTION PROCESS.—The Director of the Na-
2 tional Science Foundation shall select grantees under sub-
3 section (a) from among citizens, nationals, and lawfully
4 admitted permanent resident aliens of the United States.

5 (c) OUTREACH.—The Director shall conduct program
6 outreach to recruit fellowship applicants—

7 (1) from all regions of the country;

8 (2) from historically underrepresented popu-
9 lations in the fields of science, technology, engineer-
10 ing, and mathematics; and

11 (3) who graduate from or intend to carry out
12 research at a variety of types of institutions of high-
13 er education, including—

14 (A) Historically Black Colleges and Uni-
15 versities;

16 (B) Hispanic-Serving Institutions;

17 (C) Tribal Colleges and Universities; and

18 (D) institutions of higher education that
19 are not among the top 50 institutions in annual
20 Federal funding for research.

21 (d) SPECIAL CONSIDERATION.—The Director shall
22 give special consideration to an application from an indi-
23 vidual who graduated from or is intending to carry out
24 research at an institution of the type listed in subsection
25 (c)(3).

1 (e) REPORT.—Not later than 90 days after the con-
2 clusion of the second year of the pilot program, the Direc-
3 tor shall submit a report to Congress that includes—

4 (1) statistical summary data on fellowship
5 awardees disaggregated by race, ethnicity, gender,
6 age, years since completion of doctoral degree, and
7 institution type;

8 (2) an assessment, drawing on feedback from
9 the research community and other sources of infor-
10 mation, of the effectiveness of the pilot program for
11 mitigating the loss of research talent due to the pan-
12 demic; and

13 (3) if determined effective, a plan for perma-
14 nent implementation of the pilot program.

15 (f) QUALIFIED INSTITUTION OF HIGHER EDUCATION
16 DEFINED.—The term “qualified institution of higher edu-
17 cation” has the meaning given the term in section 102
18 of the Higher Education of Act of 1965, except that such
19 term does not include an institution described in sub-
20 section (a)(1)(C) of such section.

21 **SEC. 10603. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated to the Direc-
23 tor of the National Science Foundation \$250,000,000 for
24 each of fiscal years 2021 through 2022 to carry out the
25 activities in this subtitle.

1 **Subtitle B—National Science and**
2 **Technology Strategy**

3 **SEC. 10611. NATIONAL SCIENCE AND TECHNOLOGY STRAT-**
4 **EGY.**

5 Section 206 of the National Science and Technology
6 Policy, Organization, and Priorities Act of 1976 (42
7 U.S.C. 6615) is amended to read as follows:

8 **“SEC. 206. NATIONAL SCIENCE AND TECHNOLOGY STRAT-**
9 **EGY.**

10 “(a) IN GENERAL.—Not later than the end of each
11 calendar year immediately after the calendar year in which
12 a review under section 206b is completed, the Director of
13 the Office of Science and Technology Policy, in consulta-
14 tion with the National Science and Technology Council,
15 shall develop and submit to Congress a comprehensive na-
16 tional science and technology strategy of the United States
17 to meet national research and development objectives for
18 the following 4-year period (in this Act referred to as ‘the
19 national science and technology strategy’).

20 “(b) REQUIREMENTS.—Each national science and
21 technology strategy required by subsection (a) shall delin-
22 eate a national science and technology strategy consistent
23 with—

24 “(1) the recommendations and priorities devel-
25 oped by the review established in section 206b;

1 “(2) the most recent national security strategy
2 report submitted pursuant to section 1032 of the
3 National Defense Authorization Act for Fiscal Year
4 2012 (50 U.S.C. 3043);

5 “(3) other relevant national plans; and

6 “(4) the strategic plans of relevant Federal de-
7 partments and agencies.

8 “(c) CONSULTATION.—The Director shall consult as
9 necessary with the Office of Management and Budget and
10 other appropriate elements of the Executive Office of the
11 President to ensure that the recommendations and prior-
12 ities delineated in the science and technology strategy are
13 incorporated in the development of annual budget re-
14 quests.

15 “(d) REPORT.—The President shall submit to Con-
16 gress each year a comprehensive report on the national
17 science and technology strategy of the United States. Each
18 report on the national science and technology strategy of
19 the United States shall include a description of—

20 “(1) strategic objectives and priorities necessary
21 to maintain the leadership of the United States in
22 science and technology and to advance science and
23 technology to address societal and national chal-
24 lenges, including near-term, medium-term, and long-
25 term research priorities;

1 Technology Policy shall complete a review of the
2 science and technology enterprise of the United
3 States (in this section referred to as the ‘quadren-
4 nial science and technology review’).

5 “(2) SCOPE.—The quadrennial science and
6 technology review shall be a comprehensive examina-
7 tion of the science and technology strategy of the
8 United States, including recommendations for main-
9 taining global leadership in science and technology
10 and advancing science and technology to address the
11 societal and national challenges and guidance on the
12 coordination of programs, assets, capabilities, budg-
13 et, policies, and authorities across all Federal re-
14 search and development programs.

15 “(3) CONSULTATION.—The Director of the Of-
16 fice of Science and Technology Policy shall conduct
17 each quadrennial science and technology review
18 under this subsection in consultation with—

19 “(A) the National Science and Technology
20 Council;

21 “(B) the heads of other relevant Federal
22 agencies;

23 “(C) the President’s Council of Advisors
24 on Science and Technology;

25 “(D) the National Science Board;

1 “(E) the National Security Council; and

2 “(F) other relevant governmental and non-
3 governmental entities, including representatives
4 from industry, institutions of higher education,
5 nonprofit organizations, Members of Congress,
6 and other policy experts.

7 “(4) COORDINATION.—The Director shall en-
8 sure that each quadrennial science and technology
9 review conducted under this section is coordinated
10 with other relevant statutorily required reviews, and
11 to the maximum extent practicable incorporates in-
12 formation and recommendations from existing re-
13 views to avoid duplication.

14 “(b) CONTENTS.—In each quadrennial science and
15 technology review, the Director shall—

16 “(1) provide an integrated view of, and rec-
17 ommendations for, science and technology policy
18 across the Federal Government, while considering
19 economic and national security and other societal
20 and national challenges;

21 “(2) assess and recommend priorities for re-
22 search, development and demonstration programs to
23 maintain American leadership in science and tech-
24 nology;

1 “(3) assess and recommend priorities for re-
2 search, development, and demonstration programs to
3 address societal and national challenges;

4 “(4) assess the global competition in science
5 and technology and identify potential threats to the
6 leadership of the United States in science and tech-
7 nology and opportunities for international collabora-
8 tion;

9 “(5) assess and make recommendations on the
10 science, technology, engineering, mathematics and
11 computer science workforce in the United States;

12 “(6) assess and make recommendations to im-
13 prove regional innovation across the United States;

14 “(7) assess and make recommendations to im-
15 prove translation of basic research and the enhance-
16 ment of technology transfer of federally funded re-
17 search;

18 “(8) identify, assess, and make recommenda-
19 tions to address science and technology gaps that
20 would not be met without federal investment;

21 “(9) review administrative and legislative poli-
22 cies and funding opportunities that affect private
23 sector science and technology activities, and identify
24 and make recommendations on policies that ensure

1 a level playing field for the participation and com-
2 petitiveness of small- and medium-sized businesses;

3 “(10) assess and identify the infrastructure and
4 tools needed to maintain the leadership of the
5 United States in science and technology and address
6 other societal and national challenges; and

7 “(11) review administrative or legislative poli-
8 cies that affect the science and technology enterprise
9 and identify and make recommendations on policies
10 that hinder research and development in the United
11 States.

12 “(c) REPORTING.—

13 “(1) IN GENERAL.—Not later than December
14 31 of the year in which a quadrennial science and
15 technology review is conducted, the Director shall
16 submit a report of the review to Congress.

17 “(2) PUBLICATION.—The Director shall, con-
18 sistent with the protection of national security and
19 other sensitive matters to the maximum extent pos-
20 sible, make each report submitted under paragraph
21 (1) publicly available on an internet website of the
22 Office of Science and Technology Policy.”.

23 **SEC. 10613. NATIONAL CIRCULAR ECONOMY ROADMAP.**

24 (a) DEFINITIONS.—In this section:

1 (1) CIRCULAR ECONOMY.—The term “circular
2 economy” means an economy that uses a systems-fo-
3 cused approach and involves industrial processes and
4 economic activities that—

5 (A) are restorative or regenerative by de-
6 sign;

7 (B) enable resources used in such proc-
8 esses and activities to maintain their highest
9 values for as long as possible; and

10 (C) aim for the elimination of waste
11 through the superior design of materials, prod-
12 ucts, and systems (including business models).

13 (2) DIRECTOR.—The term “Director” means
14 the Director of the Office of Science and Technology
15 Policy.

16 (b) NATIONAL CIRCULAR ECONOMY ROADMAP.—

17 (1) IN GENERAL.—Not later than 2 years after
18 the date of the enactment of this section, the Direc-
19 tor shall develop a national circular economy road-
20 map that includes—

21 (A) a vision for how the science and tech-
22 nology enterprise should support the develop-
23 ment of a circular economy in the United
24 States;

1 (B) identification of key public and private
2 stakeholders that may contribute to or benefit
3 from a transition to a circular economy; and

4 (C) recommendations on specific Federal
5 policies needed to drive this transition.

6 (2) COORDINATION.—In developing the road-
7 map under paragraph (1), the Director shall, as ap-
8 propriate, coordinate with—

9 (A) the Secretary of Energy;

10 (B) the Administrator of the Environ-
11 mental Protection Agency;

12 (C) the Secretary of Commerce;

13 (D) the Director of the National Institutes
14 of Standards and Technology; and

15 (E) the head of any other relevant Federal
16 agency.

17 (3) LEVERAGING EXISTING AGENCY PRO-
18 GRAMS.—In developing the roadmap under para-
19 graph (1), the Director shall, as appropriate, lever-
20 age efforts from existing Federal agency programs
21 relevant to a circular economy.

22 (4) CONSULTATION.—In developing the road-
23 map under paragraph (1), the Director may consult
24 academic, nonprofit, and industry stakeholders.

1 **Subtitle C—Energizing Technology**
2 **Transfer**

3 **SEC. 10621. DEFINITIONS.**

4 In this subtitle:

5 (1) **CLEAN ENERGY TECHNOLOGY.**—The term
6 “clean energy technology” means a technology that
7 significantly reduces energy use, increases energy ef-
8 ficiency, reduces greenhouse gas emissions, reduces
9 emissions of other pollutants, or mitigates other neg-
10 ative environmental consequences of energy produc-
11 tion, transmission or use.

12 (2) **DEPARTMENT.**—The term “Department”
13 means the Department of Energy.

14 (3) **DIRECTOR.**—The term “Director” means
15 the Director of each National Laboratory and the
16 Director of each Department of Energy single-pur-
17 pose research facility.

18 (4) **ECONOMICALLY DISTRESSED AREA.**—The
19 term “economically distressed area” has the mean-
20 ing described in section 301(a) of the Public Works
21 and Economic Development Act of 1965 (42 U.S.C.
22 3161(a)).

23 (5) **GRANT.**—The term “grant” means a grant
24 award, cooperative agreement award, or any other fi-

1 nancial assistance arrangement that the Secretary of
2 Energy determines to be appropriate.

3 (6) INSTITUTION OF HIGHER EDUCATION.—The
4 term “institution of higher education” has the
5 meaning given such term in the Higher Education
6 Act of 1965, as amended (20 U.S.C. 1001).

7 (7) NATIONAL LABORATORY.—The term “Na-
8 tional Laboratory” has the meaning given that term
9 in section 2 of the Energy Policy Act of 2005 (42
10 U.S.C. 15801).

11 (8) SECRETARY.—The term “Secretary” means
12 the Secretary of Energy.

13 **PART 1—NATIONAL CLEAN ENERGY**

14 **TECHNOLOGY TRANSFER PROGRAMS**

15 **SEC. 10623. NATIONAL CLEAN ENERGY INCUBATOR PRO-** 16 **GRAM.**

17 (a) CLEAN ENERGY INCUBATOR DEFINED.—In this
18 section, the term “clean energy incubator”—

19 (1) means any entity that is designed to accel-
20 erate the commercial application of clean energy
21 technologies by providing—

22 (A) physical workspace, labs, and proto-
23 typing facilities to support clean energy
24 startups or established clean energy companies;
25 or

1 (B) companies developing such tech-
2 nologies with support, resources, and services,
3 including—

4 (i) access to business education and
5 counseling;

6 (ii) mentorship opportunities; and

7 (iii) other services rendered for the
8 purpose of aiding the development and
9 commercial application of a clean energy
10 technology; and

11 (2) may include a program within or established
12 by a National Laboratory, an institution of higher
13 education or a State, territorial, local, or tribal gov-
14 ernment.

15 (b) PROGRAM ESTABLISHMENT.—Not later than 180
16 days after the enactment of this Act, the Secretary, acting
17 through the Chief Commercialization Officer established
18 in section 1001(a) of the Energy Policy Act of 2005 (42
19 U.S.C. 16391(a)), shall establish a Clean Energy Incu-
20 bator Program (herein referred to as the “program”) to
21 competitively award grants to clean energy incubators.

22 (c) CLEAN ENERGY INCUBATOR SELECTION.—In
23 awarding grants to clean energy incubators under sub-
24 section (b), the Secretary shall, to the maximum extent

1 practicable, prioritize funding clean energy incubators
2 that—

3 (1) partner with entities that carry out activi-
4 ties relevant to the activities of such incubator and
5 that operate at the local, State, and regional levels;

6 (2) support the commercial application activi-
7 ties of startup companies focused on physical hard-
8 ware, computational, or integrated hardware and
9 software technologies;

10 (3) are located in geographically diverse regions
11 of the United States, such as the Great Lakes re-
12 gion;

13 (4) are located in, or partner with entities lo-
14 cated in, economically-distressed areas;

15 (5) support the development of entities focused
16 on expanding clean energy tools and technologies to
17 rural, Tribal, and low-income communities;

18 (6) support the commercial application of tech-
19 nologies being developed by clean energy entre-
20 preneurs from underrepresented backgrounds; and

21 (7) have a plan for sustaining activities of the
22 incubator after grant funds received under this pro-
23 gram have been expended.

1 (d) AWARD LIMITS.—The Secretary shall not award
2 more than \$4,000,000 to one or more incubators in one
3 given State, per fiscal year.

4 (e) DURATION.—Each grant under subsection (b)
5 shall be for a period of no longer than 5 years, subject
6 to the availability of appropriations.

7 (f) USE OF FUNDS.—An entity receiving a grant
8 under this section may use grant amounts for operating
9 expenses.

10 (g) RENEWAL.—An award made to a clean energy
11 incubator under this section may be renewed for a period
12 of not more than 3 years, subject to merit review.

13 (h) EVALUATION.—In accordance with section 9007
14 of division Z of the Consolidated Appropriations Act, 2021
15 (Public Law 116–260), the Secretary shall submit to the
16 Committee on Science, Space, and Technology of the
17 House of Representatives and the Committee on Energy
18 and Natural Resources of the Senate an evaluation of the
19 program established under this section that includes anal-
20 yses of the performance of the clean energy incubators.

21 (i) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to the Secretary to carry
23 out this section \$15,000,000 for each of fiscal years 2022
24 through 2026.

1 **SEC. 10624. CLEAN ENERGY TECHNOLOGY UNIVERSITY**
2 **PRIZE COMPETITION.**

3 (a) DEFINITIONS.—In this section:

4 (1) ELIGIBLE ENTITY.—The term “eligible enti-
5 ty” means a nonprofit entity, an institution of high-
6 er education, or an entity working with one or more
7 institutes of higher education.

8 (2) MINORITY-SERVING INSTITUTION.—The
9 term “minority-serving institution” means an insti-
10 tution described in section 371(a) of the Higher
11 Education Act of 1965 (20 U.S.C. 1067q(a)).

12 (b) IN GENERAL.—The Secretary shall establish a
13 program, known as the “Clean Energy Technology Uni-
14 versity Prize”, to award funding for eligible entities to
15 carry out regional and one national clean energy tech-
16 nology prize competitions, under section 24 of the Steven-
17 son-Wylder Technology Innovation Act of 1980 (15 U.S.C.
18 3719). In carrying out such prize competitions, students
19 shall compete to develop a business model for furthering
20 the commercial application of an innovative clean energy
21 technology.

22 (c) TRAINING FUNDING.—In carrying out this pro-
23 gram, the Secretary may provide funding to train partici-
24 pating students in skills needed for the successful commer-
25 cial application of clean energy technologies, including
26 through virtual training sessions.

1 (d) PRIORITIZATION.—In awarding grants under this
2 section, the Secretary shall prioritize awarding grants to
3 eligible entities that work with students at minority-serv-
4 ing institutions.

5 (e) COORDINATION.—In carrying out this program,
6 the Secretary shall coordinate and partner with other
7 clean energy technology prize competitions. In doing so,
8 the Secretary may develop and disseminate best practices
9 for administering prize competitions under this section.

10 (f) REPORT.—In accordance with section 9007 of di-
11 vision Z of the Consolidated Appropriations Act, 2021
12 (Public Law 116–260), the Secretary shall report annually
13 on the progress and implementation of the program estab-
14 lished under section (b).

15 (g) EVALUATION.—In accordance with section 9007
16 of division Z of the Consolidated Appropriations Act, 2021
17 (Public Law 116–260), the Secretary shall submit to the
18 Committee on Science, Space, and Technology of the
19 House of Representatives and the Committee on Energy
20 and Natural Resources of the Senate an evaluation on the
21 long-term outcomes of the program established under this
22 section and the progress towards achieving the purposes
23 of the program in subsection (b).

24 (h) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to the Secretary to carry

1 out the activities authorized in this section \$1,000,000 for
2 each of fiscal years 2022 through 2026.

3 **SEC. 10625. CLEAN ENERGY TECHNOLOGY TRANSFER CO-**
4 **ORDINATION.**

5 (a) IN GENERAL.—The Secretary, acting through the
6 Chief Commercialization Officer established in section
7 1001 (a) of the Energy Policy Act of 2005 (42 U.S.C.
8 16391 (a)), shall support the coordination of relevant
9 technology transfer programs that advance the commercial
10 application of clean energy technologies nationally and
11 across all energy sectors. In particular, the Secretary may
12 support activities to—

13 (1) facilitate the sharing of information on best
14 practices for successful operation of clean energy
15 technology transfer programs;

16 (2) coordinate resources and improve coopera-
17 tion among clean energy technology transfer pro-
18 grams;

19 (3) facilitate connections between entrepreneurs
20 and start-up companies and the variety of programs
21 related to clean energy technology transfer under the
22 Department; and

23 (4) facilitate the development of metrics to
24 measure the impact of clean energy technology
25 transfer programs on—

1 (A) advancing the development, demonstra-
2 tion, and commercial application of clean en-
3 ergy technologies;

4 (B) increasing the competitiveness of
5 United States in the clean energy sector, in-
6 cluding in manufacturing; and

7 (C) commercial application of clean energy
8 technologies being developed by entrepreneurs
9 from under-represented backgrounds.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated to the Secretary to carry
12 out the activities in this section \$3,000,000 for each of
13 fiscal years 2022 through 2026.

14 **PART 2—SUPPORTING TECHNOLOGY DEVELOP-**
15 **MENT AT THE NATIONAL LABORATORIES**

16 **SEC. 10626. LAB PARTNERING SERVICE PILOT PROGRAM.**

17 Section 9002 of division Z of the Consolidated Appro-
18 priations Act, 2021 (Public Law 116–260) is amended by
19 adding at the end the following:

20 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Secretary
22 \$2,000,000 for each of fiscal years 2022 through 2024
23 to carry out subsections (a), (b), and (c), and \$1,700,000
24 for each of fiscal years 2022 through 2024 for National

1 Laboratory employees to provide services under subsection
2 (d).”.

3 **SEC. 10627. LAB-EMBEDDED ENTREPRENEURSHIP PRO-**
4 **GRAM.**

5 (a) IN GENERAL.—The Secretary shall competitively
6 award grants to National Laboratories for the purpose of
7 establishing or supporting Lab-Embedded Entrepreneur-
8 ship Programs.

9 (b) PURPOSES.—The purposes of such programs are
10 to provide entrepreneurial fellows with access to National
11 Laboratory research facilities, National Laboratory exper-
12 tise, and mentorship to perform research and development
13 and gain expertise that may be required or beneficial for
14 the commercial application of research ideas.

15 (c) ENTREPRENEURIAL FELLOWS.—An entrepre-
16 neurial fellow participating in a program described in sub-
17 section (a) shall be provided with—

18 (1) opportunities for entrepreneurial training,
19 professional development, and exposure to leaders
20 from academia, industry, government, and finance
21 who may serve as advisors to or partners of the fel-
22 low;

23 (2) financial and technical support for research,
24 development, and commercial application activities;

1 (3) fellowship awards to cover costs of living,
2 health insurance, and travel stipends for the dura-
3 tion of the fellowship; and

4 (4) any other resources determined appropriate
5 by the Secretary.

6 (d) PROGRAM ACTIVITIES.—Each National Labora-
7 tory that receives funding under this section shall support
8 entrepreneurial fellows by providing—

9 (1) access to facilities and expertise within the
10 National Laboratory;

11 (2) engagement with external stakeholders; and

12 (3) market and customer development opportu-
13 nities.

14 (e) ADMINISTRATION.—National Laboratories that
15 receive grants under this section shall prioritize the sup-
16 port and success of the entrepreneurial fellow with regards
17 to professional development and development of a relevant
18 technology.

19 (f) PARTNERSHIPS.—In carrying out a Lab-Embed-
20 ded Entrepreneurship Program, a National Laboratory
21 may partner with an external entity, including—

22 (1) a nonprofit organization;

23 (2) an institution of higher education;

24 (3) a federally-owned corporation; or

1 (4) a consortium of 2 or more entities described
2 in paragraphs (1) through (3).

3 (g) METRICS.—The Secretary shall support the de-
4 velopment of short-term and long-term metrics to assess
5 the effectiveness of programs receiving a grant under sub-
6 section (a) in achieving the purposes of the program in
7 subsection (a).

8 (h) EVALUATION.—In accordance with section 9007
9 of division Z of the Consolidated Appropriations Act, 2021
10 (Public Law 116–260), not later than 3 years after the
11 date of the enactment of this Act, and every 3 years there-
12 after, the Secretary shall submit to the Committee on
13 Science, Space, and Technology of the House of Rep-
14 resentatives and the Committee on Energy and Natural
15 Resources of the Senate an evaluation of the effectiveness
16 of the programs under subsection (a) based on the metrics
17 developed pursuant to subsection (g).

18 (i) COORDINATION.—The Secretary shall oversee the
19 planning and coordination of grants under subsection (a)
20 and shall identify and disseminate best practices for
21 achieving the purposes of subsection (a) to National Lab-
22 oratories that receive grants under this section.

23 (j) INTERAGENCY COLLABORATION.—The Secretary
24 shall collaborate with other executive branch agencies, in-
25 cluding the Department of Defense and other agencies

1 with Federal laboratories, regarding opportunities to part-
2 ner with National Laboratories receiving a grant under
3 subsection (a).

4 (k) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to the Secretary to carry
6 out the activities authorized in this section \$25,000,000
7 for each of fiscal years 2022 through 2026.

8 **SEC. 10628. SMALL BUSINESS VOUCHER PROGRAM.**

9 Section 1003 of the Energy Policy Act of 2005 (42
10 U.S.C. 16393) is amended—

11 (1) in subsection (a)—

12 (A) in the matter preceding paragraph (1),
13 by striking “, and may require the Director of
14 a single-purpose research facility,” and insert-
15 ing “(as defined in section 2) and the Director
16 of each single-purpose research facility”;

17 (B) in paragraph (1)—

18 (i) by striking “increase” and insert-
19 ing “encourage”; and

20 (ii) by striking “collaborative re-
21 search,” and inserting “research, develop-
22 ment, demonstration, and commercial ap-
23 plication activities, including product devel-
24 opment,”;

1 (C) in paragraph (2), by striking “procure-
2 ment and collaborative research” and inserting
3 “the activities described in paragraph (1)”;

4 (D) in paragraph (3)—

5 (i) by inserting “facilities,” before
6 “training”; and

7 (ii) by striking “procurement and col-
8 laborative research activities” and insert-
9 ing “the activities described in paragraph
10 (1)”; and

11 (E) in paragraph (5), by striking “for the
12 program under subsection (b)” and inserting
13 “and metrics for the programs under sub-
14 sections (b) and (c)”;

15 (2) by redesignating subsections (c) and (d) as
16 subsections (d) and (e), respectively;

17 (3) by inserting after subsection (b) the fol-
18 lowing:

19 “(c) SMALL BUSINESS VOUCHER PROGRAM.—

20 “(1) DEFINITIONS.—In this subsection:

21 “(A) DIRECTOR.—The term ‘Director’
22 means—

23 “(i) the Director of each National
24 Laboratory; and

1 “(ii) the Director of each single-pur-
2 pose research facility.

3 “(B) NATIONAL LABORATORY.—The term
4 ‘National Laboratory’ has the meaning given
5 the term in section 2.

6 “(C) PROGRAM.—The term ‘program’
7 means the program established under para-
8 graph (2).

9 “(D) SMALL BUSINESS CONCERN.—The
10 term ‘small business concern’ has the meaning
11 given such term in section 3 of the Small Busi-
12 ness Act (15 U.S.C. 632).

13 “(2) ESTABLISHMENT.—The Secretary, acting
14 through the Chief Commercialization Officer ap-
15 pointed under section 1001(a), and in consultation
16 with the Directors, shall establish a program to pro-
17 vide small business concerns with vouchers under
18 paragraph (3)—

19 “(A) to achieve the goal described in sub-
20 section (a)(1); and

21 “(B) to improve the products, services, and
22 capabilities of small business concerns in the
23 mission space of the Department.

24 “(3) VOUCHERS.—Under the program, the Di-
25 rectors are authorized to provide to small business

1 concerns vouchers to be used at National Labora-
2 tories and single-purpose research facilities for—

3 “(A) research, development, demonstra-
4 tion, technology transfer, skills training and
5 workforce development, or commercial applica-
6 tion activities; or

7 “(B) any other activities that the applica-
8 ble Director determines appropriate.

9 “(4) EXPEDITED APPROVAL.—The Secretary,
10 working with the Directors, shall establish a stream-
11 lined approval process for financial assistance agree-
12 ments signed between—

13 “(A) small business concerns selected to
14 receive a voucher under the program; and

15 “(B) the National Laboratories and single-
16 purpose research facilities.

17 “(5) COST-SHARING REQUIREMENT.—In car-
18 rying out the program, the Secretary shall require
19 cost-sharing in accordance with section 988.

20 “(6) REPORT.—In accordance with section
21 9007 of division Z of the Consolidated Appropria-
22 tions Act, 2021 (Public Law 116–260), the Sec-
23 retary shall report annually on the progress and im-
24 plementation of the small business voucher program
25 established under this section, including the number

1 and locations of small businesses that received
2 grants under this program.”; and

3 (4) in subsection (e) (as so redesignated), by
4 striking “for activities under this section” and in-
5 serting “for activities under subsection (b)” and in-
6 serting before the period at the end “and for activi-
7 ties under subsection (c) \$25,000,000 for each of
8 fiscal years 2022 through 2026”.

9 **SEC. 10629. ENTREPRENEURIAL LEAVE PROGRAM.**

10 (a) **IN GENERAL.**—The Secretary shall delegate to
11 Directors the authority to carry out an entrepreneurial
12 leave program (referred to in this section as the “pro-
13 gram”) to allow National Laboratory employees to take
14 a full leave of absence from their position, with the option
15 to return to that or a comparable position up to 3 years
16 later, or a partial leave of absence, to advance the commer-
17 cial application of energy and related technologies relevant
18 to the mission of the Department.

19 (b) **TERMINATION AUTHORITY.**—Directors shall re-
20 tain the authority to terminate National Laboratory em-
21 ployees that participate in the program if such employees
22 are found to violate terms prescribed by the National Lab-
23 oratory at which such employee is employed.

24 (c) **LICENSING.**—To reduce barriers to participation
25 in the program, the Secretary shall delegate to the Direc-

1 tors the requirement to establish streamlined mechanisms
2 for facilitating the licensing of technology that is the focus
3 of National Laboratory employees who participate in the
4 program.

5 (d) REPORT.—In accordance with section 9007 of di-
6 vision Z of the Consolidated Appropriations Act, 2021
7 (Public Law 116–260), the Secretary shall report annually
8 on the utilization of this authority at National Labora-
9 tories, including the number of employees who participate
10 in this program at each National Laboratory and the num-
11 ber of employees who take a permanent leave from their
12 positions at National Laboratories as a result of partici-
13 pating in this program.

14 (e) FEDERAL ETHICS.—Nothing in this section shall
15 affect existing Federal ethics rules applicable to Federal
16 personnel.

17 **SEC. 10630. NATIONAL LABORATORY NON-FEDERAL EM-**
18 **PLOYEE OUTSIDE EMPLOYMENT AUTHORITY.**

19 (a) IN GENERAL.—The Secretary shall delegate to
20 Directors of National Laboratories the authority to allow
21 their non-Federal employees—

22 (1) to engage in outside employment, including
23 start-up companies based on licensing technologies
24 developed at National Laboratories and consulting in

1 their areas of expertise, and receive compensation
2 from such entities; and

3 (2) to engage in outside activities related to
4 their areas of expertise at the National Laboratory
5 and may allow employees, in their employment ca-
6 pacity at such outside employment, to access the
7 National Laboratories under the same contracting
8 mechanisms as non-Laboratory employees and enti-
9 ties, in accordance with appropriate conflict of inter-
10 est protocols.

11 (b) REQUIREMENTS.—If a Director elects to use the
12 authority granted by subsection (a) of this section, the Di-
13 rector, or their designee, shall—

14 (1) require employees to disclose to and obtain
15 approval from the Director or their designee prior to
16 engaging in any outside employment;

17 (2) develop and require appropriate conflict of
18 interest protocols for employees that engage in out-
19 side employment;

20 (3) maintain the authority to terminate employ-
21 ees engaging in outside employment if they are
22 found to violate terms, including conflict of interest
23 protocols, mandated by the Director; and

1 (1) NATIONAL LABORATORY.—The term “Na-
2 tional Laboratory” has the meaning given the term
3 in section 2 of the Energy Policy Act of 2005 (42
4 U.S.C. 15801).

5 (2) SECRETARY.—The term “Secretary” means
6 the Secretary of Energy.

7 (b) RESTORATION AND MODERNIZATION
8 PROJECTS.—The Secretary shall fund projects described
9 in subsection (c) as needed to address the deferred mainte-
10 nance, critical infrastructure needs, and modernization of
11 National Laboratories.

12 (c) PROJECTS DESCRIBED.—The projects referred to
13 in subsection (b) are, as determined by the Secretary—

14 (1) priority deferred maintenance projects at
15 National Laboratories, including facilities
16 sustainment for, upgrade of, and construction of re-
17 search laboratories, administrative and support
18 buildings, utilities, roads, power plants, and any
19 other critical infrastructure; and

20 (2) lab modernization projects at National Lab-
21 oratories, including lab modernization projects relat-
22 ing to core infrastructure needed—

23 (A) to support existing and emerging
24 science missions with new and specialized re-

1 requirements for world-leading scientific user fa-
2 cilities and computing capabilities; and

3 (B) to maintain safe, efficient, reliable,
4 and environmentally responsible operations.

5 (d) SUBMISSION TO CONGRESS.—For each fiscal year
6 through fiscal year 2026, at the same time as the annual
7 budget submission of the President, the Secretary shall
8 submit to the Committees on Appropriations and Energy
9 and Natural Resources of the Senate and the Committees
10 on Appropriations and Science, Space, and Technology of
11 the House of Representatives a list of projects for which
12 the Secretary will provide funding under this section, in-
13 cluding a description of each project and the funding pro-
14 file for the project.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) IN GENERAL.—There is authorized to be
17 appropriated to the Secretary to carry out this sec-
18 tion \$6,100,000,000 for each of fiscal years 2022
19 through 2026.

20 (2) OFFICE OF SCIENCE.—Not less than $\frac{1}{3}$ of
21 the amounts made available to carry out this section
22 each fiscal year shall be managed by the Office of
23 Science of the Department of Energy.

1 **PART 3—DEPARTMENT OF ENERGY**
2 **MODERNIZATION**

3 **SEC. 10632. OFFICE OF TECHNOLOGY TRANSITIONS.**

4 Section 1001(a) of the Energy Policy Act of 2005
5 (42 U.S.C. 16391) is amended by adding at the end the
6 following:

7 “(6) **HIRING AND MANAGEMENT.**—To carry out
8 the program authorized in this section, the Under
9 Secretary for Science may appoint personnel using
10 the authorities in section 10636 of the America
11 **COMPETES Act of 2022.**

12 “(7) **AUTHORIZATION OF APPROPRIATIONS.**—
13 There are authorized to be appropriated to the Sec-
14 retary to carry out the activities authorized in this
15 section \$20,000,000 for each of fiscal years 2022
16 through 2026.”.

17 **SEC. 10633. MANAGEMENT OF DEPARTMENT OF ENERGY**
18 **DEMONSTRATION PROJECTS.**

19 Section 41201 of the Infrastructure Investment and
20 Jobs Act (42 U.S.C. 18861) is amended—

21 (1) in subsection (b), by inserting “including
22 the Office of Technology Transitions, the Loan Pro-
23 gram Office, and all applied program offices,” after
24 “Department,”;

25 (2) in subsection (d), by inserting “, including
26 by using the authorities in section 10636 of the

1 America COMPETES Act of 2022,” after “per-
2 sonnel”;

3 (3) by redesignating subsections (e), (f), and
4 (g) as subsections (g), (h), and (i), respectively;

5 (4) by adding after subsection (d) the following:

6 “(e) ADDITIONAL AUTHORITY.—The Secretary may
7 carry out and manage covered projects directly through
8 the program.

9 “(f) PROJECT TERMINATION.—Should an ongoing
10 covered project receive an unfavorable review under sub-
11 section (e)(5), the Secretary or their designee may cease
12 funding the covered project and reallocate the remaining
13 funds to new or existing covered projects carried out by
14 that program office.”; and

15 (5) in subsection (h)(1) (as so redesignated), by
16 striking “The Secretary” and inserting “In accord-
17 ance with section 9007 of division Z of the Consoli-
18 dated Appropriations Act, 2021 (Public Law 116–
19 260), the Secretary”.

20 **SEC. 10634. STREAMLINING PRIZE COMPETITIONS.**

21 (a) REPORTING.—Section 1008 of the Energy Policy
22 Act of 2005 (42 U.S.C. 16396) is amended by adding at
23 the end the following:

24 “(h) REPORT.—In accordance with section 9007 of
25 division Z of the Consolidated Appropriations Act, 2021

1 (Public Law 116–260), the Secretary shall report annually
2 on a description of any prize competitions carried out
3 using the authority under this section, the total amount
4 of prizes awarded along with any private sector contribu-
5 tions, the methods used for solicitation and evaluation,
6 and a description of how each prize competition advanced
7 the mission of the Department.”.

8 (b) **TECHNICAL AMENDMENT.**—Section 1008 of the
9 Energy Policy Act of 2005 (42 U.S.C. 16396) is amended
10 by redesignating the second subsection (e) (relating to au-
11 thorization of appropriations) as subsection (f).

12 **SEC. 10635. COST-SHARE WAIVER EXTENSION.**

13 (a) **IN GENERAL.**—Section 988 of the Energy Policy
14 Act of 2005 (42 U.S.C. 16352) is amended in subsection
15 (b)(4)(B) by striking “this paragraph” and inserting “the
16 America COMPETES Act of 2022”.

17 (b) **REPORT.**—Section 108(b) of the Department of
18 Energy Research and Innovation Act is amended in sub-
19 section (b) by striking “this Act” each place it appears
20 and inserting “the America COMPETES Act of 2022”.

21 **SEC. 10636. SPECIAL HIRING AUTHORITY FOR SCIENTIFIC,**
22 **ENGINEERING, AND PROJECT MANAGEMENT**
23 **PERSONNEL.**

24 (a) **IN GENERAL.**—The Under Secretary for Science
25 shall have the authority to—

1 (1) make appointments of not more than 60
2 scientific, engineering, and professional personnel,
3 without regard to civil service laws, to assist the De-
4 partment in meeting specific project or research
5 needs;

6 (2) fix the basic pay of any employee appointed
7 under this section at a rate to be determined by the
8 Under Secretary at rates not in excess of Level II
9 of the Executive Schedule (EX-II) under section
10 5311 of title 5, United States Code without regard
11 to the civil service laws; and

12 (3) pay any employee appointed under this sec-
13 tion payments in addition to basic pay, except that
14 the total amount of additional payments paid to an
15 employee under this subsection for any 12-month pe-
16 riod shall not exceed the lesser of the following
17 amounts:

18 (A) \$25,000.

19 (B) The amount equal to 25 percent of the
20 annual rate of basic pay of that employee.

21 (C) The amount of the limitation that is
22 applicable for a calendar year under section
23 5307(a)(1) of title 5, United States Code.

24 (b) TERM.—

1 (1) IN GENERAL.—The term of any employee
2 appointed under this section shall not exceed 3 years
3 unless otherwise authorized in law.

4 (2) TERMINATION.—The Under Secretary for
5 Science shall have the authority to terminate any
6 employee appointed under this section at any time
7 based on performance or changing project or re-
8 search needs of the Department.

9 **SEC. 10637. TECHNOLOGY TRANSFER REPORTS AND EVAL-**
10 **UATION.**

11 Section 9007 of division Z of the Consolidated Appro-
12 priations Act, 2021 (Public Law 116–260) is amended as
13 follows:

14 “(a) ANNUAL REPORT.—As part of the updated tech-
15 nology transfer execution plan required each year under
16 section 1001(h)(2) of the Energy Policy Act of 2005 (42
17 U.S.C. 16391(g)(2)), the Secretary of Energy (in this sec-
18 tion referred to as the ‘Secretary’) shall submit to the
19 Committee on Science, Space, and Technology of the
20 House of Representatives and the Committee on Energy
21 and Natural Resources of the Senate a report on the
22 progress and implementation of programs established
23 under sections 9001, 9002, 9003, 9004, and 9005 of this
24 Act and under sections 10624, 10628, 10629, 10630,

1 10631, and 10633 of the America COMPETES Act of
2 2022.

3 “(b) EVALUATION.—Not later than 3 years after the
4 enactment of this Act and every 3 years thereafter the
5 Secretary shall submit to the Committee on Science,
6 Space, and Technology of the House of Representatives
7 and the Committee on Energy and Natural Resources of
8 the Senate an evaluation on the extent to which programs
9 established under sections 9001, 9002, 9003, 9004, and
10 9005 of this Act and sections 10623, 10624, 10625, and
11 10627 of the America COMPETES Act of 2022 are
12 achieving success based on relevant short-term and long-
13 term metrics.”.

14 **SEC. 10638. ARPA-E AUTHORIZATION OF APPROPRIATIONS.**

15 Paragraph (2) of section 5012(o) of the America
16 Competes Act (42 U.S.C. 16538(o)) is amended—

17 (1) in subparagraph (D), by striking “and”;

18 (2) in subparagraph (E), by striking the period
19 and inserting “; and”; and

20 (3) by inserting after subparagraph (E) the fol-
21 lowing:

22 “(F) \$1,000,000,000 for fiscal year
23 2026.”.

1 **Subtitle D—Regional Innovation**

2 **SEC. 10641. REGIONAL INNOVATION CAPACITY.**

3 (a) IN GENERAL.—The Stevenson-Wydler Tech-
4 nology Innovation Act of 1980 (Public Law 96–480; 15
5 U.S.C. 3701 et seq.) is amended—

6 (1) by redesignating section 28 as section 29;

7 and

8 (2) by inserting after section 27 the following:

9 **“SEC. 28. REGIONAL TECHNOLOGY AND INNOVATION HUB**

10 **PROGRAM.**

11 “(a) DEFINITIONS.—In this section:

12 “(1) APPROPRIATE COMMITTEES OF CON-
13 GRESS.—The term ‘appropriate committees of Con-
14 gress’ means—

15 “(A) the Committee on Commerce,
16 Science, and Transportation, the Committee on
17 Environment and Public Works, and the Com-
18 mittee on Appropriations of the Senate; and

19 “(B) the Committee on Science, Space,
20 and Technology and the Committee on Appro-
21 priations of the House of Representatives.

22 “(2) COOPERATIVE EXTENSION SERVICES.—

23 The term ‘cooperative extension services’ has the
24 meaning given the term in section 1404 of the Food
25 and Agriculture Act of 1977 (7 U.S.C. 3103).

1 “(3) HISTORICALLY BLACK COLLEGES AND
2 UNIVERSITIES.—The term ‘historically Black col-
3 leges and universities’ has the meaning given the
4 term ‘part B institution’ in section 322 of the High-
5 er Education Act of 1965 (20 U.S.C. 1061).

6 “(4) LABOR ORGANIZATION.—The term ‘labor
7 organization’ has the meaning given the term in sec-
8 tion 2(5) of the National Labor Relations Act (29
9 U.S.C. 152(5)), except that such term shall also in-
10 clude—

11 “(A) any organization composed of labor
12 organizations, such as a labor union federation
13 or a State or municipal labor body; and

14 “(B) any organization which would be in-
15 cluded in the definition for such term under
16 such section 2(5) but for the fact that the orga-
17 nization represents—

18 “(i) individuals employed by the
19 United States, any wholly owned Govern-
20 ment corporation, any Federal Reserve
21 Bank, or any State or political subdivision
22 thereof;

23 “(ii) individuals employed by persons
24 subject to the Railway Labor Act (45
25 U.S.C. 151 et seq.); or

1 “(iii) individuals employed as agricul-
2 tural laborers.

3 “(5) MANUFACTURING EXTENSION CENTER.—

4 The term ‘manufacturing extension center’ has the
5 meaning given the term ‘Center’ in section 25(a) of
6 the National Institute of Standards and Technology
7 Act (15 U.S.C. 278k(a)).

8 “(6) MANUFACTURING USA INSTITUTE.—The

9 term ‘Manufacturing USA institute’ means a Manu-
10 facturing USA institute described in section 34(d) of
11 the National Institute of Standards and Technology
12 Act (15 U.S.C. 278s(d)).

13 “(7) MINORITY-SERVING INSTITUTION.—The

14 term ‘minority-serving institution’ means a His-
15 panic-serving institution, an Alaska Native-serving
16 institution, a Native Hawaiian-serving institutions, a
17 Predominantly Black Institution, an Asian American
18 and Native American Pacific Islander-serving insti-
19 tution, or a Native American-serving nontribal insti-
20 tution as described in section 371(a) of the Higher
21 Education Act of 1965 (20 U.S.C. 1067q(a)).

22 “(8) SITE CONNECTIVITY INFRASTRUCTURE.—

23 The term ‘site connectivity infrastructure’ means lo-
24 calized driveways and access roads to a facility as
25 well as hookups to the new facility for drinking

1 water, waste water, broadband, and other basic in-
2 frastructure services already present in the area.

3 “(9) STATE.—The term ‘state’ has the meaning
4 given such term in section 27(a) of the Stevenson-
5 Wydler Act of 1980 (15 U.S.C. 3722(a)).

6 “(10) TRIBAL GOVERNMENT.—The term ‘Tribal
7 Government’ means the governing body of any In-
8 dian or Alaska Native Tribe, band, nation, pueblo,
9 village, community, component band or component
10 reservation, individually identified (including par-
11 enthetically) in the list published most recently as of
12 the date of enactment of this Act pursuant to sec-
13 tion 104 of the Federally Recognized Indian Tribe
14 List Act of 1994 (25 U.S.C. 5131).

15 “(11) TRIBAL COLLEGE OR UNIVERSITY.—The
16 term ‘Tribal College or University’ has the meaning
17 given such term in section 316 of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1059e).

19 “(12) VENTURE DEVELOPMENT ORGANIZA-
20 TION.—The term ‘venture development organization’
21 has the meaning given such term in section 27(a) of
22 the Stevenson-Wydler Act of 1980 (15 U.S.C.
23 3722(a)).

24 “(13) COMMUNITY DEVELOPMENT FINANCIAL
25 INSTITUTION.—The term ‘community development

1 financial institution' has the meaning given in sec-
2 tion 103 of the Community Development Banking
3 and Financial Institutions Act of 1994 (12 U.S.C.
4 4702).

5 “(14) MINORITY DEPOSITORY INSTITUTION.—
6 The term ‘minority depository institution’ means an
7 entity that is—

8 “(A) a minority depository institution, as
9 defined in section 308 of the Financial Institu-
10 tions Reform, Recovery, and Enforcement Act
11 of 1989 (12 U.S.C. 1463 note); or

12 “(B) considered to be a minority depository
13 institution by—

14 “(i) the appropriate Federal banking
15 agency; or

16 “(ii) the National Credit Union Ad-
17 ministration, in the case of an insured
18 credit union.

19 “(b) REGIONAL TECHNOLOGY AND INNOVATION HUB
20 PROGRAM.—

21 “(1) IN GENERAL.—Subject to the availability
22 of appropriations, the Secretary shall carry out a
23 program—

24 “(A) to encourage new and constructive
25 collaboration among local, State, Tribal, and

1 Federal government entities, institutions of
2 higher education, the private sector, economic
3 development organizations, labor organizations,
4 worker cooperative membership associations,
5 State or local employee ownership and coopera-
6 tive development centers, nonprofit organiza-
7 tions, and community organizations to promote
8 inclusive regional innovation initiatives;

9 “(B) to support eligible consortia in the
10 development and implementation of regional in-
11 novation strategies;

12 “(C) to designate eligible consortia as re-
13 gional technology and innovation hubs and fa-
14 cilitate activities by consortia designated as re-
15 gional technology and innovation hubs in imple-
16 menting their regional innovation strategies—

17 “(i) to enable United States leader-
18 ship in technology and innovation sectors
19 critical to national and economic security;

20 “(ii) to support regional economic de-
21 velopment and resilience, including in
22 small cities and rural areas, and promote
23 increased geographic diversity of innova-
24 tion across the United States;

1 “(iii) to promote the benefits of tech-
2 nology development and innovation for all
3 Americans, including underserved commu-
4 nities and vulnerable communities;

5 “(iv) to support the modernization
6 and expansion of United States manufac-
7 turing based on advances in technology
8 and innovation;

9 “(v) to support domestic job creation
10 and broad-based economic growth; and

11 “(vi) to improve the pace of market
12 readiness, industry maturation, and overall
13 commercialization and domestic production
14 of innovative research;

15 “(D) to ensure that the regional tech-
16 nology and innovation hubs address the inter-
17 section of emerging technologies and either re-
18 gional challenges or national challenges; and

19 “(E) to conduct ongoing research, evalua-
20 tion, analysis, and dissemination of best prac-
21 tices for regional development and competitive-
22 ness in technology and innovation.

23 “(2) AWARDS.—The Secretary shall carry out
24 the program required by paragraph (1) through the
25 award of the following:

1 “(A) Strategy development grants or coop-
2 erative agreements to eligible consortia under
3 subsection (e).

4 “(B) Strategy implementation grants or
5 cooperative agreements to regional technology
6 and innovation hubs under subsection (f).

7 “(c) ELIGIBLE CONSORTIA.—For purposes of this
8 section, an eligible consortium is a consortium that—

9 “(1) includes 1 or more of each of the fol-
10 lowing—

11 “(A) institutions of higher education,
12 which may include Historically Black Colleges
13 and Universities, Tribal Colleges and Univer-
14 sities, and minority-serving institutions;

15 “(B) State, territorial, local, or Tribal gov-
16 ernments or other political subdivisions of a
17 State, including State and local agencies, or a
18 consortia thereof;

19 “(C) industry or firms in relevant tech-
20 nology, innovation, or manufacturing sectors;

21 “(D) labor organizations or workforce
22 training organizations, which may include State
23 and local workforce development boards as es-
24 tablished under sections 101 and 107 of the

1 Workforce Investment and Opportunity Act (29
2 U.S.C. 3111; 3122); and

3 “(E) organizations that contribute to in-
4 creasing the participation of underserved popu-
5 lations in science, technology, innovation, and
6 entrepreneurship; and

7 “(2) may include 1 or more—

8 “(A) economic development entities with
9 relevant expertise, including a district organiza-
10 tion (as defined in section 300.3 of title 13,
11 Code of Federal Regulations, or successor regu-
12 lation);

13 “(B) economic development organizations
14 or similar entities that are focused primarily on
15 improving science, technology, innovation, en-
16 trepreneurship, or access to capital;

17 “(C) venture development organizations;

18 “(D) worker cooperative membership asso-
19 ciations and state or local employee ownership
20 and cooperative development centers;

21 “(E) financial institutions and investment
22 funds, including community development finan-
23 cial institutions and minority depository institu-
24 tions;

1 “(F) elementary schools and secondary
2 schools, including area career and technical
3 education schools (as defined in section 3 of the
4 Carl D. Perkins Career and Technical Edu-
5 cation Act of 2006 (29 U.S.C. 2302));

6 “(G) National Laboratories (as defined in
7 section 2 of the Energy Policy Act of 2005 (42
8 U.S.C. 15801));

9 “(H) Federal laboratories;

10 “(I) Manufacturing extension centers;

11 “(J) Manufacturing USA institutes;

12 “(K) transportation planning organiza-
13 tions;

14 “(L) a cooperative extension services; and

15 “(M) organizations that represent the per-
16 spectives of underserved communities in eco-
17 nomic development initiatives.

18 “(d) DESIGNATION OF REGIONAL TECHNOLOGY AND
19 INNOVATION HUBS.—

20 “(1) IN GENERAL.—In carrying out subsection
21 (b)(1)(C), the Secretary shall use a competitive,
22 merit-review process to designate not fewer than 10
23 eligible consortia as regional technology and innova-
24 tion hubs.

1 “(2) GEOGRAPHIC DISTRIBUTION.—In con-
2 ducting the competitive process under paragraph
3 (1), the Secretary shall ensure geographic distribu-
4 tion in the designation of regional technology and in-
5 novation hubs by—

6 “(A) focusing on localities that are not the
7 top five leading technology centers;

8 “(B) ensuring that not fewer than one
9 third of eligible consortia designated as regional
10 technology and innovation hubs significantly
11 benefit a rural or other underserved community;

12 “(C) ensuring that at least one eligible
13 consortium designated as a regional technology
14 and innovation hub is headquartered in a State
15 that is eligible to receive funding from the Es-
16 tablished Program to Stimulate Competitive Re-
17 search of the National Science Foundation;

18 “(D) ensuring that at least one eligible
19 consortium designated as a regional technology
20 and innovation hub is headquartered in a region
21 that has a high density of institutions of higher
22 education serving populations historically
23 underrepresented in STEM, including histori-
24 cally Black Colleges and Universities, Tribal

1 Colleges and Universities, and minority-serving
2 institutions; and

3 “(E) ensuring that at least 1 eligible con-
4 sortium designated as a regional technology and
5 innovation hub significantly benefits an area or
6 region whose economy significantly relies on or
7 has recently relied on coal, oil, or natural gas
8 production, development, or utilization.

9 “(3) RELATION TO CERTAIN GRANT AWARDS.—

10 The Secretary shall not require an eligible consor-
11 tium to receive a grant or cooperative agreement
12 under subsection (e) in order to be designated as a
13 regional technology and innovation hub under para-
14 graph (1) of this subsection.

15 “(e) STRATEGY DEVELOPMENT GRANTS AND COOP-
16 ERATIVE AGREEMENTS.—

17 “(1) IN GENERAL.—The Secretary shall use a
18 competitive, merit-review process to award grants or
19 cooperative agreements to eligible consortia for the
20 development of regional innovation strategies.

21 “(2) NUMBER OF RECIPIENTS.—The Secretary
22 shall award a grant or cooperative agreement under
23 paragraph (1) to not fewer than 20 eligible con-
24 sortia.

1 “(3) GEOGRAPHIC DIVERSITY AND REPRESENTATION.—

2
3 “(A) IN GENERAL.—The Secretary shall
4 carry out paragraph (1) in a manner that en-
5 sures geographic diversity and representation
6 from communities of differing populations.

7 “(B) AWARDS TO RURAL COMMUNITIES
8 AND UNDERSERVED COMMUNITIES.—In car-
9 rying out paragraph (1), the Secretary shall
10 award not fewer than one-half of the grants and
11 cooperative agreements under such paragraph
12 to eligible consortia that significantly benefit a
13 rural state, rural community, or other under-
14 served community.

15 “(4) USE OF FUNDS.—The amount of a grant
16 or cooperative agreement awarded under paragraph
17 (1) shall be as follows:

18 “(A) To coordinate locally defined planning
19 processes, across jurisdictions and agencies, re-
20 lating to developing a comprehensive regional
21 technology strategy.

22 “(B) To identify regional partnerships for
23 developing and implementing a comprehensive
24 regional technology strategy.

1 “(C) To conduct or update assessments to
2 determine regional needs and capabilities.

3 “(D) To develop or update goals and strat-
4 egies to implement an existing comprehensive
5 regional plan.

6 “(E) To identify or implement planning
7 and local zoning and other code changes nec-
8 essary to implement a comprehensive regional
9 technology strategy.

10 “(F) To develop or update goals for ensur-
11 ing that any new regional technology strategy
12 mitigates and does not exacerbate economic or
13 social inequities in a region.

14 “(5) FEDERAL SHARE.—The Federal share of
15 the cost of an effort carried out using a grant or co-
16 operative agreement awarded under this subsection
17 may not exceed 80 percent—

18 “(A) where in-kind contributions may be
19 used for all or part of the non-Federal share,
20 but Federal funding from other government
21 sources may not count towards the non-Federal
22 share;

23 “(B) except in the case of an eligible con-
24 sortium that represents all or part of a rural or
25 other underserved community, the Federal

1 share may be up to 90 percent of the total cost,
2 subject to subparagraph (A); and

3 “(C) except in the case of an eligible con-
4 sortium that is led by a Tribal government, the
5 Federal share may be up to 100 percent of the
6 total cost of the project.

7 “(f) STRATEGY IMPLEMENTATION GRANTS AND CO-
8 OPERATIVE AGREEMENTS.—

9 “(1) IN GENERAL.—The Secretary shall use a
10 competitive, merit-review process to award grants or
11 cooperative agreements to regional technology and
12 innovation hubs for the implementation of regional
13 innovation strategies, including regional strategies
14 for infrastructure and site development, in support
15 of the regional innovation and technology and inno-
16 vation hub’s plans and programs. The Secretary
17 should determine the size and number of awards
18 based on appropriations available to ensure the suc-
19 cess of regional technology and innovation hubs as
20 outlined in subsection (h).

21 “(2) USE OF FUNDS.—Financial assistance
22 awarded under paragraph (1) to a regional tech-
23 nology and innovation hub may be used by the re-
24 gional technology and innovation hub to support any
25 of the following activities, consistent with the most

1 current regional innovation strategy of the regional
2 technology and innovation hub:

3 “(A) WORKFORCE DEVELOPMENT ACTIVITIES.—Workforce development activities, in-
4 cluding activities relating to the following:
5

6 “(i) The creation of partnerships be-
7 tween industry, workforce, nonprofit, and
8 educational institutions to create and align
9 technical training and educational pro-
10 grams.

11 “(ii) The design, development, and
12 updating of educational and training cur-
13 riculum tied to demonstrated regional
14 workforce needs.

15 “(iii) The procurement of facilities
16 and equipment, as required to train a tech-
17 nical workforce.

18 “(iv) The development and execution
19 of programs to rapidly award certificates
20 or credentials recognized by regional indus-
21 tries or other organizations.

22 “(v) The matching of regional employ-
23 ers with a potential new entrant, under-
24 employed, underrepresented, or incumbent
25 workforce.

1 “(vi) The expansion of successful
2 training programs at a scale required by
3 the region served by the regional tech-
4 nology and innovation hub, including
5 through the use of online education and
6 mentoring.

7 “(vii) The development and expansion
8 of programs with the goal of increasing the
9 participation of persons historically under-
10 represented in STEM and manufacturing
11 in the workforce development plans of the
12 regional technology and innovation hub.

13 “(B) BUSINESS AND ENTREPRENEUR DE-
14 VELOPMENT ACTIVITIES.—Business and entre-
15 preneur development activities, including activi-
16 ties relating to the following:

17 “(i) The development and growth of
18 local regional businesses and the training
19 of entrepreneurs.

20 “(ii) The support of technology com-
21 mercialization, including funding for activi-
22 ties relevant for advancing high growth po-
23 tential ventures such as acceleration, incu-
24 bation, early-stage production and other
25 relevant programming.

1 “(iii) The development of local and re-
2 gional capital networks and consortia to
3 attract necessary private funding to busi-
4 nesses and entrepreneurs in the region.

5 “(iv) The development of local and re-
6 gional networks for business and entre-
7 preneur mentorship.

8 “(v) The expansion of employee and
9 worker ownership and participation in
10 business decisionmaking, including through
11 coordination and collaboration with worker
12 cooperative membership associations and
13 existing local and state employee ownership
14 and cooperative development centers, or
15 the creation of such centers where they do
16 not yet exist, in order to provide informa-
17 tion, technical assistance, access to financ-
18 ing, and training to startups, contractors,
19 and businesses that are considering em-
20 ployee ownership as a model, and to facili-
21 tate the creation of and conversion to em-
22 ployee-owned startups, businesses, and co-
23 operatives.

24 “(C) TECHNOLOGY DEVELOPMENT AND
25 MATURATION ACTIVITIES.—Technology matura-

1 tion activities, including activities relating to
2 the following:

3 “(i) The development and deployment
4 of technologies in sectors critical to the re-
5 gion served by the regional technology and
6 innovation hub or to national and economic
7 security, including industry-university re-
8 search cooperation, proof of concept, proto-
9 type development, testing, and scale-up for
10 manufacturing.

11 “(ii) The development of program-
12 ming to support the creation and transfer
13 of intellectual property into private use,
14 such as through startup creation.

15 “(iii) The provision of facilities for
16 technology maturation, including incuba-
17 tors and production testbeds for collabo-
18 rative development of technologies by pri-
19 vate sector, academic, nonprofit, and other
20 entities.

21 “(iv) Activities to provide or ensure
22 access to capital for new business and co-
23 operative formation and business expan-
24 sion, or preservation of existing businesses
25 through conversion to employee ownership

1 and cooperatives, including by attracting
2 new private, public, and philanthropic in-
3 vestment and by establishing local and re-
4 gional venture and loan funds, community
5 development financial institutions, and mi-
6 nority depository institutions.

7 “(D) INFRASTRUCTURE-RELATED ACTIVI-
8 TIES.—The building of facilities and site
9 connectivity infrastructure necessary to carry
10 out activities described in subparagraphs (A),
11 (B), and (C), including activities relating to the
12 following:

13 “(i) Establishing a center with re-
14 quired tools and instrumentation for work-
15 force development.

16 “(ii) Establishing a facility for tech-
17 nology development, demonstration, and
18 testing.

19 “(iii) Establishing collaborative incu-
20 bators to support technology commer-
21 cialization and entrepreneur training.

22 “(3) TERM.—

23 “(A) INITIAL PERFORMANCE PERIOD.—
24 The term of an initial grant or cooperative
25 agreement awarded under this subsection shall

1 be for a period that the Secretary deems appro-
2 priate for the proposed activities but not less
3 than 2 years.

4 “(B) SUBSEQUENT PERFORMANCE PE-
5 RIOD.—The Secretary may renew a grant or co-
6 operative agreement awarded to a regional tech-
7 nology and innovation hub under paragraph (1)
8 for such period as the Secretary considers ap-
9 propriate, if the Secretary determines that the
10 regional technology and innovation hub has
11 made satisfactory progress towards the metrics
12 agreed to under subsection (j).

13 “(C) FLEXIBLE APPROACH.—In renewing
14 a grant or cooperative agreement under sub-
15 paragraph (B), the Secretary and the eligible
16 consortium may agree to new or additional uses
17 of funds in order to meet changes in the needs
18 of the region.

19 “(4) LIMITATION ON AMOUNT OF AWARDS.—

20 “(A) INITIAL PERFORMANCE PERIOD.—
21 The amount of an initial grant or cooperative
22 agreements awarded to a regional technology
23 and innovation hub under paragraph (3)(A)
24 shall be no more than \$150,000,000.

1 “(B) SUBSEQUENT PERFORMANCE PE-
2 RIOD.—Upon renewal of a grant or cooperative
3 agreement under paragraph (3)(B), the Sec-
4 retary may award funding in the amount that
5 the Secretary considers appropriate, ensuring
6 that no single regional technology and innova-
7 tion hub receives more than 15 percent of the
8 aggregate amount of the grants and cooperative
9 agreements awarded under this subsection.

10 “(5) MATCHING REQUIRED.—

11 “(A) INITIAL PERFORMANCE PERIOD.—Ex-
12 cept in the case of a regional technology and in-
13 novation hub described in subparagraph (C),
14 the total amount of all grants awarded to a re-
15 gional technology and innovation hub under this
16 subsection in phase one shall not exceed 90 per-
17 cent of the total operating costs of the regional
18 technology and innovation hub during the initial
19 performance period.

20 “(B) SUBSEQUENT PERFORMANCE PE-
21 RIOD.—Except in the case of a regional tech-
22 nology and innovation hub described in sub-
23 paragraph (C), the total amount of all grants
24 awarded to a regional technology and innova-
25 tion hub in subsequent performance periods

1 shall not exceed 75 percent of the total oper-
2 ating costs of the regional technology and inno-
3 vation hub in each year of the grant or coopera-
4 tive agreement.

5 “(C) RURAL COMMUNITIES OR UNDER-
6 SERVED COMMUNITIES AND INDIAN TRIBES.—

7 “(i) IN GENERAL.—The total Federal
8 financial assistance awarded in a given
9 year to a regional technology and innova-
10 tion hub under this subsection shall not ex-
11 ceed amounts as follows:

12 “(I) In the case of a regional
13 technology and innovation hub that
14 primarily serves a rural community or
15 other underserved community, in a
16 fiscal year, 90 percent of the total
17 funding of the regional technology and
18 innovation hub in that fiscal year.

19 “(II) In the case of a regional
20 technology and innovation hub that is
21 led by a Tribal government, in a fiscal
22 year, 100 percent of the total funding
23 of the regional technology and innova-
24 tion hub in that fiscal year.

1 “(ii) MINIMUM THRESHOLD OF RURAL
2 REPRESENTATION.—For purposes of
3 clause (i)(I), the Secretary shall establish a
4 minimum threshold of rural representation
5 and other underserved community rep-
6 resentation in the regional technology and
7 innovation hub.

8 “(D) IN-KIND CONTRIBUTIONS.—For pur-
9 poses of this paragraph, in-kind contributions
10 may be used for part of the non-Federal share
11 of the total funding of a regional technology
12 and innovation hub in a fiscal year.

13 “(6) GRANTS FOR INFRASTRUCTURE.—Any
14 grant or cooperative agreement awarded under this
15 subsection to support the construction of facilities
16 and site connectivity infrastructure shall be awarded
17 pursuant to section 201 of the Public Works and
18 Economic Development Act of 1965 (42 U.S.C.
19 3141) and subject to the provisions of such Act, ex-
20 cept that subsection (b) of such section and sections
21 204 and 301 of such Act (42 U.S.C. 3144; 3161)
22 shall not apply.

23 “(7) RELATION TO CERTAIN GRANT AWARDS.—
24 The Secretary shall not require a regional tech-
25 nology and innovation hub to receive a grant or co-

1 operative agreement under subsection (e) in order to
2 receive a grant or cooperative agreement under this
3 subsection.

4 “(g) APPLICATIONS.—An eligible consortium seeking
5 designation as a regional technology and innovation hub
6 under subsection (d) or a grant or cooperative agreement
7 under subsection (e) or (f) shall submit to the Secretary
8 an application therefore at such time, in such manner, and
9 containing such information as the Secretary may specify.

10 “(h) CONSIDERATIONS FOR DESIGNATION AND
11 AWARD OF STRATEGY IMPLEMENTATION GRANTS AND
12 COOPERATIVE AGREEMENTS.—In selecting an eligible
13 consortium that submitted an application under sub-
14 section (g) for designation under subsection (d) or for a
15 grant or cooperative agreement under subsection (f), the
16 Secretary shall consider the following:

17 “(1) The potential of the eligible consortium to
18 advance the research, development, deployment, and
19 domestic manufacturing of technologies in a tech-
20 nology or innovation sector critical to national and
21 economic security.

22 “(2) The likelihood of positive regional eco-
23 nomic effect, including increasing the number of
24 high wage domestic jobs, creating new economic op-
25 portunities for economically disadvantaged and

1 underrepresented populations, promoting employee
2 and worker ownership, and advancing models of
3 local and cooperative economic development that
4 build and retain wealth in the region.

5 “(3) How the eligible consortium plans to inte-
6 grate with and leverage the resources of 1 or more
7 federally funded research and development centers,
8 National Laboratories, Federal laboratories, Manu-
9 facturing USA institutes, Hollings Manufacturing
10 Extension Partnership centers, or other Federal en-
11 tities.

12 “(4) How the eligible consortium will engage
13 with the private sector, including small- and me-
14 dium-sized businesses and cooperatives, and em-
15 ployee-owned businesses and cooperatives, to com-
16 mercialize new technologies and improve the resil-
17 iency and sustainability of domestic supply chains in
18 a technology or innovation sector critical to national
19 and economic security.

20 “(5) How the eligible consortium will carry out
21 workforce development and skills acquisition pro-
22 gramming, including through partnerships with enti-
23 ties that include State and local workforce develop-
24 ment boards, institutions of higher education, in-
25 cluding community colleges, historically Black col-

1 leges and universities, Tribal colleges and univer-
2 sities, and minority-serving institutions, labor orga-
3 nizations, worker cooperative membership associa-
4 tions, state or local employee ownership and coopera-
5 tive development centers, workforce development
6 programs, and other related activities authorized by
7 the Secretary, to support the development of a
8 skilled technical workforce for the regional tech-
9 nology and innovation hub.

10 “(6) How the eligible consortium will improve
11 or expand science, technology, engineering, and
12 mathematics education programs and opportunities
13 in the identified region in elementary and secondary
14 school and higher education institutions located in
15 the identified region.

16 “(7) How the eligible consortium plans to de-
17 velop partnerships with venture development organi-
18 zations, community development financial institu-
19 tions and minority depository institutions, and
20 sources of private investment in support of private
21 sector activity, including launching new or expanding
22 existing companies.

23 “(8) How the eligible consortium plans to orga-
24 nize the activities of regional partners across sectors

1 in support of a regional technology and innovation
2 hub.

3 “(9) How the eligible consortium plans to pro-
4 cure as many goods, services, food, and supplies as
5 is practicable from locally-owned, employee-owned,
6 minority-owned, and women-owned businesses and
7 cooperatives in conducting hub activities, and how
8 individual consortium members, as applicable, plan
9 to do the same.

10 “(10) How the consortium plans to collaborate
11 with local and community development financial in-
12 stitutions and minority depository institutions to ex-
13 pand the supply of such procurement options, in-
14 cluding by creating business plans and plans for fi-
15 nancing businesses and cooperatives that do not yet
16 exist, and how the consortium plans to encourage
17 entities created as a result of hub activities to follow
18 such practices.

19 “(11) How the eligible consortium will ensure
20 that growth in technology, innovation, and advanced
21 manufacturing sectors produces opportunity across
22 the identified region, including for economically dis-
23 advantaged, minority, and rural populations, includ-
24 ing consideration of how the eligible consortium

1 takes into account the relevant impact of regional
2 status and plans for—

3 “(A) available affordable housing stock
4 and housing policies;

5 “(B) local and regional transportation sys-
6 tems;

7 “(C) high speed internet access; and

8 “(D) primary and secondary education.

9 “(12) How much the regions educational insti-
10 tutions are committed to aligning their activities, in-
11 cluding research and education, as appropriate, to a
12 region’s economic strengths and areas of focus.

13 “(13) The likelihood efforts served by the con-
14 sortium will be sustained once Federal support ends.

15 “(i) COORDINATION AND COLLABORATION.—

16 “(1) COORDINATION WITH REGIONAL INNOVA-
17 TION PROGRAM.—The Secretary shall ensure the ac-
18 tivities under this section do not duplicate activities
19 or efforts under section 27.

20 “(2) COORDINATION AMONG HUBS.—The Sec-
21 retary shall ensure eligible consortia that receive a
22 grant or cooperative agreement under this section
23 coordinate and share best practices for regional eco-
24 nomic development.

1 “(3) COORDINATION WITH PROGRAMS OF THE
2 NATIONAL INSTITUTE OF STANDARDS AND TECH-
3 NOLOGY.—The Secretary shall coordinate the activi-
4 ties of regional technology and innovation hubs des-
5 ignated under this section, the Hollings Manufac-
6 turing Extension Partnership, and the Manufac-
7 turing USA Program, as the Secretary considers ap-
8 propriate, to maintain the effectiveness of a manu-
9 facturing extension center or a Manufacturing USA
10 institute.

11 “(4) COORDINATION WITH DEPARTMENT OF
12 ENERGY PROGRAMS.—The Secretary shall, in col-
13 laboration with the Secretary of Energy, coordinate
14 the activities and selection of regional technology
15 and innovation hubs designated under this section,
16 as the Secretaries consider appropriate, to maintain
17 the effectiveness of activities at the Department of
18 Energy and the National Laboratories.

19 “(5) INTERAGENCY COLLABORATION.—In des-
20 ignating regional technology and innovation hubs
21 under subsection (d) and awarding grants or cooper-
22 ative agreements under subsection (f), the Sec-
23 retary—

24 “(A) shall collaborate with Federal depart-
25 ments and agencies whose missions contribute

1 to the goals of the regional technology and in-
2 novation hub, and relevant interagency initia-
3 tives such as the Interagency Working Group
4 for Cooperative Development;

5 “(B) shall consult with the Director of the
6 National Science Foundation for the purpose of
7 ensuring that the regional technology and inno-
8 vation hubs are aligned with relevant science,
9 technology, and engineering expertise; and

10 “(C) may accept funds from other Federal
11 agencies to support grants, cooperative agree-
12 ments, and activities under this section.

13 “(j) PERFORMANCE MEASUREMENT, TRANS-
14 PARENCY, AND ACCOUNTABILITY.—

15 “(1) METRICS, STANDARDS, AND ASSESS-
16 MENT.—For each grant and cooperative agreement
17 awarded under subsection (f) for a regional tech-
18 nology and innovation hub, the Secretary shall—

19 “(A) in consultation with the regional tech-
20 nology and innovation hub, develop metrics,
21 which may include metrics relating to domestic
22 job creation, patent awards, increases in re-
23 search funding, business formation and expan-
24 sion, and participation of individuals or commu-
25 nities historically underrepresented in STEM,

1 to assess the effectiveness of the activities fund-
2 ed in making progress toward the purposes set
3 forth under subsection (b)(1);

4 “(B) establish standards for the perform-
5 ance of the regional technology and innovation
6 hub that are based on the metrics developed
7 under subparagraph (A); and

8 “(C) prior to any award made under a
9 subsequent performance period in subsection (f)
10 and every 2 years thereafter until Federal fi-
11 nancial assistance under this section for the re-
12 gional technology and innovation hub is discon-
13 tinued, conduct an assessment of the regional
14 technology and innovation hub to confirm
15 whether the performance of the regional tech-
16 nology and innovation hub is meeting the stand-
17 ards for performance established under sub-
18 paragraph (B) of this paragraph.

19 “(2) FINAL REPORTS BY RECIPIENTS OF
20 STRATEGY IMPLEMENTATION GRANTS AND COOPER-
21 ATIVE AGREEMENTS.—

22 “(A) IN GENERAL.—The Secretary shall
23 require each eligible consortium that receives a
24 grant or cooperative agreement under sub-
25 section (f) for activities of a regional technology

1 and innovation hub, as a condition of receipt of
2 such grant or cooperative agreement, to submit
3 to the Secretary, not later than 120 days after
4 the last day of the term of the grant or cooper-
5 ative agreement, a report on the activities of
6 the regional technology and innovation hub sup-
7 ported by the grant or cooperative agreement.

8 “(B) CONTENTS OF REPORT.—Each report
9 submitted by an eligible consortium under sub-
10 paragraph (A) shall include the following:

11 “(i) A detailed description of the ac-
12 tivities carried out by the regional tech-
13 nology and innovation hub using the grant
14 or cooperative agreement described in sub-
15 paragraph (A), including the following:

16 “(I) A description of each project
17 the regional technology and innovation
18 hub completed using such grant or co-
19 operative agreement.

20 “(II) An explanation of how each
21 project described in subclause (I)
22 achieves a specific goal under this sec-
23 tion in the region of the regional tech-
24 nology and innovation hub with re-
25 spect to—

1 “(aa) the resiliency and sus-
2 tainability of a supply chain;

3 “(bb) research, development,
4 and deployment of a critical tech-
5 nology;

6 “(cc) workforce training and
7 development;

8 “(dd) domestic job creation;

9 “(ee) entrepreneurship and
10 company formation, including the
11 number of businesses created or
12 preserved through employee own-
13 ership and cooperative develop-
14 ment;

15 “(ff) commercialization;

16 “(gg) access to private cap-
17 ital; or

18 “(hh) participation of indi-
19 viduals or communities histori-
20 cally underrepresented in STEM.

21 “(ii) A discussion of any obstacles en-
22 countered by the regional technology and
23 innovation hub in the implementation of
24 the regional technology and innovation hub

1 and how the regional technology and inno-
2 vation hub overcame those obstacles.

3 “(iii) An evaluation of the success of
4 the projects of the regional technology and
5 innovation hub using the performance
6 standards and measures established under
7 paragraph (1), including an evaluation of
8 the planning process and how the project
9 contributes to carrying out the regional in-
10 novation strategy of the regional tech-
11 nology and innovation hub.

12 “(iv) The effectiveness of the regional
13 technology and innovation hub in ensuring
14 that, in the region of the regional tech-
15 nology and innovation hub, growth in tech-
16 nology and innovation sectors produces
17 broadly shared opportunity across the re-
18 gion, including for economic disadvantaged
19 and underrepresented populations and
20 rural areas.

21 “(v) Information regarding such other
22 matters as the Secretary may require.

23 “(3) INTERIM REPORTS BY RECIPIENTS OF
24 GRANTS AND COOPERATIVE AGREEMENTS.—In addi-
25 tion to requiring submittal of final reports under

1 paragraph (2)(A), the Secretary may require a re-
2 gional technology and innovation hub described in
3 such paragraph to submit to the Secretary such in-
4 terim reports as the Secretary considers appropriate.

5 “(4) ANNUAL REPORTS TO CONGRESS.—Not
6 less frequently than once each year, the Secretary
7 shall submit to the appropriate committees of Con-
8 gress an annual report on the results of the assess-
9 ments conducted by the Secretary under paragraph
10 (1)(C) during the period covered by the report.

11 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
12 is authorized to be appropriated to the Secretary—

13 “(1) \$50,000,000 to award grants and coopera-
14 tive agreements under subsection (e) for the period
15 of fiscal years 2022 through 2026;

16 “(2) \$2,000,000,000 to award grants and coop-
17 erative agreements under subsection (f) for the pe-
18 riod of fiscal years 2022 and 2023; and

19 “(3) \$4,800,000,000 to award grants and coop-
20 erative agreements under subsection (f) for the pe-
21 riod of fiscal years 2024 through 2026.

22 “(l) ADMINISTRATION.—The Secretary may use
23 funds made available to carry out this section for adminis-
24 trative costs under this section.”.

25 (b) INITIAL DESIGNATIONS AND AWARDS.—

1 (1) COMPETITION REQUIRED.—Not later than 1
2 year after the date of the enactment of this section,
3 subject to the availability of appropriations, the Sec-
4 retary of Commerce shall commence a competition
5 under subsection (d)(1) of section 28 of the Steven-
6 son-Wydler Technology Innovation Act of 1980 (15
7 U.S.C. 3723) as added by subsection (a).

8 (2) DESIGNATION AND AWARD.—Not later than
9 1 year after the date of the enactment of this sec-
10 tion, if the Secretary has received at least 1 applica-
11 tion under subsection (g) of section 28 of the Ste-
12 venson-Wydler Technology Innovation Act of 1980
13 (15 U.S.C. 3723) from an eligible consortium whom
14 the Secretary considers suitable for designation
15 under subsection (d)(1) of such section, the Sec-
16 retary shall—

17 (A) designate at least 1 regional tech-
18 nology and innovation hub under subsection
19 (d)(1) of such section; and

20 (B) award a grant or cooperative agree-
21 ment under subsection (f)(1) of such section to
22 each regional technology and innovation hub
23 designated pursuant to subparagraph (A) of
24 this paragraph.

1 **SEC. 10642. REGIONAL CLEAN ENERGY INNOVATION PRO-**
2 **GRAM.**

3 Subtitle C of title IX of the Energy Independence and
4 Security Act of 2007 is amended by adding at the end
5 the following:

6 **“SEC. 936. REGIONAL CLEAN ENERGY INNOVATION PRO-**
7 **GRAM.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) REGIONAL CLEAN ENERGY INNOVATION
10 PARTNERSHIP.—The term ‘regional clean energy in-
11 novation partnership’ means a group of one or more
12 persons, including a covered consortium, who per-
13 form a collection of activities that are coordinated by
14 such covered consortium to carry out the purposes
15 of the program under subsection (c) in a region of
16 the United States.

17 “(2) COVERED CONSORTIUM.—The term ‘cov-
18 ered consortium’ means an individual or group of in-
19 dividuals in partnership with a government entity,
20 including a State, territorial, local, or tribal govern-
21 ment or unit of such government, and at least 2 or
22 more of the following additional entities—

23 “(A) an institution of higher education or
24 a consortium of institutions of higher education;

25 “(B) a workforce training provider, includ-
26 ing vocational schools and community colleges;

- 1 “(C) a private sector entity;
- 2 “(D) a nonprofit organization;
- 3 “(E) a community group;
- 4 “(F) a labor organization;
- 5 “(G) a National Laboratory;
- 6 “(H) a venture development organization;
- 7 “(I) a community development financial in-
- 8 stitution or minority depository institution;
- 9 “(J) a worker cooperative membership as-
- 10 sociation or state or local employee ownership
- 11 or cooperative development center;
- 12 “(K) an organization focused on clean en-
- 13 ergy technology innovation or entrepreneurship;
- 14 “(L) a business accelerator or incubator;
- 15 “(M) a private sector entity or group of
- 16 entities, including a trade or industry associa-
- 17 tion;
- 18 “(N) an economic development organiza-
- 19 tion;
- 20 “(O) a manufacturing facility or organiza-
- 21 tion;
- 22 “(P) a clean energy incubator or accel-
- 23 erator;
- 24 “(Q) a multi-institutional collaboration; or

1 “(R) any other entity that the Secretary
2 determines to be relevant.

3 “(3) PROGRAM.—The term ‘program’ means
4 the Regional Clean Energy Innovation Program au-
5 thorized in subsection (b).

6 “(4) INSTITUTION OF HIGHER EDUCATION.—
7 The term ‘institution of higher education’ has the
8 meaning given such term in the Higher Education
9 Act of 1965, as amended (20 U.S.C. 1001).

10 “(5) NATIONAL LABORATORY.—The term ‘Na-
11 tional Laboratory’ has the meaning given that term
12 in section 2 of the Energy Policy Act of 2005 (42
13 U.S.C. 15801).

14 “(6) CLEAN ENERGY TECHNOLOGY.—The term
15 ‘clean energy technology’ means a technology that
16 significantly reduces energy use, increases energy ef-
17 ficiency, reduces greenhouse gas emissions, reduces
18 emissions of other pollutants, or mitigates other neg-
19 ative environmental consequences of energy produc-
20 tion, transmission or use.

21 “(b) IN GENERAL.—The Secretary shall establish a
22 Regional Clean Energy Innovation Program, a research,
23 development, demonstration, and commercial application
24 program designed to enhance the economic, environ-
25 mental, and energy security of the United States and ac-

1 celerate the pace of innovation of diverse clean energy
2 technologies through the formation or support of regional
3 clean energy innovation partnerships that—

4 “(1) account for the diverse domestic energy re-
5 sources available throughout the United States;

6 “(2) are responsive to the needs of industry,
7 workforce, policy landscape, and clean energy inno-
8 vation capabilities of the region in which such part-
9 nership is located;

10 “(3) enhance and accelerate clean energy inno-
11 vation;

12 “(4) are located in diverse geographic regions of
13 the United States, including United States terri-
14 tories; and

15 “(5) maximize the opportunities for cooperation
16 between institutes of higher education, industry,
17 State and local governments, and nonprofit research
18 institutions with shared areas of energy expertise.

19 “(c) PURPOSES OF THE PROGRAM.—The purposes of
20 the Program established under subsection (b) are to—

21 “(1) improve the competitiveness of United
22 States’ clean energy technology research, develop-
23 ment, demonstration, and commercial application;
24 and

1 “(2) support the development of tools and tech-
2 nologies best suited for use in diverse regions of the
3 United States, including in rural, tribal, and low-in-
4 come communities.

5 “(d) REGIONAL CLEAN ENERGY INNOVATION PART-
6 NERSHIPS.—

7 “(1) IN GENERAL.—The Secretary shall com-
8 petitively award grants to covered consortia to estab-
9 lish or support regional clean energy innovation
10 partnerships that achieve the purposes of the Pro-
11 gram in subsection (c).

12 “(2) PERMISSIBLE ACTIVITIES.—Grants award-
13 ed under this subsection shall be used for activities
14 determined appropriate by the Secretary to achieve
15 the purposes of the Program in subsection (c), in-
16 cluding—

17 “(A) facilitating the commercial applica-
18 tion of clean energy products, processes, and
19 services, including through research, develop-
20 ment, demonstration, or technology transfer;

21 “(B) planning among participants of a re-
22 gional clean energy innovation partnership to
23 improve the strategic and cost-effective coordi-
24 nation of the partnership;

1 “(C) improving stakeholder involvement in
2 the development of goals and activities of a re-
3 gional clean energy innovation partnership;

4 “(D) assessing different incentive mecha-
5 nisms for clean energy development and com-
6 mercial application in the region;

7 “(E) hosting events and conferences; and

8 “(F) establishing and updating roadmaps
9 to measure progress on relevant goals, such as
10 those relevant to metrics developed under sub-
11 section (g).

12 “(3) APPLICATIONS.—Each application sub-
13 mitted to the Secretary under paragraph (1) may in-
14 clude—

15 “(A) a list of members and roles of mem-
16 bers of the covered consortia, as well as any
17 other stakeholders supporting the activities of
18 the regional clean energy innovation partner-
19 ship;

20 “(B) a description of the proposed out-
21 comes of the regional clean energy innovation
22 partnership;

23 “(C) an assessment of the relevant clean
24 energy innovation assets needed in a region to
25 achieve proposed outcomes, such as education

1 and training programs, research facilities, infra-
2 structure or site development, access to capital,
3 manufacturing capabilities, or other assets;

4 “(D) a description of proposed activities
5 that the regional clean energy innovation part-
6 nership plans to undertake and how the pro-
7 posed activities will achieve the purposes de-
8 scribed in subsection (c) and the proposed out-
9 comes in subparagraph (B);

10 “(E) a description of the geographical re-
11 gion that will engage in the regional clean en-
12 ergy innovation partnership;

13 “(F) a plan for attracting additional funds
14 and identification of funding sources from non-
15 Federal sources to deliver the proposed out-
16 comes of the regional clean energy innovation
17 partnership;

18 “(G) a plan for partnering and collabo-
19 rating with community development financial
20 institutions and minority depository institu-
21 tions, labor organizations and community
22 groups, worker cooperative membership associa-
23 tions, local and state employee ownership and
24 cooperative development centers, and other local
25 institutions in order to promote employee, com-

1 community, and public ownership in the clean en-
2 ergy sector, and advance models of local eco-
3 nomic development that build and retain wealth
4 in the region;

5 “(H) a plan for sustaining activities of the
6 regional clean energy innovation partnership
7 after funds received under this program have
8 been expended; and

9 “(I) a proposed budget, including financial
10 contributions from non-Federal sources.

11 “(4) CONSIDERATIONS.—In selecting covered
12 consortia for funding under the Program, the Sec-
13 retary shall, to the maximum extent practicable—

14 “(A) give special consideration to applica-
15 tions from rural, tribal, and low-income commu-
16 nities; and

17 “(B) ensure that there is geographic diver-
18 sity among the covered consortia selected to re-
19 ceive funding.

20 “(5) AWARD AMOUNT.—Grants given out under
21 this Program shall be in an amount not greater than
22 \$10,000,000, with the total grant award in any year
23 less than that in the previous year.

24 “(6) COST SHARE.—For grants that are dis-
25 bursed over the course of three or more years, the

1 Secretary shall require, as a condition of receipt of
2 funds under this section, that a covered consortium
3 provide not less than 50 percent of the funding for
4 the activities of the regional clean energy partner-
5 ship under this section for years 3, 4, and 5.

6 “(7) DURATION.—Each grant under paragraph
7 shall be for a period of not longer than 5 years.

8 “(8) RENEWAL.—A grant awarded under this
9 section may be renewed for a period of not more
10 than 5 years, subject to a rigorous merit review
11 based on the progress of a regional clean energy in-
12 novation partnership towards achieving the purposes
13 of the program in subsection (c) and the metrics de-
14 veloped under subsection (g).

15 “(9) TERMINATION.—Consistent with the exist-
16 ing authorities of the Department, the Secretary
17 may terminate grant funding under this subsection
18 to covered consortia during the performance period
19 if the Secretary determines that the regional clean
20 energy innovation partnership is underperforming.

21 “(10) ADMINISTRATIVE COSTS.—The Secretary
22 may allow a covered consortium that receives funds
23 under this section to allocate a portion of the fund-
24 ing received to be used for administrative or indirect
25 costs.

1 “(11) FUNDING.—The Secretary may accept
2 funds from other Federal agencies to support fund-
3 ing and activities under this section.

4 “(e) PLANNING FUNDS.—The Secretary may com-
5 petitively award grants in an amount no greater than
6 \$2,000,000 for a period not longer than 2 years to an enti-
7 ty consisting of a government entity, including a State,
8 territorial, local, or tribal government or unit of such gov-
9 ernment or any entity listed under subsection (a)(2) to
10 plan a regional clean energy innovation partnership or es-
11 tablish a covered consortium for the purpose of applying
12 for funds under subsection (b).

13 “(f) INFORMATION SHARING.—As part of the pro-
14 gram, the Secretary shall support the gathering, analysis,
15 and dissemination of information on best practices for de-
16 veloping and operating successful regional clean energy in-
17 novation partnerships.

18 “(g) METRICS.—In evaluating a grant renewals
19 under subsection (d)(8), the Secretary shall work with pro-
20 gram evaluation experts to develop and make publicly
21 available metrics to assess the progress of a regional clean
22 energy innovation partnership towards achieving the pur-
23 poses of the program in subsection (c). Such metrics may
24 include—

25 “(1) the number and quality of—

1 “(A) new clean energy companies created
2 in the region as a result of activities carried out
3 under the regional clean energy innovation part-
4 nership, including those created or preserved
5 through employee ownership and cooperative
6 development;

7 “(B) new or expanded workforce develop-
8 ment or training programs; and

9 “(C) support services provided to clean en-
10 ergy technology developers in the region;

11 “(2) changes in clean energy employment in the
12 region as a result of activities carried out under the
13 regional clean energy innovation partnership; and

14 “(3) the amount of capital investment in clean
15 energy companies in the region as a result of activi-
16 ties carried out under the regional clean energy in-
17 novation partnership grant.

18 “(h) COORDINATION.—In carrying out the program,
19 the Secretary shall coordinate with, and avoid unnecessary
20 duplication of, the activities carried out under this section
21 with the activities of—

22 “(1) other research entities of the Department,
23 including the National Laboratories, the Office of
24 Science, the Advanced Research Projects Agency-
25 Energy, the Office of Technology Transitions, En-

1 energy Innovation Hubs, and Energy Frontier Re-
2 search Centers; and

3 “(2) relevant programs at other Federal agen-
4 cies, including—

5 “(A) the Office of Innovation and Entre-
6 preneurship under the Economic Development
7 Administration, including the Regional Innova-
8 tion Program under section 27 of the Steven-
9 son-Wydler Technology Innovation Act of 1980
10 (15 U.S.C. 3722);

11 “(B) the Hollings Manufacturing Exten-
12 sion Partnership Program under section 25 of
13 the National Institute of Standards and Tech-
14 nology Act (15 U.S.C. 278k);

15 “(C) the Manufacturing USA Program
16 under section 34 of the National Institute of
17 Standards and Technology Act (15 U.S.C.
18 278s);

19 “(D) the Defense Manufacturing Commu-
20 nities Support Program under section 846 of
21 the John S. McCain National Defense Author-
22 ization Act for Fiscal Year 2019 (10 U.S.C.
23 2501 note);

24 “(E) the Office of Economic Adjustment
25 at the Department of Defense; and

1 “(F) Rural Development at the United
2 States Department of Agriculture.

3 “(i) CONFLICTS OF INTEREST.—In carrying out the
4 program, the Secretary shall maintain conflict of interest
5 procedures, consistent with the conflict of interest proce-
6 dures of the Department.

7 “(j) EVALUATION BY COMPTROLLER GENERAL.—
8 Not later than 3 years after the date of the enactment
9 of the America COMPETES Act of 2022, and again 3
10 years later, the Comptroller General shall submit to the
11 Committee on Science, Space, and Technology of the
12 House of Representatives and the Committee on Energy
13 and Natural Resources of the Senate an evaluation on the
14 operation of the program during the most recent 3-year
15 period, including—

16 “(1) an assessment of the progress made to-
17 wards achieving the purposes specified in subsection
18 (c) based on the metrics developed under subsection
19 (g);

20 “(2) the short-term and long-term metrics used
21 to determine the success of the program under sub-
22 section (g), and any changes recommended to the
23 metrics used;

24 “(3) the regional clean energy innovation part-
25 nerships established or supported by covered con-

1 tional objectives, including national security, economic
2 prosperity, and social welfare.

3 (b) PURPOSE.—The purpose of the program shall
4 be—

5 (1) to serve as a central Federal clearinghouse
6 for the collection, interpretation, analysis, and dis-
7 semination of objective data on the nation’s tech-
8 nology, innovation, and advanced manufacturing ca-
9 pacity;

10 (2) to improve assessment of the nation’s re-
11 search, technology, and manufacturing assistance
12 programs, including the regional innovation pro-
13 grams established in section 27 and 28 of the Ste-
14 venson-Wydler Technology Innovation Act of 1980
15 (Public Law 96–480; 15 U.S.C. 3701 et seq.);

16 (3) to assess U.S. competitiveness in technology
17 and innovation sectors; and

18 (4) to support national policy and decision mak-
19 ing in both the public and private sectors to ensure
20 United States leadership in technology and innova-
21 tion sectors critical to national security, economic
22 prosperity and social welfare.

23 (c) ACTIVITIES.—In carrying out this section, the
24 Secretary shall—

1 (1) collect, acquire, analyze, report, and dis-
2 seminate data related to critical technology, innova-
3 tion, and production capacity in the United States
4 and other nations that is relevant and useful to
5 practitioners, researchers, policymakers, and the
6 public, including data on—

7 (A) regional technology and innovation ca-
8 pacity, including research and development ac-
9 tivity, entrepreneurship, intellectual property
10 generation, company formation, advanced tech-
11 nology capital equipment investment, and tech-
12 nology transfer;

13 (B) supply chains, including domestic and
14 international production capacity, inter-firm
15 transactions, and resiliency for select end-prod-
16 ucts and their intermediate inputs;

17 (C) the skilled technical and production
18 workforce required in different critical tech-
19 nology and innovation sectors;

20 (D) the participation of individuals and
21 communities historically underrepresented in
22 STEM; and

23 (E) any other area the Secretary deter-
24 mines appropriate;

1 (2) request from any person or entity informa-
2 tion, data, and reports as may be required to carry
3 out the purposes of this subtitle;

4 (3) support research using the data it collects,
5 and on methodologies in areas related to the activi-
6 ties carried out under the program; and

7 (4) conduct other activities deemed by the Sec-
8 retary to be critical for the development of analytic
9 capabilities, statistics, datasets, and metrics related
10 to critical technologies and innovation.

11 (d) OTHER TRANSACTIONS AUTHORITIES.—In car-
12 rying out this section, the Secretary may enter into and
13 perform such contracts, including cooperative research
14 and development arrangements and grants and coopera-
15 tive agreements or other transactions, as may be necessary
16 in the conduct of the work of the program and on such
17 terms as the Secretary considers appropriate.

18 (e) COORDINATION.—The Secretary shall collaborate
19 with Federal statistical agencies, as appropriate, to carry
20 out the purposes of this section, including by entering into
21 cooperative data sharing agreements that comply with all
22 laws and regulations applicable to the disclosure and use
23 of data.

24 (f) CONSULTATION.—In conducting the activities re-
25 quired under subsection (c), the Secretary shall solicit

1 input from relevant stakeholders on critical technology
2 and sector needs, practices, and goals related to creating
3 statistics, metrics, data sets, and modeling.

4 (g) ADMINISTRATION.—The Secretary may carry out
5 this program through existing programs and bureaus of
6 the Department of Commerce, as appropriate.

7 (h) ACCESS TO FEDERAL DATA.—In carrying out
8 subsection (c), the Secretary shall be given access to all
9 information, data, or reports that the Secretary deter-
10 mines necessary to carry out this section by any Federal
11 agency upon written request and subject to any statutory
12 or regulatory restrictions. Where practicable, the Sec-
13 retary should incorporate data collection into existing sur-
14 vey instruments.

15 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to the Secretary
17 \$100,000,000 to conduct activities under this section for
18 the period of fiscal years 2022 through 2026.

19 **SEC. 10644. SUPPORT FOR COMMERCIAL DEPLOYMENT.**

20 Section 454 of the Energy Independence and Security
21 Act of 2007 (42 U.S.C. 17113) is amended—

22 (1) in subsection (b)(1), by inserting “commer-
23 cial deployment,” after “demonstration,”;

24 (2) in subsection (d)—

1 (A) in the heading, by inserting “and com-
2 mercial deployment” after “demonstration”;
3 and

4 (B) in paragraph (3)—

5 (i) in the heading, by inserting “and
6 commercial deployment” after “demonstra-
7 tion”; and

8 (ii) by inserting “and commercial de-
9 ployment” after “demonstration”; and

10 (3) in subsection (e)—

11 (A) by striking “There are authorized”
12 and inserting “(1) DEMONSTRATION AND COM-
13 MERCIAL DEPLOYMENT PROJECTS.—There are
14 authorized”;

15 (B) by redesignating paragraphs (1)
16 through (5) as subparagraphs (A) through (E),
17 respectively; and

18 (C) by adding at the end the following:

19 “(2) GRANTS.—There are authorized to be ap-
20 propriated to the Secretary to carry out activities
21 under subsection (d)(1) \$1,000,000,000 for each of
22 fiscal years 2022 through 2026 to fund the commer-
23 cial deployment of technologies to achieve emissions
24 reduction at high emitting non-power industrial fa-
25 cilities.”.

1 **Subtitle E—Malign Foreign Talent**
2 **Recruitment Program Prohibition**

3 **SEC. 10651. MALIGN FOREIGN TALENT RECRUITMENT PRO-**
4 **GRAM PROHIBITION.**

5 (a) IN GENERAL.—Not later than 18 months after
6 the date of enactment of this Act, each Federal research
7 agency shall establish a policy that, as part of a proposal
8 for a research and development award from the agency—

9 (1) each covered individual listed in the pro-
10 posal for a research and development award certify
11 that they are not a party to a malign foreign talent
12 recruitment program from a foreign country of con-
13 cern in their proposal submission and annually
14 thereafter for the duration of the award; and

15 (2) each institution of higher education or other
16 organization applying for such an award certify that
17 each covered individual who is employed by the insti-
18 tution of higher education or other organization has
19 been made aware of the requirement under this sec-
20 tion.

21 (b) STAKEHOLDER INPUT.—In establishing a policy
22 under subsection (a), agencies shall go through a notice
23 and comment process.

24 (c) COMPLIANCE WITH EXISTING LAW.—Each Fed-
25 eral research agency and grantee shall comply with title

1 VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et
2 seq.) in the development and implementation of policies
3 developed under subsection (a).

4 (d) INTERNATIONAL COLLABORATION.—Each policy
5 developed under subsection (a) shall not prohibit—

6 (1) making scholarly presentations and pub-
7 lishing written materials regarding scientific infor-
8 mation not otherwise controlled under current law;

9 (2) participation in international conferences or
10 other international exchanges, research projects or
11 programs that involve open and reciprocal exchange
12 of scientific information, and which are aimed at ad-
13 vancing international scientific understanding;

14 (3) advising a foreign student enrolled at the
15 covered individual's institution of higher education
16 or writing a recommendation for such a student, at
17 the student's request; and

18 (4) other international activities deemed appro-
19 priate by the Federal research agency head or their
20 designee.

21 (e) LIMITATION.—The certifications required under
22 subsection (a) shall not apply retroactively to research and
23 development awards made or applied for prior to the es-
24 tablishment of the policy by the Federal research agency.

25 (f) DEFINITIONS.—In this section:

1 (1) The term “covered individual” means an in-
2 dividual who—

3 (A) contributes in a substantive, meaning-
4 ful way to the scientific development or execu-
5 tion of a research and development project pro-
6 posed to be carried out with a research and de-
7 velopment award from a Federal research agen-
8 cy; and

9 (B) is designated as a covered individual
10 by the Federal research agency concerned.

11 (2) The term “Federal research agency” means
12 any Federal agency with an annual extramural re-
13 search expenditure of over \$100,000,000.

14 (3) The term “foreign country of concern”
15 means the People’s Republic of China, the Demo-
16 cratic People’s Republic of Korea, the Russian Fed-
17 eration, the Islamic Republic of Iran, or any other
18 country deemed to be a country of concern as deter-
19 mined by the Department of State.

20 (4) The term “malign foreign talent program”
21 means any program, position, or activity that in-
22 cludes compensation in the form of cash, research
23 funding, promised future compensation, or things of
24 non de minimis value, directly provided by a foreign
25 country of concern at any level (national, provincial

1 or local) or an entity based in a foreign country of
2 concern, whether or not directly sponsored by the
3 foreign country of concern, to the targeted individual
4 in exchange for the individual—

5 (A) engaging in the unauthorized transfer
6 of intellectual property, materials, or data prod-
7 ucts owned by a U.S. entity or developed with
8 a federal research and development award to
9 the government of a foreign country of concern
10 or an entity based in a foreign country of con-
11 cern regardless of whether that government or
12 entity provided support for the development of
13 the intellectual property, materials, or data
14 products;

15 (B) being required to recruit trainees or
16 researchers to enroll in malign foreign talent
17 programs sponsored by a foreign country of
18 concern or an entity based in a foreign country
19 of concern; or

20 (C) establishing a laboratory and/or com-
21 pany, accepting a faculty position, or under-
22 taking any other employment or appointment in
23 a foreign country of concern or an entity based
24 in a foreign country of concern if such activities
25 are contrary to the standard terms and condi-

1 tions of a federal research and development
2 award.

3 (5) The term “research and development
4 award” means support provided to an individual or
5 entity by a Federal research agency to carry out re-
6 search and development activities, which may include
7 support in the form of a grant, contract, cooperative
8 agreement, or other such transaction. The term does
9 not include a grant, contract, agreement or other
10 transaction for the procurement of goods or services
11 to meet the administrative needs of a Federal re-
12 search agency.

13 **Subtitle F—Microelectronics**
14 **Research for Energy Innovation**

15 **SEC. 10661. DEFINITIONS.**

16 In this subtitle:

17 (1) DEPARTMENT.—The term “Department”
18 means the Department of Energy.

19 (2) HISTORICALLY BLACK COLLEGE AND UNI-
20 VERSITY.—The term “historically Black college and
21 university” has the meaning given the term “part B
22 institution” in section 322 of the Higher Education
23 Act of 1965 (20 U.S.C. 1061).

24 (3) INSTITUTION OF HIGHER EDUCATION.—The
25 term “institution of higher education” has the

1 meaning given the term in section 101(a) of the
2 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

3 (4) MICROELECTRONICS.—The term “micro-
4 electronics” refers to semiconductors and related
5 materials, processing chemistries, design, fabrica-
6 tion, lithography, packaging, sensors, devices, inte-
7 grated circuits, processors, computing architectures,
8 modeling and simulation, software tools, and related
9 technologies.

10 (5) MINORITY SERVING INSTITUTION.—The
11 term “minority serving institution” includes the en-
12 tities described in any of the paragraphs (1) through
13 (7) of section 371(a) of the Higher Education Act
14 of 1965 (20 U.S.C. 1067q(a)).

15 (6) NATIONAL LABORATORY.—The term “Na-
16 tional Laboratory” has the meaning given the term
17 in section 2 of the Energy Policy Act of 2005 (42
18 U.S.C. 15801).

19 (7) SECRETARY.—The term “Secretary” means
20 the Secretary of Energy.

21 (8) SKILLED TECHNICAL WORKFORCE.—The
22 term “skilled technical workforce” has the meaning
23 given such term in section 4(b) of the Innovations
24 in Mentoring, Training, and Apprenticeships Act (42
25 U.S.C. 1862p).

1 (9) STEM.—The term “STEM” means the
2 field or disciplines listed in section 2 of the STEM
3 Education Act of 2015 (42 U.S.C. 6621 note).

4 (10) TRIBAL COLLEGE AND UNIVERSITY.—The
5 term “Tribal College and University” has the mean-
6 ing given in section 316 of the Higher Education
7 Act of 1965 (20 U.S.C. 1059c).

8 **SEC. 10662. FINDINGS.**

9 Congress finds that—

10 (1) the coming end of Moore’s Law presents
11 major technological challenges and opportunities for
12 the United States and important implications for na-
13 tional security, economic competitiveness, and sci-
14 entific discovery;

15 (2) future progress and innovation in microelec-
16 tronics, and maintaining a robust domestic micro-
17 electronics supply chain, will require an approach
18 that advances relevant materials science, electronic
19 and photonic device technologies, processing and
20 packaging technologies, manufacturing technologies,
21 circuit, chip, and system architecture, and software
22 system and algorithm development in a co-design
23 fashion;

24 (3) the National Laboratories possess unique
25 technical expertise and user facilities that are essen-

1 tial to overcoming foundational research challenges
2 relevant to the topics described in paragraph (2),
3 and translating and transferring research outcomes
4 to industry; and

5 (4) the assets described in paragraph (3) will
6 enable the Department to drive advances in micro-
7 electronics that are essential to meeting future needs
8 in areas critical to its missions as well as the future
9 competitiveness of the domestic microelectronics in-
10 dustry, including high-performance computing,
11 emerging data-centric computing approaches, and
12 energy-efficient computing; optical sensors, sources,
13 and wireless networks; and power electronics and
14 electricity delivery systems.

15 **SEC. 10663. MICROELECTRONICS RESEARCH PROGRAM.**

16 (a) IN GENERAL.—The Secretary shall carry out a
17 cross-cutting program of research, development, and dem-
18 onstration of microelectronics relevant to the missions of
19 the Department and in the service of the Nation’s global
20 competitiveness in the field of microelectronics. In car-
21 rying out this program, the Secretary shall coordinate
22 across all relevant programs and offices of the Depart-
23 ment.

24 (b) RESEARCH AREAS.—In carrying out the program
25 under subsection (a), the Secretary shall award financial

1 assistance to eligible entities under subsection (c) to carry
2 out research projects in—

3 (1) foundational science areas, including—

4 (A) materials sciences, chemical sciences,
5 and plasma science synthesis, and fabrication;

6 (B) novel microelectronics devices, includ-
7 ing emerging memory and storage technologies;

8 (C) diverse computing architectures and
9 paradigms, including analog computing and
10 edge computing;

11 (D) data-driven modeling and simulation;

12 (E) integrated sensing, power harvesting,
13 and communications;

14 (F) component integration and subsystems;

15 (G) photonic integration; and

16 (H) development of co-design frameworks
17 for all stages of microelectronics design, devel-
18 opment, fabrication, and application;

19 (2) cybersecurity by design to result in trusted
20 and resilient microelectronics;

21 (3) methods for leveraging advanced simulation
22 and artificial intelligence to enhance co-design and
23 discovery in microelectronics;

24 (4) in consultation with the Director of the Na-
25 tional Institute of Standards and Technology, fab-

1 rication and processing science and metrology associ-
2 ated with microelectronics manufacturing, including
3 lithography, patterning, surface deposition, etching,
4 and cleaning;

5 (5) approaches for optimizing system-level en-
6 ergy efficiency of advanced computing systems, the
7 electrical grid, power electronics, and other energy
8 infrastructure;

9 (6) approaches for enhancing the durability and
10 lifetime of radiation-hardened electronics;

11 (7) enhancement of microelectronics security,
12 including the development of integrated devices,
13 packages, and thermal management for severe envi-
14 ronments and national security;

15 (8) in coordination with other relevant initia-
16 tives at the Department, methods to improve the
17 lifetime, maintenance, decommissioning, recycling,
18 reuse, and sustainability of microelectronics compo-
19 nents and systems, including technologies and strat-
20 egies that reduce the use of energy, water, critical
21 materials, and other commodities that are deter-
22 mined to be vulnerable to disruption; and

23 (9) methods and techniques for domestic proc-
24 essing of materials for microelectronics and their
25 components.

1 (c) ELIGIBLE ENTITIES.—The entities eligible to re-
2 ceive financial assistance under this section include—

3 (1) an institution of higher education, including
4 historically Black colleges and universities, Tribal
5 colleges and universities, and minority serving insti-
6 tutions;

7 (2) a nonprofit research organization;

8 (3) a State research agency;

9 (4) a National Laboratory;

10 (5) a private commercial entity;

11 (6) a partnership or consortium of 2 or more
12 entities described in paragraphs (1) through (5); and

13 (7) any other entities the Secretary deems ap-
14 propriate.

15 (d) TECHNOLOGY TRANSFER.—In carrying out the
16 program described in subsection (a), the Secretary, in co-
17 ordination with the Director of the Office of Technology
18 Transitions, and in consultation with the private sector,
19 shall support translational research and transfer of micro-
20 electronics technologies and identify emerging research
21 and development needs of industry and government for the
22 benefit of United States economic competitiveness.

23 (e) WORKFORCE DEVELOPMENT.—In carrying out
24 the program under subsection (a), the Secretary shall sup-
25 port—

1 (1) workforce development through the existing
2 authorities and mechanisms available to the Depart-
3 ment, including internships, fellowships, individual
4 investigator grants, and other activities the Sec-
5 retary deems appropriate; and

6 (2) education and outreach activities to dissemi-
7 nate information and promote understanding of
8 microelectronics and related fields among students
9 at K–12, undergraduate, and graduate levels. Such
10 activities may include educational programming with
11 an emphasis on experiential and project-based learn-
12 ing. The Secretary shall consult with the Director of
13 the National Science Foundation on activities car-
14 ried out this paragraph.

15 (f) OUTREACH.—In carrying out activities under sub-
16 section (e), the Secretary shall ensure program outreach
17 to recruit applicants and engage participants from all re-
18 gions of the country, especially underserved communities
19 and groups historically underrepresented in STEM.

20 (g) REPORT.—Not less than 180 days after the en-
21 actment of this Act, the Secretary shall submit to the
22 Committee on Science, Space, and Technology of the
23 House of Representatives, and the Committee on Energy
24 and Natural Resources of the Senate, a report describing

1 the goals, priorities, and anticipated outcomes of the pro-
2 gram described in subsection (a).

3 (h) FUNDING.—There are authorized to be appro-
4 priated to the Secretary to carry out the activities de-
5 scribed in this section—

6 (1) \$75,000,000 for fiscal year 2022;

7 (2) \$100,000,000 for fiscal year 2023;

8 (3) \$100,000,000 for fiscal year 2024;

9 (4) \$100,000,000 for fiscal year 2025; and

10 (5) \$100,000,000 for fiscal year 2026.

11 **SEC. 10664. MICROELECTRONICS SCIENCE RESEARCH CEN-**
12 **TERS.**

13 (a) IN GENERAL.—In carrying out the program
14 under section 10663, the Secretary, acting through the
15 Director of the Office of Science, shall establish up to four
16 Microelectronics Science Research Centers (referred to in
17 this section as “Centers”) to conduct mission-driven re-
18 search to address foundational challenges in the design,
19 development, characterization, prototyping, demonstra-
20 tion, and fabrication of microelectronics and to facilitate
21 the translation of research results to industry.

22 (b) ACTIVITIES.—The activities of the Centers au-
23 thorized under this section shall include research, develop-
24 ment, and demonstration activities for—

1 (1) accelerating the development of new micro-
2 electronics science and technology, including mate-
3 rials, devices, circuits, systems, architectures, fab-
4 rication tools, processes, diagnostics, modeling, syn-
5 thesis, and, in consultation with the National Insti-
6 tute of Standards and Technology, metrology;

7 (2) advancing the sustainability and energy effi-
8 ciency of new microelectronics devices, packages, and
9 systems;

10 (3) application-driven co-design and prototyping
11 of novel devices to facilitate laboratory-to-fabrication
12 transition;

13 (4) advancing knowledge and experimental ca-
14 pabilities in surface and materials science, plasma
15 science, and computational and theoretical methods,
16 including artificial intelligence, multi-scale co-design,
17 and advanced supercomputing capabilities to invent
18 and manufacture revolutionary microelectronic de-
19 vices;

20 (5) creating technology testbeds for prototyping
21 platforms for validation and verification of new ca-
22 pabilities and sharing of ideas, intellectual property,
23 and the unique facilities of the Department;

24 (6) supporting development of cybersecurity ca-
25 pabilities for computing architectures that measur-

1 ably improve safety and security, and that are
2 adaptable for existing and future applications; and

3 (7) supporting long-term and short-term work-
4 force development in microelectronics.

5 (c) REQUIREMENTS.—

6 (1) SELECTION AND DURATION.—The Director
7 of the Office of Science shall select Centers on a
8 competitive, merit-reviewed basis for a period of not
9 more than 5 years, subject to the availability of ap-
10 propriations, beginning on the date of establishment
11 of that Center.

12 (2) APPLICATIONS.—An eligible applicant under
13 this subsection shall submit to the Director of the
14 Office of Science an application at such time, in
15 such manner, and containing such information as
16 the Director deems appropriate.

17 (3) ELIGIBLE APPLICANTS.—The Director of
18 the Office of Science shall consider applications
19 from—

20 (A) National Laboratories;

21 (B) institutions of higher education, in-
22 cluding historically Black colleges and univer-
23 sities, Tribal colleges and universities, and mi-
24 nority serving institutions;

25 (C) private industry;

1 (D) research centers;

2 (E) consortia of 2 or more of the entities
3 described in subparagraphs (A) through (D);
4 and

5 (F) any other entity that the Secretary
6 deems appropriate.

7 (4) RENEWAL.—After the end of either period
8 described in paragraph (1), the Director of the Of-
9 fice of Science may renew support for the Center for
10 a period of not more than 5 years on a merit-re-
11 viewed basis. For a Center in operation for 10 years
12 after its previous selection on a competitive, merit-
13 reviewed basis, the Director may renew support for
14 the center on a competitive, merit-reviewed basis for
15 a period of not more than 5 years, and may subse-
16 quently provide an additional renewal on a merit-re-
17 viewed basis for a period of not more than 5 years.

18 (5) TERMINATION.—Consistent with the exist-
19 ing authorities of the Department, the Director of
20 the Office of Science may terminate an underper-
21 forming center for cause during the performance pe-
22 riod.

23 (d) TECHNOLOGY TRANSFER.—The Director of the
24 Office of Science, in coordination with the Director of the
25 Office of Technology Transitions, shall implement part-

1 nerships with industry groups for the purpose of facili-
2 tating the translation and transfer of research results pro-
3 duced by the Centers.

4 (e) COORDINATION.—The Secretary shall—

5 (1) establish a coordinating network to coordi-
6 nate cross-cutting research and foster communica-
7 tion and collaboration among the Centers; and

8 (2) ensure the coordination, and avoid unneces-
9 sary duplication, of the activities of each Center with
10 the activities of—

11 (A) other research entities of the Depart-
12 ment, including—

13 (i) the Nanoscale Science Research
14 Centers;

15 (ii) the National Quantum Informa-
16 tion Science Research Centers;

17 (iii) the Energy Frontier Research
18 Centers;

19 (iv) the Energy Innovation Hubs;

20 (v) the National Laboratories; and

21 (vi) other offices of the Department;

22 (B) the National Semiconductor Tech-
23 nology Center authorized in title XCIX of divi-
24 sion H of the William M. (Mac) Thornberry

1 National Defense Authorization Act for Fiscal
2 Year 2021 (Public Law 116–283);

3 (C) institutions of higher education;

4 (D) industry; and

5 (E) research activities carried out by other
6 Federal agencies.

7 (f) WORKFORCE DEVELOPMENT.—Centers estab-
8 lished under this section shall support workforce develop-
9 ment through—

10 (1) incorporation of undergraduate students,
11 postdoctoral fellows, graduate students, and early
12 career researchers, as well as K–12 students through
13 opportunities such as dual-enrollment programs and
14 work-based learning programs, as applicable;

15 (2) hand-on research and equipment training
16 programs;

17 (3) technical training and certificate programs
18 for the skilled technical workforce;

19 (4) facilitation of engagement between aca-
20 demic, industry, and laboratory researchers; and

21 (5) public outreach activities, including to stu-
22 dents at K–12, undergraduate, and graduate levels.
23 Such activities may include educational program-
24 ming with an emphasis on experiential and project-
25 based learning.

1 (g) OUTREACH.—In carrying out activities under
2 subsection (e), the Director shall ensure program outreach
3 to recruit applicants and engage participants from all re-
4 gions of the country, especially underserved communities
5 and groups historically underrepresented in STEM.

6 (h) INTELLECTUAL PROPERTY.—The Secretary shall
7 ensure that the intellectual property and value proposition
8 created by the Centers are retained within the United
9 States.

10 (i) FUNDING.—The Secretary shall allocate up to
11 \$25,000,000 for each Center established under this sec-
12 tion for each of fiscal years 2022 through 2026, subject
13 to the availability of appropriations.

14 **SEC. 10665. MISCELLANEOUS OTHER REQUIREMENTS.**

15 All laborers and mechanics employed by contractors
16 or subcontractors in the performance of construction, al-
17 teration, or repair work assisted in whole or in part under
18 the program under sections 10663 and 10664 shall be
19 paid wages at rates not less than those prevailing on
20 projects of a similar character in the locality as deter-
21 mined by the Secretary of Labor in accordance with sub-
22 chapter IV of chapter 31 of title 40, United States Code.
23 With respect to the labor standards specified in this sec-
24 tion, the Secretary of Labor shall have the authority and
25 functions set forth in Reorganization Plan Numbered 14

1 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145
2 of title 40, United States Code.

3 **Subtitle G—Reports**

4 **SEC. 10671. REPORT ON METHANE REMOVAL TECHNOLOGY.**

5 (a) IN GENERAL.—Not later than 360 days after the
6 date of the enactment of this Act, the Secretary shall sub-
7 mit to the Committee on Science, Space, and Technology
8 of the House of Representatives and the Committee on
9 Energy and Natural Resources of the Senate a report on
10 the potential for, and technical and economic viability of,
11 direct methane removal to significantly mitigate climate
12 change, with special consideration given to natural meth-
13 ane sources, such as melting permafrost, and non-energy
14 sector methane sources.

15 (b) CONTENTS.—The report under subsection (a)
16 shall include a summary of research, development, and
17 demonstration needs, including an estimate of Federal
18 funding requirements, to further examine and validate the
19 technical and economic viability, and potential ancillary
20 impacts, of direct methane removal technologies and ap-
21 proaches over the 10-year period beginning on the date
22 of the enactment of this Act.

23 (c) COORDINATION.—In carrying out the report
24 under subsection (a), the Secretary shall coordinate across

1 all relevant programs and offices of the Department and
2 other relevant Federal agencies.

3 **Subtitle H—Better Energy Storage**
4 **Technology**

5 **SEC. 10681. LONG-DURATION DEMONSTRATION INITIATIVE**
6 **AND JOINT PROGRAM.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
8 3201(h)(3) of the Energy Act of 2020 (42 U.S.C.
9 17232(h)(3)) is amended by striking “\$30,000,000 for
10 each of fiscal years 2021 through 2025” and inserting
11 “\$45,000,000 for each of fiscal years 2022 through
12 2026”.

13 (b) TECHNICAL CORRECTION.—Effective as of the
14 enactment of the Infrastructure Investment and Jobs Act,
15 section 40334 of such Act is amended by striking “Energy
16 Policy Act of 2020” and inserting “Energy Act of 2020”.

17 **Subtitle I—SBIR, STTR, and Pilot**
18 **Extensions**

19 **SEC. 10691. SMALL BUSINESS INNOVATION PROGRAMS AND**
20 **PILOT EXTENSIONS.**

21 Section 9 of the Small Business Act (15 U.S.C. 638)
22 is amended by striking “2022” each place it appears and
23 inserting “2027”.

1 **Subtitle J—Coastal and Ocean**
2 **Acidification Stressors and**
3 **Threats Research**

4 **SEC. 10701. SHORT TITLE.**

5 This subtitle may be cited as the “Coastal and Ocean
6 Acidification Stressors and Threats Research Act of
7 2021” or the “COAST Research Act of 2021”.

8 **SEC. 10702. PURPOSES.**

9 (a) IN GENERAL.—Section 12402(a) of the Federal
10 Ocean Acidification Research and Monitoring Act of 2009
11 (33 U.S.C. 3701(a)) is amended—

12 (1) in paragraph (1)—

13 (A) in the matter preceding subparagraph
14 (A), by striking “development and coordina-
15 tion” and inserting “coordination and imple-
16 mentation”;

17 (B) in subparagraph (A), by striking
18 “acidification on marine organisms” and insert-
19 ing “acidification and coastal acidification on
20 marine organisms”; and

21 (C) in subparagraph (B), by striking “es-
22 tablish” and all that follows through the semi-
23 colon and inserting “maintain and advise an
24 interagency research, monitoring, and public

1 outreach program on ocean acidification and
2 coastal acidification;”;

3 (2) in paragraph (2), by striking “establish-
4 ment” and inserting “maintenance”;

5 (3) in paragraph (3), by inserting “and coastal
6 acidification” after “ocean acidification”; and

7 (4) in paragraph (4), by inserting “and coastal
8 acidification that take into account other environ-
9 mental and anthropogenic stressors” after “ocean
10 acidification”.

11 (b) TECHNICAL AND CONFORMING AMENDMENT.—
12 Section 12402 of the Federal Ocean Acidification Re-
13 search and Monitoring Act of 2009 (33 U.S.C. 3701(a))
14 is amended by striking “(a) PURPOSES.—”.

15 **SEC. 10703. DEFINITIONS.**

16 Section 12403 of the Federal Ocean Acidification Re-
17 search and Monitoring Act of 2009 (33 U.S.C. 3702) is
18 amended—

19 (1) in paragraph (1), by striking “of the
20 Earth’s oceans” and all that follows before the pe-
21 riod at the end and inserting “and changes in the
22 water chemistry of the Earth’s oceans, coastal estu-
23 aries, and waterways caused by carbon dioxide from
24 the atmosphere and the breakdown of organic mat-
25 ter”;

1 (2) in paragraph (3), by striking “Joint Sub-
2 committee on Ocean Science and Technology of the
3 National Science and Technology Council” and in-
4 serting “National Science and Technology Council
5 Subcommittee on Ocean Science and Technology”;

6 (3) by redesignating paragraphs (1), (2), and
7 (3) as paragraphs (2), (3), and (4), respectively;

8 (4) by inserting before paragraph (2), as so re-
9 designated, the following new paragraph:

10 “(1) COASTAL ACIDIFICATION.—The term
11 ‘coastal acidification’ means the combined decrease
12 in pH and changes in the water chemistry of coastal
13 oceans, estuaries, and other bodies of water from
14 chemical inputs (including carbon dioxide from the
15 atmosphere), freshwater inputs, and excess nutrient
16 run-off from land and coastal atmospheric pollution
17 that result in processes that release carbon dioxide,
18 acidic nitrogen, and sulfur compounds as byproducts
19 which end up in coastal waters.”; and

20 (5) by adding at the end the following new
21 paragraph:

22 “(5) STATE.—The term ‘State’ means each
23 State of the United States, the District of Columbia,
24 the Commonwealth of Puerto Rico, American
25 Samoa, Guam, the Commonwealth of the Northern

1 Mariana Islands, the Virgin Islands of the United
2 States, and any other territory or possession of the
3 United States.”.

4 **SEC. 10704. INTERAGENCY WORKING GROUP.**

5 Section 12404 of the Federal Ocean Acidification Re-
6 search and Monitoring Act of 2009 (33 U.S.C. 3703) is
7 amended—

8 (1) in the heading, by striking “**SUB-**
9 **COMMITTEE**” and inserting “**WORKING GROUP**”;

10 (2) in subsection (a)—

11 (A) in paragraph (1), by striking “Joint
12 Subcommittee on Ocean Science and Tech-
13 nology of the National Science and Technology
14 Council shall coordinate Federal activities on
15 ocean acidification and establish” and insert
16 “Subcommittee shall establish and maintain”;

17 (B) in paragraph (2), by striking “Wildlife
18 Service,” and inserting “Wildlife Service, the
19 Bureau of Ocean Energy Management, the En-
20 vironmental Protection Agency, the Department
21 of Agriculture, the Department of State, the
22 Department of Energy, the Department of the
23 Navy, the National Park Service, the Bureau of
24 Indian Affairs, the National Institute of Stand-

1 ards and Technology, the Smithsonian Institu-
2 tion,”; and

3 (C) in paragraph (3), in the heading, by
4 striking “CHAIRMAN” and inserting “CHAIR”;
5 (3) in subsection (b)—

6 (A) in paragraph (1), by inserting “, in-
7 cluding the efforts of the National Oceanic and
8 Atmospheric Administration to facilitate such
9 implementation” after “of the plan”;

10 (B) in paragraph (2)—

11 (i) in subparagraph (A), by inserting
12 “and coastal acidification” after “ocean
13 acidification”; and

14 (ii) in subparagraph (B), by inserting
15 “and coastal acidification” after “ocean
16 acidification”;

17 (C) in paragraph (4), by striking “; and”
18 and inserting a semicolon;

19 (D) in paragraph (5)—

20 (i) by striking “developed” and insert-
21 ing “and coastal acidification developed”;
22 and

23 (ii) by striking the period at the end
24 and inserting “and coastal acidification;
25 and”; and

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

3 “(6) ensure that each of the Federal agencies
4 represented on the interagency working group—

5 “(A) participates in the Ocean Acidifica-
6 tion Information Exchange established under
7 paragraph (5); and

8 “(B) delivers data and information to sup-
9 port the data archive system established under
10 section 12406(d).”;

11 (4) in subsection (c), in paragraph (2)—

12 (A) by inserting “, and to the Office of
13 Management and Budget,” after “House of
14 Representatives”; and

15 (B) in subparagraph (B), by striking “the
16 interagency research” and inserting “inter-
17 agency strategic research”;

18 (5) by redesignating subsection (c) as sub-
19 section (d); and

20 (6) by inserting after subsection (b) the fol-
21 lowing:

22 “(c) ADVISORY BOARD.—

23 “(1) ESTABLISHMENT.—The Chair of the Sub-
24 committee shall establish an Ocean Acidification Ad-
25 visory Board.

1 “(2) DUTIES.—The Advisory Board shall—

2 “(A) not later than 180 days before the
3 Subcommittee submits the most recent report
4 under subsection (d)(2)—

5 “(i) review such report;

6 “(ii) submit an analysis of such report
7 to the Subcommittee for consideration in
8 the final report submitted under subsection
9 (d)(2); and

10 “(iii) concurrently with the Sub-
11 committee’s final submission of the report
12 under subsection (d)(2), the Advisory
13 Board shall submit a copy of the analysis
14 provided to the Subcommittee to the Com-
15 mittee on Commerce, Science, and Trans-
16 portation of the Senate, the Committee on
17 Science, Space, and Technology of the
18 House of Representatives, and the Com-
19 mittee on Natural Resources of the House
20 of Representatives;

21 “(B) not later than 180 days before the
22 Subcommittee submits the most recent strategic
23 research plan under subsection (d)(3) to Con-
24 gress—

25 “(i) review such plan;

1 “(ii) submit an analysis of such plan
2 and the implementation thereof to the Sub-
3 committee for consideration in the final
4 strategic research plan submitted under
5 subsection (d)(3); and

6 “(iii) concurrently with the Sub-
7 committee’s final submission of the stra-
8 tegic research plan under subsection
9 (d)(3), the Advisory Board shall submit a
10 copy of the analysis provided to the Sub-
11 committee to the Committee on Commerce,
12 Science, and Transportation of the Senate,
13 the Committee on Science, Space, and
14 Technology of the House of Representa-
15 tives, and the Committee on Natural Re-
16 sources of the House of Representatives;

17 “(C) provide ongoing advice to the Sub-
18 committee and the interagency working group
19 on matters related to Federal activities on
20 ocean acidification and coastal acidification;

21 “(D) advise the Subcommittee and the
22 interagency working group on—

23 “(i) efforts to coordinate research and
24 monitoring activities related to ocean acidi-
25 fication and coastal acidification; and

1 “(ii) the best practices for the stand-
2 ards developed for data archiving under
3 section 12406(e);

4 “(E) publish in the Federal Register a
5 charter;

6 “(F) provide the Library of Congress
7 with—

8 “(i) the charter described in subpara-
9 graph (E);

10 “(ii) any schedules and minutes for
11 meetings of the Advisory Board;

12 “(iii) any documents that are ap-
13 proved by the Advisory Board; and

14 “(iv) any reports and analysis pre-
15 pared by the Advisory Board; and

16 “(G) establish a publicly accessible web
17 page on the website of the National Oceanic
18 and Atmospheric Administration, that contains
19 the information described in clauses (i) through
20 (iv) of subparagraph (F).

21 “(3) MEMBERSHIP.—The Advisory Board shall
22 consist of 24 members as follows:

23 “(A) Two representatives of the shellfish
24 and crab industry.

1 “(B) One representative of the finfish in-
2 industry.

3 “(C) One representative of seafood proc-
4 essors.

5 “(D) Three representatives from academia,
6 including both natural and social sciences.

7 “(E) One representative of recreational
8 fishing.

9 “(F) One representative of a relevant non-
10 governmental organization.

11 “(G) Six representatives from relevant
12 State, local, and Tribal governments.

13 “(H) One representative from the Alaska
14 Ocean Acidification Network or a subsequent
15 entity that represents the same geographical re-
16 gion and has a similar purpose.

17 “(I) One representative from the California
18 Current Acidification Network or a subsequent
19 entity that represents the same geographical re-
20 gion and has a similar purpose.

21 “(J) One representative from the North-
22 east Coastal Acidification Network or a subse-
23 quent entity that represents the same geo-
24 graphical region and has a similar purpose.

1 “(K) One representative from the South-
2 east Coastal Acidification Network or a subse-
3 quent entity that represents the same geo-
4 graphical region and has a similar purpose.

5 “(L) One representative from the Gulf of
6 Mexico Coastal Acidification Network or a sub-
7 sequent entity that represents the same geo-
8 graphical region and has a similar purpose.

9 “(M) One representative from the Mid-At-
10 lantic Coastal Acidification Network or a subse-
11 quent entity that represents the same geo-
12 graphical region and has a similar purpose.

13 “(N) One representative from the Pacific
14 Islands Ocean Observing System or a subse-
15 quent entity that represents the island terri-
16 tories and possessions of the United States in
17 the Pacific Ocean, and the State of Hawaii and
18 has a similar purpose.

19 “(O) One representative from the Carib-
20 bean Regional Association for Coastal Ocean
21 Observing or a subsequent entity that rep-
22 represents Puerto Rico and the United States Vir-
23 gin Islands and has a similar purpose.

24 “(P) One representative from the National
25 Oceanic and Atmospheric Administration shall

1 serve as an ex-officio member of the Advisory
2 Board without a vote.

3 “(4) APPOINTMENT OF MEMBERS.—The Chair
4 of the Subcommittee shall—

5 “(A) appoint members to the Advisory
6 Board (taking into account the geographical in-
7 terests of each individual to be appointed as a
8 member of the Advisory Board to ensure that
9 an appropriate balance of geographical interests
10 are represented by the members of the Advisory
11 Board) who—

12 “(i) represent the interest group for
13 which each seat is designated;

14 “(ii) demonstrate expertise on ocean
15 acidification or coastal acidification and its
16 scientific, economic, industry, cultural, and
17 community impacts; and

18 “(iii) have a record of distinguished
19 service with respect to ocean acidification
20 or coastal acidification, and such impacts;

21 “(B) give consideration to nominations and
22 recommendations from the members of the
23 interagency working group and the public for
24 such appointments; and

1 “(C) ensure that an appropriate balance of
2 scientific, industry, and geographical interests
3 are represented by the members of the Advisory
4 Board.

5 “(5) TERM OF MEMBERSHIP.—Each member of
6 the Advisory Board—

7 “(A) shall be appointed for a 5-year term;
8 and

9 “(B) may be appointed to more than one
10 term.

11 “(6) CHAIR.—The Chair of the Subcommittee
12 shall appoint one member of the Advisory Board to
13 serve as the Chair of the Advisory Board.

14 “(7) MEETINGS.—Not less than once each cal-
15 endar year, the Advisory Board shall meet at such
16 times and places as may be designated by the Chair
17 of the Advisory Board, in consultation with the
18 Chair of the Subcommittee and the Chair of the
19 interagency working group.

20 “(8) BRIEFING.—The Chair of the Advisory
21 Board shall brief the Subcommittee and the inter-
22 agency working group on the progress of the Advi-
23 sory Board as necessary or at the request of the
24 Subcommittee.

1 “(9) FEDERAL ADVISORY COMMITTEE ACT.—
2 Section 14 of the Federal Advisory Committee Act
3 shall not apply to the Advisory Board.”.

4 **SEC. 10705. STRATEGIC RESEARCH PLAN.**

5 Section 12405 of the Federal Ocean Acidification Re-
6 search and Monitoring Act of 2009 (33 U.S.C. 3704) is
7 amended—

8 (1) in subsection (a)—

9 (A) by striking “acidification” each place it
10 appears and inserting “acidification and coastal
11 acidification”;

12 (B) in the first sentence—

13 (i) by inserting “, and not later than
14 every 5 years thereafter” after “the date of
15 enactment of this Act”;

16 (ii) by inserting “address the socio-
17 economic impacts of ocean acidification
18 and coastal acidification and to” after
19 “mitigation strategies to”; and

20 (iii) by striking “marine ecosystems”
21 each place it appears and inserting “eco-
22 systems”; and

23 (C) in the second sentence, by inserting
24 “and recommendations made by the Advisory
25 Board in the review of the plan required under

1 section 12404(c)(2)(B)(i)” after “subsection
2 (d)”;

3 (2) in subsection (b)—

4 (A) in paragraph (1), by inserting “and so-
5 cial sciences” after “among the ocean sciences”;

6 (B) in paragraph (2)—

7 (i) in subparagraph (A), by striking
8 “impacts” and inserting “impacts, includ-
9 ing trends of changes in ocean chemistry,”;

10 (ii) in subparagraph (B)—

11 (I) by striking “improve the abil-
12 ity to assess the” and inserting “as-
13 sess the short-term and long-term”;
14 and

15 (II) by striking “; and” at the
16 end and inserting a semicolon;

17 (iii) by amending subparagraph (C) to
18 read as follows:

19 “(C) provide information for the—

20 “(i) development of adaptation and
21 mitigation strategies to address the socio-
22 economic impacts of ocean acidification
23 and coastal acidification;

24 “(ii) conservation of marine organisms
25 and ecosystems;

1 “(iii) assessment of the effectiveness
2 of such adaptation and mitigation strate-
3 gies; and”;

4 (iv) by adding at the end the following
5 new subparagraph:

6 “(D) improve research on—

7 “(i) ocean acidification and coastal
8 acidification;

9 “(ii) the interactions between and ef-
10 fects of multiple combined stressors includ-
11 ing changes in water chemistry, changes in
12 sediment delivery, hypoxia, and harmful
13 algal blooms, on ocean acidification and
14 coastal acidification; and

15 “(iii) the effect of environmental
16 stressors on marine resources and eco-
17 systems;”;

18 (C) in paragraph (3)—

19 (i) in subparagraph (F), by striking
20 “database development” and inserting
21 “data management”;

22 (ii) in subparagraph (H) by striking
23 “and” at the end; and

24 (iii) by adding at the end the fol-
25 lowing new subparagraphs:

1 “(J) assessment of adaptation and mitiga-
2 tion strategies; and

3 “(K) education and outreach activities;”;

4 (D) in paragraph (4), by striking “set
5 forth” and inserting “ensure an appropriate
6 balance of contribution in establishing”;

7 (E) in paragraph (5), by striking “reports”
8 and inserting “the best available peer-reviewed
9 scientific reports”;

10 (F) in paragraph (6)—

11 (i) by inserting “and coastal acidifica-
12 tion” after “ocean acidification”; and

13 (ii) by striking “of the United States”
14 and inserting “within the United States”;

15 (G) in paragraph (7), by striking “outline
16 budget requirements” and inserting “estimate
17 costs associated for full implementation of each
18 element of the plan by fiscal year”;

19 (H) in paragraph (8)—

20 (i) by inserting “and coastal acidifica-
21 tion” after “ocean acidification” each place
22 it appears;

23 (ii) by striking “its” and inserting
24 “their”; and

1 (iii) by striking “; and” at the end
2 and inserting a semicolon;

3 (I) in paragraph (9), by striking the period
4 at the end and inserting “; and”; and

5 (J) by adding at the end the following new
6 paragraph:

7 “(11) describe monitoring needs necessary to
8 support potentially affected industry members,
9 coastal stakeholders, fishery management councils
10 and commissions, non-Federal resource managers,
11 and scientific experts on decision-making and adap-
12 tation related to ocean acidification and coastal
13 acidification.”;

14 (3) in subsection (c)—

15 (A) in paragraph (1)(C), by striking “sur-
16 face”;

17 (B) in paragraph (2), by inserting “and
18 coastal acidification” after “ocean acidification”
19 each place it appears;

20 (C) in paragraph (3)—

21 (i) by striking “input, and” and in-
22 sserting “inputs,”;

23 (ii) by inserting “, marine food webs,”
24 after “marine ecosystems”; and

1 (iii) by inserting “, and modeling that
2 supports fisheries management” after
3 “marine organisms”;

4 (D) in paragraph (5), by inserting “and
5 coastal acidification” after “ocean acidifica-
6 tion”; and

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

9 “(8) Research to understand related and cumu-
10 lative stressors and other biogeochemical processes
11 occurring in conjunction with ocean acidification and
12 coastal acidification.”; and

13 (4) by striking subsection (e) and inserting the
14 following:

15 “(e) ADVISORY BOARD EVALUATION.—Not later
16 than 180 days before a plan is submitted to Congress, the
17 Subcommittee shall provide the Advisory Board estab-
18 lished under section 12404(c) a copy of the plan for pur-
19 poses of review under paragraph (2)(B)(i) of such section.

20 “(f) PUBLICATION AND PUBLIC COMMENT.—Not
21 later than 90 days before the strategic research plan, or
22 any revision thereof, is submitted to Congress, the Sub-
23 committee shall publish the plan in the Federal Register
24 and provide an opportunity for submission of public com-
25 ments for a period of not less than 60 days.”.

1 **SEC. 10706. NOAA OCEAN ACIDIFICATION ACTIVITIES.**

2 Section 12406 of the Federal Ocean Acidification Re-
3 search and Monitoring Act of 2009 (33 U.S.C. 3705) is
4 amended—

5 (1) in subsection (a)—

6 (A) in the matter preceding paragraph (1),
7 by inserting “coordination,” after “research,
8 monitoring,”;

9 (B) in paragraph (1)—

10 (i) in subparagraph (B)—

11 (I) by inserting “including the
12 Integrated Ocean Observing System
13 and the ocean observing assets of
14 other Federal, State, and Tribal agen-
15 cies,” after “ocean observing assets,”;
16 and

17 (II) by inserting “and agency
18 and department missions, prioritizing
19 the location of monitoring instru-
20 ments, assets, and projects to maxi-
21 mize the efficiency of resources and to
22 optimize understanding of socio-
23 economic impacts and ecosystem
24 health” after “research program”;

25 (ii) in subparagraph (C)—

1 (I) by striking “adaptation” and
2 inserting “adaptation and mitigation”;
3 and

4 (II) by inserting “and supporting
5 socioeconomically vulnerable States,
6 local governments, Tribes, commu-
7 nities, and industries through tech-
8 nical assistance and mitigation strate-
9 gies” after “marine ecosystems”;

10 (iii) in subparagraph (E), by striking
11 “its impacts” and inserting “their respec-
12 tive impacts”;

13 (iv) in subparagraph (F), by striking
14 “monitoring and impacts research” and in-
15 sserting “research, monitoring, and adapta-
16 tion and mitigation strategies”; and

17 (v) by adding at the end the following
18 new subparagraph:

19 “(G) research to improve understanding of
20 the effect of—

21 “(i) other environmental stressors on
22 ocean acidification and coastal acidifica-
23 tion;

1 “(ii) multiple environmental stressors
2 on living marine resources and coastal eco-
3 systems; and

4 “(iii) adaptation and mitigation strat-
5 egies to address the socioeconomic impacts
6 of ocean acidification and coastal acidifica-
7 tion.”;

8 (C) in paragraph (2), by striking “critical
9 research projects that explore” and inserting
10 “critical research, education, and outreach
11 projects that explore and communicate”; and

12 (D) in paragraphs (1) and (2), by striking
13 “acidification” each place it appears and insert-
14 ing “acidification and coastal acidification”;
15 and

16 (2) by adding at the end the following new sub-
17 sections:

18 “(c) RELATIONSHIP TO INTERAGENCY WORKING
19 GROUP.—The National Oceanic and Atmospheric Admin-
20 istration shall serve as the lead Federal agency responsible
21 for coordinating the Federal response to ocean acidifica-
22 tion and coastal acidification, by—

23 “(1) leading the interagency working group in
24 implementing the strategic research plan under sec-
25 tion 12405;

1 “(2) coordinating monitoring and research ef-
2 forts among Federal agencies in cooperation with
3 State, local, and Tribal government and inter-
4 national partners;

5 “(3) maintaining an Ocean Acidification Infor-
6 mation Exchange described under section
7 12404(b)(5) to allow for information to be electroni-
8 cally accessible, including information—

9 “(A) on ocean acidification developed
10 through or used by the ocean acidification pro-
11 gram described under section 12406(a); or

12 “(B) that would be useful to State govern-
13 ments, local governments, Tribal governments,
14 resource managers, policymakers, researchers,
15 and other stakeholders in mitigating or adapt-
16 ing to the impacts of ocean acidification and
17 coastal acidification; and

18 “(4) establishing and maintaining the data ar-
19 chive system under subsection (d).

20 “(d) DATA ARCHIVE SYSTEM.—

21 “(1) MANAGEMENT.—The Secretary, in coordi-
22 nation with members of the interagency working
23 group, shall provide for the long-term stewardship
24 of, and access to, data relating to ocean acidification
25 and coastal acidification by establishing and main-

1 taining a data archive system that the National Cen-
2 ter for Environmental Information uses to process,
3 store, archive, provide access to, and incorporate to
4 the extent possible, such data collected—

5 “(A) through relevant federally-funded re-
6 search; and

7 “(B) by a Federal agency, State agency,
8 local agency, Tribe, academic scientist, citizen
9 scientist, or industry organization.

10 “(2) EXISTING GLOBAL OR NATIONAL DATA AS-
11 SETS.—In establishing and maintaining the data ar-
12 chive system under paragraph (1), the Secretary
13 shall ensure that existing global or national data as-
14 sets (including the data assets maintained by the
15 National Centers for Environmental Information,
16 the Integrated Ocean Observing System, and other
17 existing data systems within Federal agencies) are
18 incorporated to the greatest extent possible.

19 “(e) STANDARDS, PROTOCOLS, AND PROCEDURES.—
20 With respect to the data described in subsection (d), the
21 Secretary, in coordination with members of the inter-
22 agency working group, shall establish and revise as nec-
23 essary the standards, protocols, or procedures for—

24 “(1) processing, storing, archiving, and pro-
25 viding access to such data;

1 “(2) the interoperability and intercalibration of
2 such data;

3 “(3) the collection of any metadata underlying
4 such data; and

5 “(4) sharing such data with State, local, and
6 Tribal government programs, potentially affected in-
7 dustry members, coastal stakeholders, fishery man-
8 agement councils and commissions, non-Federal re-
9 source managers, and academia.

10 “(f) DISSEMINATION OF OCEAN ACIDIFICATION
11 DATA AND COASTAL ACIDIFICATION DATA.—The Sec-
12 retary, in coordination with members of the interagency
13 working group, shall disseminate the data described under
14 subsection (d) to the greatest extent practicable by sharing
15 such data on full and open access exchanges.

16 “(g) REQUIREMENT.—Recipients of grants from the
17 National Oceanic and Atmospheric Administration under
18 this subtitle that collect data described under subsection
19 (d) shall—

20 “(1) collect such data in accordance with the
21 standards, protocols, or procedures established pur-
22 suant to subsection (e); and

23 “(2) submit such data to the data archive sys-
24 tem under subsection (d) after publication, in ac-

1 cordance with any rules promulgated by the Sec-
2 retary.”.

3 **SEC. 10707. NSF OCEAN ACIDIFICATION ACTIVITIES.**

4 Section 12407 of the Federal Ocean Acidification Re-
5 search and Monitoring Act of 2009 (33 U.S.C. 3706) is
6 amended—

7 (1) by striking “ocean acidification” each place
8 it appears and inserting “ocean acidification and
9 coastal acidification”;

10 (2) in subsection (a)—

11 (A) in the matter preceding paragraph (1),
12 by striking “its impacts” and inserting “their
13 respective impacts”;

14 (B) in paragraph (3), by striking “and its
15 impacts” and inserting “and their respective
16 impacts”;

17 (C) in paragraph (4), by striking the pe-
18 riod at the end and inserting “; and”; and

19 (D) by adding at the end the following new
20 paragraph:

21 “(5) adaptation and mitigation strategies to ad-
22 dress socioeconomic effects of ocean acidification and
23 coastal acidification.”; and

24 (3) by adding at the end the following:

1 “(d) REQUIREMENT.—Recipients of grants from the
2 National Science Foundation under this subtitle that col-
3 lect data described under section 12406(d) shall—

4 “(1) collect data in accordance with the stand-
5 ards, protocols, or procedures established pursuant
6 to section 12406(e); and

7 “(2) submit such data to the Director and the
8 Secretary after publication, in accordance with any
9 rules promulgated by the Director or the Sec-
10 retary.”.

11 **SEC. 10708. NASA OCEAN ACIDIFICATION ACTIVITIES.**

12 Section 12408 of the Federal Ocean Acidification Re-
13 search and Monitoring Act of 2009 (33 U.S.C. 3707) is
14 amended—

15 (1) by striking “ocean acidification” each place
16 it appears and inserting “ocean acidification and
17 coastal acidification”;

18 (2) in subsection (a), by striking “its impacts”
19 and inserting “their respective impacts”; and

20 (3) by adding at the end the following new sub-
21 section:

22 “(d) REQUIREMENT.—Researchers from the National
23 Aeronautics and Space Administration under this subtitle
24 that collect data described under section 12406(d) shall—

1 “(1) collect such data in accordance with the
2 standards, protocols, or procedures established pur-
3 suant to section 12406(e); and

4 “(2) submit such data to the Administrator and
5 the Secretary, in accordance with any rules promul-
6 gated by the Administrator or the Secretary.”.

7 **SEC. 10709. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 12409 of the Federal Ocean Acidification Re-
9 search and Monitoring Act of 2009 (33 U.S.C. 3708) is
10 amended—

11 (1) in subsection (a), by striking “subtitle—”
12 and all that follows through paragraph (4) and in-
13 serting the following: “subtitle—

14 “(1) \$30,500,000 for fiscal year 2022;

15 “(2) \$35,000,000 for fiscal year 2023;

16 “(3) \$40,000,000 for fiscal year 2024;

17 “(4) \$45,000,000 for fiscal year 2025; and

18 “(5) \$50,000,000 for fiscal year 2026.”; and

19 (2) in subsection (b), by striking “subtitle—”
20 and all that follows through paragraph (4) and in-
21 serting the following: “subtitle \$20,000,000 for each

22 of the fiscal years 2022 through 2026.”.

1 **Subtitle K—National Nuclear Uni-**
2 **versity Research Infrastructure**
3 **Reinvestment**

4 **SEC. 10711. SHORT TITLE.**

5 This subtitle may be cited as the “National Nuclear
6 University Research Infrastructure Reinvestment Act of
7 2021”.

8 **SEC. 10712. PURPOSES.**

9 The purposes of this subtitle are—

10 (1) to upgrade the nuclear research capabilities
11 of universities in the United States to meet the re-
12 search requirements of advanced nuclear energy sys-
13 tems;

14 (2) to ensure the continued operation of univer-
15 sity research reactors;

16 (3) to coordinate available resources to enable
17 the establishment, including the start and efficient
18 completion of construction, of new nuclear science
19 and engineering facilities; and

20 (4) to support—

21 (A) workforce development critical to
22 maintaining United States leadership in nuclear
23 science and engineering and related disciplines;
24 and

1 (B) the establishment or enhancement of
2 nuclear science and engineering capabilities and
3 other, related capabilities at historically Black
4 colleges and universities, Tribal colleges or uni-
5 versities, minority-serving institutions, EPSCoR
6 universities, junior or community colleges, and
7 associate-degree-granting colleges.

8 **SEC. 10713. UNIVERSITY INFRASTRUCTURE COLLABORA-**
9 **TION.**

10 Section 954(a) of the Energy Policy Act of 2005 (42
11 U.S.C. 16274(a)) is amended—

12 (1) in paragraph (2) by amending subpara-
13 graph (D) to read as follows:

14 “(D) promote collaborations, partnerships,
15 and knowledge sharing between institutions of
16 higher education, National Laboratories, other
17 Federal agencies, industry, and associated labor
18 unions; and”.

19 (2) by amending paragraph (4) to read as fol-
20 low:

21 “(4) **STRENGTHENING UNIVERSITY RESEARCH**
22 **AND TRAINING REACTORS AND ASSOCIATED INFRA-**
23 **STRUCTURE.—**

1 “(A) IN GENERAL.—In carrying out the
2 program under this subsection, the Secretary
3 may support—

4 “(i) converting research reactors from
5 high-enrichment fuels to low-enrichment
6 fuels and upgrading operational instrumen-
7 tation;

8 “(ii) revitalizing and upgrading exist-
9 ing nuclear science and engineering infra-
10 structure that support the development of
11 advanced nuclear technologies and applica-
12 tions;

13 “(iii) regional or subregional univer-
14 sity-led consortia to—

15 “(I) broaden access to university
16 research reactors;

17 “(II) enhance existing university-
18 based nuclear science and engineering
19 infrastructure; and

20 “(III) provide project manage-
21 ment, technical support, quality engi-
22 neering and inspections, manufac-
23 turing, and nuclear material support;

24 “(iv) student training programs, in
25 collaboration with the United States nu-

1 clear industry, in relicensing and upgrad-
2 ing reactors, including through the provi-
3 sion of technical assistance; and

4 “(v) reactor improvements that em-
5 phasize research, training, and education,
6 including through the Innovations in Nu-
7 clear Infrastructure and Education Pro-
8 gram or any similar program.

9 “(B) Of any amounts appropriated to
10 carry out the program under this subsection,
11 there is authorized to be appropriated to the
12 Secretary to carry out clauses (ii) and (iii) of
13 subparagraph (A) \$55,000,000 for each of fis-
14 cal years 2022 through 2026.”.

15 **SEC. 10714. ADVANCED NUCLEAR RESEARCH INFRASTRUC-**
16 **TURE ENHANCEMENT SUBPROGRAM.**

17 Section 954(a) of the Energy Policy Act of 2005 (42
18 U.S.C. 16274(a)), as amended by section 3, is further
19 amended—

20 (1) by redesignating paragraphs (5) through
21 (8) as paragraphs (6) through (9), respectively;

22 (2) by inserting after paragraph (4) the fol-
23 lowing:

24 “(5) **ADVANCED NUCLEAR RESEARCH INFRA-**
25 **STRUCTURE ENHANCEMENT.**—

1 “(A) IN GENERAL.—The Secretary shall
2 carry out a subprogram to be known as the Ad-
3 vanced Nuclear Research Infrastructure En-
4 hancement Subprogram in order to—

5 “(i) demonstrate various advanced nu-
6 clear reactor and nuclear microreactor con-
7 cepts;

8 “(ii) establish medical isotope produc-
9 tion reactors or other specialized applica-
10 tions; and

11 “(iii) advance other research infra-
12 structure that, in the determination of the
13 Secretary, is consistent with the mission of
14 the Department.

15 “(B) NEW NUCLEAR SCIENCE AND ENGI-
16 NEERING FACILITIES.—In carrying out the sub-
17 program, the Secretary shall establish—

18 “(i) not more than 4 new research re-
19 actors; and

20 “(ii) new nuclear science and engi-
21 neering facilities, as required to address re-
22 search demand and identified infrastruc-
23 ture gaps.

1 “(C) LOCATIONS.—New research reactors
2 and facilities established under subparagraph
3 (B) shall be established in a manner that—

4 “(i) supports the regional or sub-
5 regional consortia described in paragraph
6 (4)(C); and

7 “(ii) encourages the participation of—

8 “(I) historically Black colleges
9 and universities;

10 “(II) Tribal colleges or univer-
11 sities;

12 “(III) minority-serving institu-
13 tions;

14 “(IV) EPSCoR universities;

15 “(V) junior or community col-
16 leges; and

17 “(VI) associate-degree-granting
18 colleges.

19 “(D) FUEL REQUIREMENTS.—New re-
20 search reactors established under subparagraph
21 (B) shall not use high-enriched uranium, as de-
22 fined in section 2001 of division Z of the Con-
23 solidated Appropriations Act of 2021.

24 “(E) AUTHORIZATION OF APPROPRIA-
25 TIONS.—Of any amounts appropriated to carry

1 out the program under this section, there are
2 authorized to be appropriated to the Secretary
3 to carry out the subprogram under this para-
4 graph—

5 “(i) \$10,000,000 for fiscal year 2022;

6 “(ii) \$45,000,000 for fiscal year 2023;

7 “(iii) \$60,000,000 for fiscal year
8 2024;

9 “(iv) \$65,000,000 for fiscal year
10 2025;

11 “(v) \$80,000,000 for fiscal year 2026;

12 “(vi) \$140,000,000 for fiscal year
13 2027;

14 “(vii) \$120,000,000 for fiscal year
15 2028; and

16 “(viii) \$80,000,000 for fiscal year
17 2029.”; and

18 (3) by amending paragraph (9), as redesignated
19 by paragraph (1) of this section, to read as follows:

20 “(9) DEFINITIONS.—In this subsection:

21 “(A) ASSOCIATE-DEGREE-GRANTING COL-
22 LEGE.—The term ‘associate-degree- granting
23 college’ means an institution of higher edu-
24 cation (as determined under section 101 of the

1 Higher Education Act of 1965 20 U.S.C. 1001)
2 that—

3 “(i) is a nonprofit institution that of-
4 fers a 2-year associate-degree program or a
5 2-year certificate program; or

6 “(ii) is a proprietary institution that
7 offers a 2-year associate degree program.

8 “(B) JUNIOR FACULTY.—The term ‘junior
9 faculty’ means a faculty member who was
10 awarded a doctorate less than 10 years before
11 receipt of an award from the grant program de-
12 scribed in paragraph (2)(B).

13 “(C) JUNIOR OR COMMUNITY COLLEGE.—
14 The term ‘junior or community college’ has the
15 meaning given the term in section 312 of the
16 Higher Education Act of 1965 (20 U.S.C.
17 1058).

18 “(D) EPSCOR UNIVERSITY.—The term
19 ‘EPSCoR university’ means an institution of
20 higher education located in a State eligible to
21 participate in the program defined in section
22 502 of the America COMPETES Reauthoriza-
23 tion Act of 2010 (42 U.S.C. 1862p note).

24 “(E) HISTORICALLY BLACK COLLEGE OR
25 UNIVERSITY.—The term ‘historically Black col-

1 lege or university’ has the meaning given the
2 term ‘part B institution’ in section 322 of the
3 Higher Education Act of 1965 (20 U.S.C.
4 1061).

5 “(F) MINORITY-SERVING INSTITUTION.—
6 The term ‘minority-serving institution’ means a
7 Hispanic-serving institution, an Alaska Native-
8 serving institution, a Native Hawaiian-serving
9 institutions, a Predominantly Black Institution,
10 an Asian American and Native American Pa-
11 cific Islander-serving institution, or a Native
12 American-serving nontribal institution as de-
13 scribed in section 371 of the Higher Education
14 Act of 1965 (20 U.S.C. 1067q(a)).

15 “(G) TRIBAL COLLEGE OR UNIVERSITY.—
16 The term ‘Tribal College or University’ has the
17 meaning given such term in section 316 of the
18 Higher Education Act of 1965 (20 U.S.C.
19 1059c).”.

20 **SEC. 10715. SCIENCE EDUCATION AND HUMAN RESOURCES**

21 **SCHOLARSHIPS, FELLOWSHIPS, AND RE-**
22 **SEARCH AND DEVELOPMENT PROJECTS.**

23 (a) IN GENERAL.—The purpose of this section is to
24 support a diverse workforce for the complex landscape as-
25 sociated with effective and equitable development of ad-

1 vanced nuclear energy technologies, including interdiscipli-
2 nary research to enable positive impacts and avoid poten-
3 tial negative impacts across the lifespan of nuclear energy
4 technologies.

5 (b) NONTECHNICAL NUCLEAR RESEARCH.—Section
6 313 of the Omnibus Appropriations Act, 2009 (Public
7 Law 111–8; 42 U.S.C. 16274a) is amended—

8 (1) in subsection (b)(2), after “engineering”, by
9 inserting “, which may include nontechnical nuclear
10 research.”;

11 (2) in subsection (c), by inserting after para-
12 graph (2) the following:

13 “(3) NONTECHNICAL NUCLEAR RESEARCH.—
14 The term ‘nontechnical nuclear research’ means re-
15 search with specializations such as social sciences or
16 law that can support an increase in community en-
17 gagement, participation, and confidence in nuclear
18 energy systems, including the navigation of the li-
19 censing required for advanced reactor deployment,
20 aligned with the objectives in section 951(a)(2) of
21 the Energy Policy Act of 2005 (42 U.S.C.
22 16271(a)(2)).”; and

23 (3) in subsection (d)(1), by striking
24 “\$30,000,000” and inserting “\$45,000,000”.

1 **Subtitle L—Steel Upgrading Part-**
2 **nerships and Emissions Reduc-**
3 **tion**

4 **SEC. 10721. LOW-EMISSIONS STEEL MANUFACTURING RE-**
5 **SEARCH PROGRAM.**

6 (a) PROGRAM.—Subtitle D of title IV of the Energy
7 Independence and Security Act of 2007 (42 U.S.C. 17111
8 et seq.) is amended by inserting after section 454 the fol-
9 lowing:

10 **“SEC. 454A. LOW-EMISSIONS STEEL MANUFACTURING RE-**
11 **SEARCH PROGRAM.**

12 “(a) PURPOSE.—The purpose of this section is to en-
13 courage the research and development of innovative tech-
14 nologies aimed at—

15 “(1) increasing the technological and economic
16 competitiveness of industry and manufacturing in
17 the United States; and

18 “(2) achieving significant net nonwater green-
19 house emissions reductions in the production proc-
20 esses for iron, steel, and steel mill products.

21 “(b) DEFINITIONS.—In this section:

22 “(1) **COMMERCIALLY AVAILABLE**
23 **STEELMAKING.**—The term ‘commercially available
24 steelmaking’ means the current production method
25 of iron, steel, and steel mill products.

1 “(2) CRITICAL MATERIAL.—The term ‘critical
2 material’ has the meaning given such term in section
3 7002 of division Z of the Consolidated Appropria-
4 tions Act, 2021 (Public Law 116–260).

5 “(3) CRITICAL MINERAL.—The term ‘critical
6 mineral’ has the meaning given such term in section
7 7002 of division Z of the Consolidated Appropria-
8 tions Act, 2021 (Public Law 116–260).

9 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means—

11 “(A) an institution of higher education;

12 “(B) an appropriate State or Federal enti-
13 ty, including a federally funded research and
14 development center of the Department;

15 “(C) a nonprofit research institution;

16 “(D) a private entity;

17 “(E) any other relevant entity the Sec-
18 retary determines appropriate; and

19 “(F) a partnership or consortium of two or
20 more entities described in subparagraphs (A)
21 through (E).

22 “(5) LOW-EMISSIONS STEEL MANUFAC-
23 TURING.—The term ‘low-emissions steel manufac-
24 turing’ means advanced or commercially available
25 steelmaking with the reduction, to the maximum ex-

1 tent practicable, of net nonwater greenhouse gas
2 emissions to the atmosphere from the production of
3 iron, steel, and steel mill products.

4 “(c) IN GENERAL.—Not later than 180 days after
5 the date of enactment of the America COMPETES Act
6 of 2022, the Secretary shall establish a program of re-
7 search, development, demonstration, and commercial ap-
8 plication of advanced tools, technologies, and methods for
9 low-emissions steel manufacturing.

10 “(d) REQUIREMENTS.—In carrying out the program
11 under subsection (c), the Secretary shall—

12 “(1) coordinate this program with the programs
13 and activities authorized in title VI of division Z of
14 the Consolidated Appropriations Act, 2021;

15 “(2) coordinate across all relevant program of-
16 fices of the Department, including the Office of
17 Science, Office of Energy Efficiency and Renewable
18 Energy, the Office of Fossil Energy, and the Office
19 of Nuclear Energy;

20 “(3) leverage, to the extent practicable, the re-
21 search infrastructure of the Department, including
22 scientific computing user facilities, x-ray light
23 sources, neutron scattering facilities, and nanoscale
24 science research centers; and

1 “(4) conduct research, development, and dem-
2 onstration of low-emissions steel manufacturing
3 technologies that have the potential to increase do-
4 mestic production and employment in advanced and
5 commercially available steelmaking.

6 “(e) STRATEGIC PLAN.—

7 “(1) IN GENERAL.—Not later than 180 days
8 after the date of enactment of the America COM-
9 PETES Act of 2022, the Secretary shall develop a
10 5-year strategic plan identifying research, develop-
11 ment, demonstration, and commercial application
12 goals for the program established in subsection (c).
13 The Secretary shall submit this plan to the Com-
14 mittee on Science, Space, and Technology of the
15 House of Representatives and the Committee on En-
16 ergy and Natural Resources of the Senate.

17 “(2) CONTENTS.—The strategic plan submitted
18 under paragraph (1) shall—

19 “(A) identify programs at the Department
20 related to low-emissions steel manufacturing
21 that support the research, development, dem-
22 onstration, and commercial application activities
23 described in this section, and the demonstration
24 projects under subsection (h);

1 “(B) establish technological and pro-
2 grammatic goals to achieve the requirements of
3 subsection (d); and

4 “(C) include timelines for the accomplish-
5 ment of goals developed under the plan.

6 “(3) UPDATES TO PLAN.—Not less than once
7 every two years, the Secretary shall submit to the
8 Committee on Science, Space, and Technology of the
9 House of Representatives and the Committee on En-
10 ergy and Natural Resources of the Senate an up-
11 dated version of the plan under paragraph (1).

12 “(f) FOCUS AREAS.—In carrying out the program es-
13 tablished in subsection (c), the Secretary shall focus on—

14 “(1) medium- and high-temperature heat gen-
15 eration technologies used for low-emissions steel
16 manufacturing, which may include—

17 “(A) alternative fuels, including hydrogen
18 and biomass;

19 “(B) alternative reducing agents, including
20 hydrogen;

21 “(C) renewable heat generation technology,
22 including solar and geothermal;

23 “(D) electrification of heating processes,
24 including through electrolysis; and

25 “(E) other heat generation sources;

1 “(2) carbon capture technologies for advanced
2 and commercially available steelmaking processes,
3 which may include—

4 “(A) combustion and chemical looping
5 technologies;

6 “(B) use of slag to reduce carbon dioxide
7 emissions;

8 “(C) pre-combustion technologies; and

9 “(D) post-combustion technologies;

10 “(3) smart manufacturing technologies and
11 principles, digital manufacturing technologies, and
12 advanced data analytics to develop advanced tech-
13 nologies and practices in information, automation,
14 monitoring, computation, sensing, modeling, and
15 networking to—

16 “(A) model and simulate manufacturing
17 production lines;

18 “(B) monitor and communicate production
19 line status; and

20 “(C) model, simulate, and optimize the en-
21 ergy efficiency of manufacturing processes;

22 “(4) technologies and practices that minimize
23 energy and natural resource consumption, which
24 may include—

1 “(A) designing products that enable reuse,
2 refurbishment, remanufacturing, and recycling;

3 “(B) minimizing waste from advanced and
4 commercially available steelmaking processes,
5 including through the reuse of waste as re-
6 sources in other industrial processes for mutual
7 benefit;

8 “(C) increasing resource efficiency; and

9 “(D) increasing the energy efficiency of
10 advanced and commercially available
11 steelmaking processes;

12 “(5) alternative materials and technologies that
13 produce fewer emissions during production and re-
14 sult in fewer emissions during use, which may in-
15 clude—

16 “(A) innovative raw materials;

17 “(B) high-performance lightweight mate-
18 rials;

19 “(C) substitutions for critical materials
20 and critical minerals; and

21 “(D) other technologies that achieve sig-
22 nificant carbon emission reductions in low-emis-
23 sions steel manufacturing, as determined by the
24 Secretary; and

1 “(6) high-performance computing to develop ad-
2 vanced materials and manufacturing processes con-
3 tributing to the focus areas described in paragraphs
4 (1) through (5), including—

5 “(A) modeling, simulation, and optimiza-
6 tion of the design of energy efficient and sus-
7 tainable products; and

8 “(B) the use of digital prototyping and ad-
9 ditive manufacturing to enhance product de-
10 sign.

11 “(g) TESTING AND VALIDATION.—The Secretary, in
12 consultation with the Director of the National Institute
13 of Standards and Technology, shall support the develop-
14 ment of standardized testing and technical validation of
15 advanced and commercially available steelmaking and low-
16 emissions steel manufacturing through collaboration with
17 one or more National Laboratories, and one or more eligi-
18 ble entities.

19 “(h) DEMONSTRATION.—

20 “(1) ESTABLISHMENT.—Not later than 180
21 days after the date of enactment of the America
22 COMPETES Act of 2022, the Secretary, in carrying
23 out the program established in subsection (c), and in
24 collaboration with industry partners, institutions of
25 higher education, and the National Laboratories,

1 shall support an initiative for the demonstration of
2 low-emissions steel manufacturing, as identified by
3 the Secretary, that uses either—

4 “(A) a single technology; or

5 “(B) a combination of multiple tech-
6 nologies.

7 “(2) SELECTION REQUIREMENTS.—Under the
8 initiative established under paragraph (1), the Sec-
9 retary shall select eligible entities to carry out dem-
10 onstration projects and to the maximum extent prac-
11 ticable—

12 “(A) encourage regional diversity among
13 eligible entities, including participation by rural
14 States;

15 “(B) encourage technological diversity
16 among eligible entities; and

17 “(C) ensure that specific projects se-
18 lected—

19 “(i) expand on the existing technology
20 demonstration programs of the Depart-
21 ment; and

22 “(ii) prioritize projects that leverage
23 matching funds from non-Federal sources.

24 “(3) REPORTS.—The Secretary shall submit to
25 the Committee on Science, Space, and Technology of

1 the House of Representatives and the Committee on
2 Energy and Natural Resources of the Senate—

3 “(A) not less frequently than once every
4 two years for the duration of the demonstration
5 initiative under this subsection, a report de-
6 scribing the performance of the initiative; and

7 “(B) if the initiative established under this
8 subsection is terminated, an assessment of the
9 success of, and education provided by, the
10 measures carried out by recipients of financial
11 assistance under the initiative.

12 “(i) ADDITIONAL COORDINATION.—

13 “(1) MANUFACTURING U.S.A.—In carrying out
14 this section the Secretary shall consider—

15 “(A) leveraging the resources of relevant
16 existing Manufacturing USA Institutes de-
17 scribed in section 34(d) of the National Insti-
18 tute of Standards and Technology Act (15
19 U.S.C. 278s(d));

20 “(B) integrating program activities into a
21 relevant existing Manufacturing USA Institute;
22 or

23 “(C) establishing a new institute focused
24 on low-emissions steel manufacturing.

1 “(2) OTHER FEDERAL AGENCIES.—In carrying
2 out this section, the Secretary shall coordinate with
3 other Federal agencies that are carrying out re-
4 search and development initiatives to increase indus-
5 trial competitiveness and achieve significant net
6 nonwater greenhouse emissions reductions through
7 low-emissions steel manufacturing, including the De-
8 partment of Defense, Department of Transportation,
9 and the National Institute of Standards and Tech-
10 nology.

11 “(j) OTHER REQUIREMENTS.—All laborers and me-
12 chanics employed by contractors or subcontractors in the
13 performance of construction, alteration or repair work car-
14 ried out, in whole or in part, with assistance made avail-
15 able under this section shall be paid wages at rates not
16 less than those prevailing on projects of a character simi-
17 lar in the locality as determined by the Secretary of Labor
18 in accordance with subchapter IV of chapter 31 of title
19 40, United States Code. With respect to the labor stand-
20 ards specified in this section, the Secretary of Labor shall
21 have the authority and functions set forth in Reorganiza-
22 tion Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C.
23 App.) and section 3145 of title 40, United States Code.”.

24 (b) CLERICAL AMENDMENT.—Section 1(b) of the
25 Energy Independence and Security Act of 2007 (42

1 U.S.C. 17001 note) is amended in the table of contents
2 by inserting after the item relating to section 454 the fol-
3 lowing:

“Sec. 454A. Low-Emissions Steel Manufacturing Research Program.”.

4 **Subtitle M—National Academies**
5 **Science, Technology, and Secu-**
6 **urity Roundtable**

7 **SEC. 10731. AD-HOC COMMITTEE ON RESEARCH SECURITY.**

8 Section 1746(b) of the National Defense Authoriza-
9 tion Act for Fiscal Year 2020 (Public Law 116–92; 42
10 U.S.C. 6601 note) is amended—

11 (1) in paragraph (3)(B), by striking “involving
12 federally funded research and development” and in-
13 serting “facing the United States research enter-
14 prise”;

15 (2) by redesignating paragraph (5) as para-
16 graph (6);

17 (3) by inserting after paragraph (4) the fol-
18 lowing new paragraph:

19 “(5) AD-HOC COMMITTEE.—

20 “(A) IN GENERAL.—The roundtable shall
21 convene an ad-hoc committee to study and
22 make recommendations on research security
23 issues consistent with paragraph (3).

24 “(B) STUDY AND REPORT.—Not later than
25 180 days after the first meeting of the ad-hoc

1 committee convened under subparagraph (A),
2 such committee shall—

3 “(i) complete a fast-track consensus
4 study on the feasibility of establishing an
5 independent, non-profit entity (referred to
6 in this paragraph as the ‘entity’) to further
7 protect the United States research enter-
8 prise against foreign interference, theft,
9 and espionage; and

10 “(ii) submit to the relevant commit-
11 tees a report on the results of the study.

12 “(C) ELEMENTS.—The report required
13 under subparagraph (B)(ii) shall include anal-
14 ysis and recommendations with respect to each
15 of the following:

16 “(i) The organizational structure of
17 the entity.

18 “(ii) The appropriate relationship be-
19 tween the entity and the Federal govern-
20 ment, including the interagency working
21 group established under subsection (a).

22 “(iii) The appropriate level of finan-
23 cial resources needed to establish the enti-
24 ty.

1 “(iv) A self-sustaining funding model
2 for the entity.

3 “(v) Whether and how the entity
4 can—

5 “(I) enable informed, proactive,
6 and unbiased risk assessment for and
7 by the United States research enter-
8 prise;

9 “(II) in coordination with the
10 interagency working group established
11 under subsection (a), the Federal
12 agencies that comprise the working
13 group, and the roundtable under this
14 subsection, promote actionable and
15 timely information sharing among the
16 United States research enterprise
17 about foreign interference, theft, and
18 espionage of research and develop-
19 ment;

20 “(III) provide non-punitive, non-
21 legally binding advice to the United
22 States research enterprise, including
23 frontline researchers, about foreign in-
24 ference, theft, and espionage including
25 advice with respect to risks associated

1 with international partnerships and
2 foreign talent recruitment programs;

3 “(IV) secure the trust and active
4 participation of the United States re-
5 search enterprise;

6 “(V) regularly conduct open-
7 source intelligence analysis to provide
8 actionable and timely unclassified in-
9 formation to the United States re-
10 search enterprise about foreign inter-
11 ference, theft, and espionage, includ-
12 ing analysis to be tailored specifically
13 for the purpose of assisting frontline
14 researchers in making security-in-
15 formed decisions; and

16 “(VI) offer products and services
17 to the United States research enter-
18 prise to help inform research security
19 efforts such as analyses of global re-
20 search and development trends, advice
21 regarding intellectual property pro-
22 duction and protection, market anal-
23 yses, and risk assessment for day-to-
24 day activities such as collaboration,
25 travel, and hiring.

1 “(vi) Such other information and rec-
2 ommendations as the committee considers
3 necessary to ensure that the entity oper-
4 ates effectively.”; and

5 (4) in paragraph (6), as so redesignated, by
6 striking “2024” and inserting “2025”.

7 **Subtitle N—Additional Provisions**

8 **SEC. 10741. ESTABLISHMENT OF BLOCKCHAIN AND** 9 **CRYPTOCURRENCY SPECIALIST POSITION** 10 **WITHIN OSTP.**

11 The Director of the Office of Science and Technology
12 Policy shall establish a blockchain and cryptocurrencies
13 advisory specialist position within the Office to advise the
14 President on matters relating to blockchain and
15 cryptocurrencies.

16 **Subtitle O—Partnerships for** 17 **Energy Security and Innovation**

18 **SEC. 10751. FOUNDATION FOR ENERGY SECURITY AND IN-** 19 **NOVATION.**

20 (a) DEFINITIONS.—In this section:

21 (1) BOARD.—The term “Board” means the
22 Board of Directors described in subsection
23 (b)(2)(A).

24 (2) DEPARTMENT.—The term “Department”
25 means the Department of Energy.

1 (3) EXECUTIVE DIRECTOR.—The term “Execu-
2 tive Director” means the Executive Director de-
3 scribed in subsection (b)(5)(A).

4 (4) FOUNDATION.—The term “Foundation”
5 means the Foundation for Energy Security and In-
6 novation established under subsection (b)(1).

7 (5) HISTORICALLY BLACK COLLEGE AND UNI-
8 VERSITY.—The term “historically Black college and
9 university” has the meaning given the term “part B
10 institution” in section 322 of the Higher Education
11 Act of 1965 (20 U.S.C. 1061).

12 (6) INDIVIDUAL LABORATORY-ASSOCIATED
13 FOUNDATION.—The term “Individual Laboratory-
14 Associated Foundation” means a Laboratory Foun-
15 dation established by an operating contractor of a
16 National Laboratory.

17 (7) MINORITY SERVING INSTITUTION.—The
18 term “minority serving institution” includes the en-
19 tities described in any of the paragraphs (1) through
20 (7) of section 371(a) of the Higher Education Act
21 of 1965 (20 U.S.C. 1067q(a)).

22 (8) NATIONAL LABORATORY.—The term “Na-
23 tional Laboratory” has the meaning given the term
24 in section 2 of the Energy Policy Act of 2005 (42
25 U.S.C. 15801).

1 (9) SECRETARY.—The term “Secretary” means
2 the Secretary of Energy.

3 (10) TRIBAL COLLEGE AND UNIVERSITY.—The
4 term “Tribal College and University” has the mean-
5 ing given in section 316 of the Higher Education
6 Act of 1965 (20 U.S.C. 1059c).

7 (b) FOUNDATION FOR ENERGY SECURITY AND INNO-
8 VATION.—

9 (1) ESTABLISHMENT.—

10 (A) IN GENERAL.—Not later than 180
11 days after the date of enactment of this Act,
12 the Secretary shall establish a nonprofit cor-
13 poration to be known as the “Foundation for
14 Energy Security and Innovation”.

15 (B) MISSION.—The mission of the Foun-
16 dation shall be—

17 (i) to support the mission of the De-
18 partment; and

19 (ii) to advance collaboration with en-
20 ergy researchers, institutions of higher
21 education, industry, and nonprofit and
22 philanthropic organizations to enable the
23 commercialization of energy technologies.

1 (C) LIMITATION.—The Foundation shall
2 not be an agency or instrumentality of the Fed-
3 eral Government.

4 (D) TAX-EXEMPT STATUS.—The Board
5 shall take all necessary and appropriate steps to
6 ensure that the Foundation is an organization
7 that is described in section 501(c) of the Inter-
8 nal Revenue Code of 1986 and exempt from
9 taxation under section 501(a) of that Code.

10 (E) COLLABORATION WITH EXISTING OR-
11 GANIZATIONS.—The Secretary may collaborate
12 with 1 or more organizations to establish the
13 Foundation and carry out the activities of the
14 Foundation.

15 (2) BOARD OF DIRECTORS.—

16 (A) ESTABLISHMENT.—The Foundation
17 shall be governed by a Board of Directors.

18 (B) COMPOSITION.—

19 (i) IN GENERAL.—The Board shall be
20 composed of the ex officio nonvoting mem-
21 bers described in clause (ii) and the ap-
22 pointed voting members described in clause
23 (iii).

24 (ii) EX OFFICIO MEMBERS.—The ex
25 officio members of the Board shall be the

1 following individuals or designees of those
2 individuals:

3 (I) The Secretary.

4 (II) The Under Secretary for
5 Science and Energy.

6 (III) The Under Secretary for
7 Nuclear Security.

8 (IV) The Chief Commercializa-
9 tion Officer.

10 (iii) APPOINTED MEMBERS.—

11 (I) INITIAL MEMBERS.—The Sec-
12 retary and the other ex officio mem-
13 bers of the Board shall—

14 (aa) seek to enter into an
15 agreement with the National
16 Academies of Sciences, Engineer-
17 ing, and Medicine to develop a
18 list of individuals to serve as
19 members of the Board who are
20 well-qualified and will meet the
21 requirements of subclauses (II)
22 and (III); and

23 (bb) appoint the initial
24 members of the Board from that
25 list, if applicable, in consultation

1 with the National Academies of
2 Sciences, Engineering, and Medi-
3 cine.

4 (II) REPRESENTATION.—The ap-
5 pointed members of the Board shall
6 reflect a broad cross-section of stake-
7 holders from academia, National Lab-
8 oratories, industry, nonprofit organi-
9 zations, State or local governments,
10 the investment community, and the
11 philanthropic community.

12 (III) EXPERIENCE.—The Sec-
13 retary shall ensure that a majority of
14 the appointed members of the
15 Board—

16 (aa)(AA) has experience in
17 the energy sector;

18 (BB) has research experi-
19 ence in the energy field; or

20 (CC) has experience in tech-
21 nology commercialization or foun-
22 dation operations; and

23 (bb) to the extent prac-
24 ticable, represents diverse re-
25 gions, sectors, and communities.

1 (C) CHAIR AND VICE CHAIR.—

2 (i) IN GENERAL.—The Board shall
3 designate from among the members of the
4 Board—

5 (I) an individual to serve as
6 Chair of the Board; and

7 (II) an individual to serve as Vice
8 Chair of the Board.

9 (ii) TERMS.—The term of service of
10 the Chair and Vice Chair of the Board
11 shall end on the earlier of—

12 (I) the date that is 3 years after
13 the date on which the Chair or Vice
14 Chair of the Board, as applicable, is
15 designated for the position; and

16 (II) the last day of the term of
17 service of the member, as determined
18 under subparagraph (D)(i), who is
19 designated to be Chair or Vice Chair
20 of the Board, as applicable.

21 (iii) REPRESENTATION.—The Chair
22 and Vice Chair of the Board—

23 (I) shall not be representatives of
24 the same area of subject matter ex-

1 pertise, or entity, as applicable, under
2 subparagraph (B)(iii)(II); and

3 (II) shall not be representatives
4 of any area of subject matter exper-
5 tise, or entity, as applicable, rep-
6 resented by the immediately preceding
7 Chair and Vice Chair of the Board.

8 (D) TERMS AND VACANCIES.—

9 (i) TERMS.—

10 (I) IN GENERAL.—The term of
11 service of each appointed member of
12 the Board shall be not more than 5
13 years.

14 (II) INITIAL APPOINTED MEM-
15 BERS.—Of the initial members of the
16 Board appointed under subparagraph
17 (B)(iii)(I), half of the members shall
18 serve for 4 years and half of the mem-
19 bers shall serve for 5 years, as deter-
20 mined by the Chair of the Board.

21 (ii) VACANCIES.—Any vacancy in the
22 membership of the appointed members of
23 the Board—

24 (I) shall be filled in accordance
25 with the bylaws of the Foundation by

1 an individual capable of representing
2 the same area or entity, as applicable,
3 as represented by the vacating board
4 member under subparagraph
5 (B)(iii)(II);

6 (II) shall not affect the power of
7 the remaining appointed members to
8 execute the duties of the Board; and

9 (III) shall be filled by an indi-
10 vidual selected by the Board.

11 (E) MEETINGS; QUORUM.—

12 (i) INITIAL MEETING.—Not later than
13 60 days after the Board is established, the
14 Secretary shall convene a meeting of the ex
15 officio and appointed members of the
16 Board to incorporate the Foundation.

17 (ii) QUORUM.—A majority of the ap-
18 pointed members of the Board shall con-
19 stitute a quorum for purposes of con-
20 ducting the business of the Board.

21 (F) DUTIES.—The Board shall—

22 (i) establish bylaws for the Founda-
23 tion in accordance with subparagraph (G);

1 (ii) provide overall direction for the
2 activities of the Foundation and establish
3 priority activities;

4 (iii) carry out any other necessary ac-
5 tivities of the Foundation; and

6 (iv) evaluate the performance of the
7 Executive Director.

8 (G) BYLAWS.—

9 (i) IN GENERAL.—The bylaws estab-
10 lished under subparagraph (F)(i) may in-
11 clude—

12 (I) policies for the selection of
13 Board members, officers, employees,
14 agents, and contractors of the Foun-
15 dation;

16 (II) policies, including ethical
17 standards, for—

18 (aa) the acceptance, sollicita-
19 tion, and disposition of donations
20 and grants to the Foundation, in-
21 cluding appropriate limits on the
22 ability of donors to designate, by
23 stipulation or restriction, the use
24 or recipient of donated funds;
25 and

1 (bb) the disposition of assets
2 of the Foundation;

3 (III) policies that subject all em-
4 ployees, fellows, trainees, and other
5 agents of the Foundation (including
6 ex officio and appointed members of
7 the Board) to conflict of interest
8 standards; and

9 (IV) the specific duties of the Ex-
10 ecutive Director.

11 (ii) REQUIREMENTS.—The Board
12 shall ensure that the bylaws of the Foun-
13 dation and the activities carried out under
14 those bylaws shall not—

15 (I) reflect unfavorably on the
16 ability of the Foundation to carry out
17 activities in a fair and objective man-
18 ner; or

19 (II) compromise, or appear to
20 compromise, the integrity of any gov-
21 ernmental agency or program, or any
22 officer or employee employed by, or
23 involved in, a governmental agency or
24 program.

25 (H) COMPENSATION.—

1 (i) IN GENERAL.—No member of the
2 Board shall receive compensation for serv-
3 ing on the Board.

4 (ii) CERTAIN EXPENSES.—In accord-
5 ance with the bylaws of the Foundation,
6 members of the Board may be reimbursed
7 for travel expenses, including per diem in
8 lieu of subsistence, and other necessary ex-
9 penses incurred in carrying out the duties
10 of the Board.

11 (I) RESTRICTION ON MEMBERSHIP.—No
12 employee of the Department shall be appointed
13 as a member of the Board of Directors.

14 (3) PURPOSES.—The purposes of the Founda-
15 tion are—

16 (A) to support the Department in carrying
17 out the mission of the Department to ensure
18 the security and prosperity of the United States
19 by addressing civilian energy and environmental
20 challenges through transformative science and
21 technology solutions; and

22 (B) to increase private and philanthropic
23 sector investments that support efforts to cre-
24 ate, characterize, develop, test, validate, and
25 commercialize innovative technologies that ad-

1 dress crosscutting national energy challenges,
2 including those affecting minority, rural, and
3 other underserved communities, by methods
4 that include—

5 (i) fostering collaboration and part-
6 nerships with researchers from the Federal
7 Government, State governments, institu-
8 tions of higher education, including histori-
9 cally Black colleges and universities, Tribal
10 Colleges or Universities, and minority-serv-
11 ing institutions, federally funded research
12 and development centers, industry, and
13 nonprofit organizations for the research,
14 development, or commercialization of
15 transformative energy and associated tech-
16 nologies;

17 (ii) strengthening and sharing best
18 practices relating to regional economic de-
19 velopment through scientific and energy in-
20 novation, including in partnership with an
21 Individual Laboratory-Associated Founda-
22 tion;

23 (iii) promoting new product develop-
24 ment that supports job creation;

1 (iv) administering prize competi-
2 tions—

3 (I) to accelerate private sector
4 competition and investment; and

5 (II) that complement the use of
6 prize authority by the Department;

7 (v) supporting programs that advance
8 technology maturation, especially where
9 there may be gaps in Federal or private
10 funding in the commercialization of a pro-
11 totype technology;

12 (vi) supporting efforts to broaden par-
13 ticipation in energy technology develop-
14 ment among individuals from historically
15 underrepresented groups or regions; and

16 (vii) facilitating access to Department
17 facilities, equipment, and expertise to as-
18 sist in tackling national challenges.

19 (4) ACTIVITIES.—

20 (A) STUDIES, COMPETITIONS, AND
21 PROJECTS.—The Foundation may conduct and
22 support studies, competitions, projects, and
23 other activities that further the purposes of the
24 Foundation described in paragraph (3).

25 (B) FELLOWSHIPS AND GRANTS.—

1 (i) IN GENERAL.—The Foundation
2 may award fellowships and grants for ac-
3 tivities relating to research, development,
4 demonstration, or commercialization of en-
5 ergy and other Department-supported
6 technologies.

7 (ii) FORM OF AWARD.—A fellowship
8 or grant under clause (i) may consist of a
9 stipend, health insurance benefits, funds
10 for travel, and funds for other appropriate
11 expenses.

12 (iii) SELECTION.—In selecting a re-
13 cipient for a fellowship or grant under
14 clause (i), the Foundation—

15 (I) shall make the selection based
16 on the technical and commercializa-
17 tion merits of the proposed project of
18 the potential recipient; and

19 (II) may consult with a potential
20 recipient regarding the ability of the
21 potential recipient to carry out various
22 projects that would further the pur-
23 poses of the Foundation described in
24 paragraph (3).

1 (iv) NATIONAL LABORATORIES.—A
2 National Laboratory that applies for or ac-
3 cepts an award under clause (i) shall not
4 be considered to be engaging in a competi-
5 tive process.

6 (C) ACCESSING FACILITIES AND EXPER-
7 TISE.—The Foundation may work with the De-
8 partment—

9 (i) to leverage the capabilities and fa-
10 cilities of National Laboratories to com-
11 mercialize technology; and

12 (ii) to assist with resources, including
13 by providing information on the assets of
14 each National Laboratory that may enable
15 the commercialization of technology.

16 (D) TRAINING AND EDUCATION.—The
17 Foundation may support programs that provide
18 training to researchers, scientists, other rel-
19 evant personnel at National Laboratories and
20 institutions of higher education, and previous or
21 current recipients of or applicants for Depart-
22 ment funding to help research, develop, dem-
23 onstrate, and commercialize federally funded
24 technology.

1 (E) MATURATION FUNDING.—The Foun-
2 dation shall support programs that provide
3 maturation funding to researchers to advance
4 the technology of those researchers for the pur-
5 pose of moving products from a prototype stage
6 to a commercial stage.

7 (F) STAKEHOLDER ENGAGEMENT.—The
8 Foundation shall convene, and may consult
9 with, representatives from the Department, in-
10 stitutions of higher education, National Labora-
11 tories, the private sector, and commercialization
12 organizations to develop programs for the pur-
13 poses of the Foundation described in paragraph
14 (3) and to advance the activities of the Founda-
15 tion.

16 (G) INDIVIDUAL AND FEDERAL LABORA-
17 TORY-ASSOCIATED FOUNDATIONS.—

18 (i) DEFINITION OF COVERED FOUN-
19 DATION.—In this subparagraph, the term
20 “covered foundation” means each of the
21 following:

22 (I) An Individual Laboratory-As-
23 sociated Foundation.

1 (II) A Federal Laboratory-Asso-
2 ciated Foundation established pursu-
3 ant to subsection (c)(1).

4 (ii) SUPPORT.—The Foundation shall
5 provide support to and collaborate with
6 covered foundations.

7 (iii) GUIDELINES AND TEMPLATES.—
8 For the purpose of providing support
9 under clause (ii), the Secretary shall estab-
10 lish suggested guidelines and templates for
11 covered foundations, including—

12 (I) a standard adaptable organi-
13 zational design for responsible man-
14 agement;

15 (II) standard and legally tenable
16 bylaws and money-handling proce-
17 dures; and

18 (III) a standard training cur-
19 riculum to orient and expand the op-
20 erating expertise of personnel em-
21 ployed by covered foundations.

22 (iv) AFFILIATIONS.—Nothing in this
23 subparagraph requires—

24 (I) an existing Individual Labora-
25 tory-Associated Foundation to modify

1 current practices or affiliate with the
2 Foundation; or

3 (II) a covered foundation to be
4 bound by charter or corporate bylaws
5 as permanently affiliated with the
6 Foundation.

7 (H) SUPPLEMENTAL PROGRAMS.—The
8 Foundation may carry out supplemental pro-
9 grams—

10 (i) to conduct and support forums,
11 meetings, conferences, courses, and train-
12 ing workshops consistent with the purposes
13 of the Foundation described in paragraph
14 (3);

15 (ii) to support and encourage the un-
16 derstanding and development of data that
17 promotes the translation of technologies
18 from the research stage, through the devel-
19 opment and maturation stage, and ending
20 in the market stage;

21 (iii) for writing, editing, printing, pub-
22 lishing, and vending books and other mate-
23 rials relating to research carried out under
24 the Foundation and the Department; and

1 (iv) to conduct other activities to
2 carry out and support the purposes of the
3 Foundation described in paragraph (3).

4 (I) EVALUATIONS.—The Foundation shall
5 support the development of an evaluation meth-
6 odology, to be used as part of any program sup-
7 ported by the Foundation, that shall—

8 (i) consist of qualitative and quan-
9 titative metrics; and

10 (ii) include periodic third-party eval-
11 uation of those programs and other activi-
12 ties of the Foundation.

13 (J) COMMUNICATIONS.—The Foundation
14 shall develop an expertise in communications to
15 promote the work of grant and fellowship re-
16 cipients under subparagraph (B), the commer-
17 cialization successes of the Foundation, oppor-
18 tunities for partnership with the Foundation,
19 and other activities.

20 (K) AUTHORITY OF FOUNDATION.—The
21 Foundation shall be the sole entity responsible
22 for carrying out the activities described in this
23 paragraph.

24 (5) ADMINISTRATION.—

1 (A) EXECUTIVE DIRECTOR.—The Board
2 shall hire an Executive Director of the Founda-
3 tion, who shall serve at the pleasure of the
4 Board. Subject to the compliance with the poli-
5 cies and bylaws established by the Board pursu-
6 ant to paragraph (2)(G), the Executive Director
7 shall be responsible for the daily operations of
8 the Foundation in carrying out the activities of
9 the Foundation described in paragraph (4).

10 (B) ADMINISTRATIVE CONTROL.—No
11 member of the Board, officer or employee of the
12 Foundation or of any program established by
13 the Foundation, or participant in a program es-
14 tablished by the Foundation, shall exercise ad-
15 ministrative control over any Federal employee.

16 (C) STRATEGIC PLAN.—Not later than 1
17 year after the date of enactment of this Act, the
18 Foundation shall submit to the Committee on
19 Energy and Natural Resources of the Senate
20 and the Committee on Science, Space, and
21 Technology of the House of Representatives a
22 strategic plan that contains—

23 (i) a plan for the Foundation to be-
24 come financially self-sustaining in fiscal
25 year 2023 and thereafter (except for the

1 amounts provided each fiscal year under
2 paragraph (12)(A)(iii));

3 (ii) a forecast of major crosscutting
4 energy challenge opportunities, including
5 short- and long-term objectives, identified
6 by the Board, with input from commu-
7 nities representing the entities and areas
8 of subject matter expertise, as applicable,
9 described in paragraph (2)(B)(iii)(II);

10 (iii) a description of the efforts that
11 the Foundation will take to be transparent
12 in the processes of the Foundation, includ-
13 ing processes relating to—

14 (I) grant awards, including selec-
15 tion, review, and notification;

16 (II) communication of past, cur-
17 rent, and future research priorities;
18 and

19 (III) solicitation of and response
20 to public input on the opportunities
21 identified under clause (ii);

22 (iv) a description of the financial
23 goals and benchmarks of the Foundation
24 for the following 10 years;

1 (v) a description of the efforts under-
2 taken by the Foundation to engage histori-
3 cally underrepresented groups or regions,
4 including through collaborations with his-
5 torically Black colleges and universities,
6 Tribal Colleges and Universities, minority-
7 serving institutions, and minority-owned
8 and women-owned businesses; and

9 (vi) a description of the efforts under-
10 taken by the Foundation to ensure max-
11 imum complementarity and minimum re-
12 dundancy with investments made by the
13 Department.

14 (D) ANNUAL REPORT.—Not later than 1
15 year after the date on which the Foundation is
16 established, and every 2 years thereafter, the
17 Foundation shall submit to the Committee on
18 Energy and Natural Resources of the Senate,
19 the Committee on Science, Space, and Tech-
20 nology of the House of Representatives, and the
21 Secretary a report that, for the year covered by
22 the report—

23 (i) describes the activities of the
24 Foundation and the progress of the Foun-

1 dation in furthering the purposes of the
2 Foundation described in paragraph (3);

3 (ii) provides a specific accounting of
4 the source and use of all funds made avail-
5 able to the Foundation to carry out those
6 activities to ensure transparency in the
7 alignment of Department missions and
8 policies with national security;

9 (iii) describes how the results of the
10 activities of the Foundation could be incor-
11 porated into the procurement processes of
12 the General Services Administration; and

13 (iv) includes a summary of each eval-
14 uation conducted using the evaluation
15 methodology described in paragraph (4)(I).

16 (E) EVALUATION BY COMPTROLLER GEN-
17 ERAL.—Not later than 5 years after the date on
18 which the Foundation is established, the Comp-
19 troller General of the United States shall sub-
20 mit to the Committee on Energy and Natural
21 Resources of the Senate and the Committee on
22 Science, Space, and Technology of the House of
23 Representatives—

24 (i) an evaluation of—

1 (I) the extent to which the Foun-
2 dation is achieving the mission of the
3 Foundation; and

4 (II) the operation of the Founda-
5 tion; and

6 (ii) any recommendations on how the
7 Foundation may be improved.

8 (F) AUDITS.—The Foundation shall—

9 (i) provide for annual audits of the fi-
10 nancial condition of the Foundation; and

11 (ii) make the audits, and all other
12 records, documents, and papers of the
13 Foundation, available to the Secretary and
14 the Comptroller General of the United
15 States for examination or audit.

16 (G) SEPARATE FUND ACCOUNTS.—The
17 Board shall ensure that any funds received
18 under paragraph (12)(A) are held in a separate
19 account from any other funds received by the
20 Foundation.

21 (H) INTEGRITY.—

22 (i) IN GENERAL.—To ensure integrity
23 in the operations of the Foundation, the
24 Board shall develop and enforce procedures
25 relating to standards of conduct, financial

1 disclosure statements, conflicts of interest
2 (including recusal and waiver rules), au-
3 dits, and any other matters determined ap-
4 propriate by the Board.

5 (ii) FINANCIAL CONFLICTS OF INTER-
6 EST.—To mitigate conflicts of interest and
7 risks from malign foreign influence, any
8 individual who is an officer, employee, or
9 member of the Board is prohibited from
10 any participation in deliberations by the
11 Foundation of a matter that would directly
12 or predictably affect any financial interest
13 of—

14 (I) the individual;

15 (II) a relative (as defined in sec-
16 tion 109 of the Ethics in Government
17 Act of 1978 (5 U.S.C. App.)) of that
18 individual; or

19 (III) a business organization or
20 other entity in which the individual
21 has an interest, including an organiza-
22 tion or other entity with which the in-
23 dividual is negotiating employment.

24 (I) INTELLECTUAL PROPERTY.—The
25 Board shall adopt written standards to govern

1 the ownership and licensing of any intellectual
2 property rights developed by the Foundation or
3 derived from the collaborative efforts of the
4 Foundation.

5 (J) LIABILITY.—

6 (i) IN GENERAL.—The United States
7 shall not be liable for any debts, defaults,
8 acts, or omissions of—

9 (I) the Foundation;

10 (II) a Federal entity with respect
11 to an agreement of that Federal enti-
12 ty with the Foundation; or

13 (III) an Individual Laboratory-
14 Associated Foundation with respect to
15 an agreement of that Federal entity
16 with the Foundation.

17 (ii) FULL FAITH AND CREDIT.—The
18 full faith and credit of the United States
19 shall not extend to any obligations of the
20 Foundation.

21 (K) NONAPPLICABILITY OF FACA.—The
22 Federal Advisory Committee Act (5 U.S.C.
23 App.) shall not apply to the Foundation or an
24 Individual Laboratory-Associated Foundation.

25 (6) DEPARTMENT COLLABORATION.—

1 (A) NATIONAL LABORATORIES.—The Sec-
2 retary shall collaborate with the Foundation to
3 develop a process to ensure collaboration and
4 coordination between the Department, the
5 Foundation, and National Laboratories—

6 (i) to streamline contracting processes
7 between National Laboratories and the
8 Foundation, including by—

9 (I) streamlining the ability of the
10 Foundation to transfer equipment and
11 funds to National Laboratories;

12 (II) standardizing contract mech-
13 anisms to be used by the Foundation
14 in engaging with National Labora-
15 tories; and

16 (III) streamlining the ability of
17 the Foundation to fund endowed posi-
18 tions at National Laboratories;

19 (ii) to allow a National Laboratory or
20 site of a National Laboratory—

21 (I) to accept and perform work
22 for the Foundation, consistent with
23 provided resources, notwithstanding
24 any other provision of law governing
25 the administration, mission, use, or

1 operations of the National Laboratory
2 or site, as applicable; and

3 (II) to perform that work on a
4 basis equal to other missions at the
5 National Laboratory; and

6 (iii) to permit the director of any Na-
7 tional Laboratory or site of a National
8 Laboratory to enter into a cooperative re-
9 search and development agreement or ne-
10 gotiate a licensing agreement with the
11 Foundation pursuant to section 12 of the
12 Stevenson-Wydler Technology Innovation
13 Act of 1980 (15 U.S.C. 3710a).

14 (B) DEPARTMENT LIAISONS.—The Sec-
15 retary shall appoint liaisons from across the
16 Department to collaborate and coordinate with
17 the Foundation, including not less than 1 liai-
18 son from the Office of Technology Transitions,
19 who shall ensure that the Foundation works in
20 conjunction with and does not duplicate existing
21 activities and programs carried out by the De-
22 partment including the Technology Commer-
23 cialization Fund.

24 (C) ADMINISTRATION.—The Secretary
25 shall leverage appropriate arrangements, con-

1 tracts, and directives to carry out the process
2 developed under subparagraph (A).

3 (7) NATIONAL SECURITY.—Nothing in this sub-
4 section exempts the Foundation from any national
5 security policy of the Department.

6 (8) SUPPORT SERVICES.—The Secretary may
7 provide facilities, utilities, and support services to
8 the Foundation if it is determined by the Secretary
9 to be advantageous to the research programs of the
10 Department.

11 (9) ANTI-DEFICIENCY ACT.—Subsection (a)(1)
12 of section 1341 of title 31, United States Code
13 (commonly referred to as the “Anti-Deficiency
14 Act”), shall not apply to any Federal officer or em-
15 ployee carrying out any activity of the Foundation
16 using funds of the Foundation.

17 (10) PREEMPTION OF AUTHORITY.—This sub-
18 section shall not preempt any authority or responsi-
19 bility of the Secretary under any other provision of
20 law.

21 (11) TRANSFER FUNDS.—The Foundation may
22 transfer funds to the Department, which shall be
23 subject to all applicable Federal limitations relating
24 to federally funded research.

25 (12) AUTHORIZATION OF APPROPRIATIONS.—

1 (A) IN GENERAL.—There is authorized to
2 be appropriated—

3 (i) not less than \$1,500,000 for the
4 Secretary for fiscal year 2022 to establish
5 the Foundation;

6 (ii) not less than \$30,000,000 for the
7 Foundation for fiscal year 2023 to carry
8 out the activities of the Foundation; and

9 (iii) not less than \$3,000,000 for the
10 Foundation for each of the fiscal years
11 2024 through 2026, for administrative and
12 operational costs.

13 (B) LIMITATION.—None of the funds au-
14 thorized to be appropriated to the Secretary by
15 subparagraph (A)(i) of this paragraph shall be
16 used for construction.

17 (C) COST SHARE.—Funds made available
18 under subparagraph (A)(ii) shall be required to
19 be cost-shared by a partner of the Foundation
20 other than the Department or a National Lab-
21 oratory.

22 (c) NATIONAL ENERGY TECHNOLOGY LABORATORY-
23 ASSOCIATED FOUNDATION.—

24 (1) ESTABLISHMENT.—

1 (A) IN GENERAL.—Notwithstanding any
2 other provision of law, the National Energy
3 Technology Laboratory may establish, or enter
4 into an agreement with a nonprofit organization
5 to establish, a Federal Laboratory-Associated
6 Foundation (referred to in this subsection as a
7 “Laboratory Foundation”) to support the mis-
8 sion of the National Energy Technology Lab-
9 oratory.

10 (B) NOT AGENCY OR INSTRUMEN-
11 TIALITY.—A Laboratory Foundation shall not be
12 an agency or instrumentality of the Federal
13 Government.

14 (C) GOVERNANCE STRUCTURE.—A Lab-
15 oratory Foundation established under subpara-
16 graph (A) shall have a separate governance
17 structure from, and shall be managed independ-
18 ently of, the National Energy Technology Lab-
19 oratory.

20 (2) ACTIVITIES.—Activities of a Laboratory
21 Foundation may include—

22 (A) conducting support studies, competi-
23 tions, projects, research, and other activities
24 that further the purpose of the Laboratory
25 Foundation;

1 (B) carrying out programs to foster col-
2 laboration and partnership among researchers
3 from the Federal Government, State govern-
4 ments, institutions of higher education, feder-
5 ally funded research and development centers,
6 and industry and nonprofit organizations relat-
7 ing to the research, development, and commer-
8 cialization of federally supported technologies;

9 (C) carrying out programs to leverage
10 technologies to support new product develop-
11 ment that supports regional economic develop-
12 ment;

13 (D) administering prize competitions—

14 (i) to accelerate private sector com-
15 petition and investment; and

16 (ii) that complement the use of prize
17 authority by the Department;

18 (E) providing fellowships and grants to re-
19 search and development personnel at, or affili-
20 ated with, federally funded centers, in accord-
21 ance with paragraph (3); and

22 (F) carrying out programs—

23 (i) that allow scientists from foreign
24 countries to serve in research capacities in
25 the United States or other countries in as-

1 society with the National Energy Tech-
2 nology Laboratory;

3 (ii) that provide opportunities for em-
4 ployees of the National Energy Technology
5 Laboratory to serve in research capacities
6 in foreign countries;

7 (iii) to conduct studies, projects, or
8 research in collaboration with national and
9 international nonprofit and for-profit orga-
10 nizations, which may include the provision
11 of stipends, travel, and other support for
12 personnel;

13 (iv)(I) to hold forums, meetings, con-
14 ferences, courses, and training workshops
15 that may include undergraduate, graduate,
16 post-graduate, and post-doctoral accredited
17 courses; and

18 (II) for the accreditation of those
19 courses by the Laboratory Foundation at
20 the State and national level for college de-
21 grees or continuing education credits;

22 (v) to support and encourage teachers
23 and students of science at all levels of edu-
24 cation;

1 (vi) to promote an understanding of
2 science amongst the general public;

3 (vii) for writing, editing, printing,
4 publishing, and vending of relevant books
5 and other materials; and

6 (viii) for the conduct of other activi-
7 ties to carry out and support the purpose
8 of the Laboratory Foundation.

9 (3) FELLOWSHIPS AND GRANTS.—

10 (A) SELECTION.—Recipients of fellowships
11 and grants described in paragraph (2)(E) shall
12 be selected—

13 (i) by a Laboratory Foundation and
14 the donors to a Laboratory Foundation;

15 (ii) subject to the agreement of the
16 head of the agency the mission of which is
17 supported by a Laboratory Foundation;
18 and

19 (iii) in the case of a fellowship, based
20 on the recommendation of the employees of
21 the National Energy Technology Labora-
22 tory at which the fellow would serve.

23 (B) EXPENSES.—Fellowships and grants
24 described in paragraph (2)(E) may include sti-

1 pends, travel, health insurance, benefits, and
2 other appropriate expenses.

3 (4) LIABILITY.—The United States shall not be
4 liable for any debts, defaults, acts, or omissions of
5 a Laboratory Foundation.

6 (5) OTHER LAWS.—This subsection shall not
7 alter or supersede any other provision of law gov-
8 erning the authority, scope, establishment, or use of
9 nonprofit organizations by a Federal agency.

10 **DIVISION C—ENERGY AND**
11 **COMMERCE**
12 **TITLE I—COMMUNICATIONS AND**
13 **TECHNOLOGY**

14 **SEC. 20101. APPROPRIATIONS FOR WIRELESS SUPPLY**
15 **CHAIN INNOVATION.**

16 (a) DIRECT APPROPRIATIONS.—In addition to
17 amounts otherwise available for such purposes, there is
18 appropriated to the Public Wireless Supply Chain Innova-
19 tion Fund established under section 9202(a)(1) of the Wil-
20 liam M. (Mac) Thornberry National Defense Authoriza-
21 tion Act for Fiscal Year 2021 (Public Law 116–283), out
22 of amounts in the Treasury not otherwise appropriated,
23 \$1,500,000,000 for fiscal year 2022, to remain available
24 through September 30, 2031.

1 (b) USE OF FUNDS, ADMINISTRATION, AND OVER-
2 SIGHT.—Of the amounts made available under subsection

3 (a)—

4 (1) not more than 5 percent of the amounts al-
5 located pursuant to subsection (c) in a given fiscal
6 year may be used by the Assistant Secretary of
7 Commerce for Communications and Information to
8 administer the programs funded from the Public
9 Wireless Supply Chain Innovation Fund; and

10 (2) not less than \$2,000,000 per fiscal year
11 shall be transferred to the Office of Inspector Gen-
12 eral of the Department of Commerce for oversight
13 related to activities conducted using amounts pro-
14 vided under this section.

15 (c) ALLOCATION AUTHORITY.—

16 (1) SUBMISSION OF COST ESTIMATES.—The
17 President shall submit to Congress detailed account,
18 program, and project allocations of the amount rec-
19 ommended for allocation in a fiscal year from
20 amounts made available under subsection (a)—

21 (A) for fiscal years 2022 and 2023, not
22 later than 90 days after the date of enactment
23 of this Act; and

24 (B) for each subsequent fiscal year
25 through 2031, as part of the annual budget

1 submission of the President under section
2 1105(a) of title 31, United States Code.

3 (2) ALTERNATE ALLOCATION.—

4 (A) IN GENERAL.—The Committees on
5 Appropriations of the House of Representatives
6 and the Senate may provide for alternate allo-
7 cation of amounts recommended for allocation
8 in a given fiscal year from amounts made avail-
9 able under subsection (a), including by account,
10 program, and project.

11 (B) ALLOCATION BY PRESIDENT.—

12 (i) NO ALTERNATE ALLOCATIONS.—If
13 Congress has not enacted legislation estab-
14 lishing alternate allocations, including by
15 account, program, and project, by the date
16 on which the Act making full-year appro-
17 priations for the Departments of Com-
18 merce and Justice, Science, and Related
19 Agencies for the applicable fiscal year is
20 enacted into law, only then shall amounts
21 recommended for allocation for that fiscal
22 year from amounts made available under
23 subsection (a) be allocated by the Presi-
24 dent or apportioned or allotted by account,

1 program, and project pursuant to title 31,
2 United States Code.

3 (ii) INSUFFICIENT ALTERNATE ALLO-
4 CATION.—If Congress enacts legislation es-
5 tablishing alternate allocations, including
6 by account, program, and project, for
7 amounts recommended for allocation in a
8 given fiscal year from amounts made avail-
9 able under subsection (a) that are less
10 than the full amount recommended for al-
11 location for that fiscal year, the difference
12 between the amount recommended for allo-
13 cation and the alternate allocation shall be
14 allocated by the President and apportioned
15 and allotted by account, program, and
16 project pursuant to title 31, United States
17 Code.

18 (d) SEQUESTRATION.—Section 255(g)(1)(A) of the
19 Balanced Budget and Emergency Deficit Control Act of
20 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting
21 after “Postal Service Fund (18–4020–0–3–372).” the fol-
22 lowing:

23 “Public Wireless Supply Chain Innovation
24 Fund.”.

1 (e) STATUTORY PAYGO SCORECARDS.—The budg-
2 etary effects of this section shall not be entered on either
3 PAYGO scorecard maintained pursuant to section 4(d) of
4 the Statutory Pay-As-You-Go Act of 2010.

5 (f) CONSTRUCTION PROJECTS.—Section 602 of the
6 Public Works and Economic Development Act of 1965 (42
7 U.S.C. 3212) shall apply to a construction project that
8 receives financial assistance from amounts made available
9 under subsection (a).

10 (g) WIRELESS SUPPLY CHAIN INNOVATION AND
11 MULTILATERAL SECURITY CONSTRUCTION PROJECTS.—
12 Section 9202(a)(1)(B) of the William M. (Mac) Thorn-
13 berry National Defense Authorization Act for Fiscal Year
14 2021 (Public Law 116–283) is amended by adding at the
15 end the following:

16 “(iii) CONSTRUCTION PROJECTS.—
17 Section 602 of the Public Works and Eco-
18 nomic Development Act of 1965 (42
19 U.S.C. 3212) shall apply to a construction
20 project that receives financial assistance
21 under this paragraph.”.

22 **SEC. 20102. UNDERSTANDING CYBERSECURITY OF MOBILE**
23 **NETWORKS.**

24 (a) IN GENERAL.—Not later than 1 year after the
25 date of the enactment of this Act, the Assistant Secretary,

1 in consultation with the Department of Homeland Secu-
2 rity, shall submit to the Committee on Energy and Com-
3 merce and the Permanent Select Committee on Intel-
4 ligence of the House of Representatives and the Com-
5 mittee on Commerce, Science, and Transportation and the
6 Select Committee on Intelligence of the Senate a report
7 examining the cybersecurity of mobile service networks
8 and the vulnerability of such networks and mobile devices
9 to cyberattacks and surveillance conducted by adversaries.

10 (b) MATTERS TO BE INCLUDED.—The report re-
11 quired by subsection (a) shall include the following:

12 (1) An assessment of the degree to which pro-
13 viders of mobile service have addressed, are address-
14 ing, or have not addressed cybersecurity
15 vulnerabilities (including vulnerabilities the exploi-
16 tation of which could lead to surveillance conducted
17 by adversaries) identified by academic and inde-
18 pendent researchers, multistakeholder standards and
19 technical organizations, industry experts, and Fed-
20 eral agencies, including in relevant reports of—

21 (A) the National Telecommunications and
22 Information Administration;

23 (B) the National Institute of Standards
24 and Technology; and

1 (C) the Department of Homeland Security,
2 including—

3 (i) the Cybersecurity and Infrastruc-
4 ture Security Agency; and

5 (ii) the Science and Technology Direc-
6 torate.

7 (2) A discussion of—

8 (A) the degree to which customers (includ-
9 ing consumers, companies, and government
10 agencies) consider cybersecurity as a factor
11 when considering the purchase of mobile service
12 and mobile devices; and

13 (B) the commercial availability of tools,
14 frameworks, best practices, and other resources
15 for enabling such customers to evaluate cyber-
16 security risk and price tradeoffs.

17 (3) A discussion of the degree to which pro-
18 viders of mobile service have implemented cybersecu-
19 rity best practices and risk assessment frameworks.

20 (4) An estimate and discussion of the preva-
21 lence and efficacy of encryption and authentication
22 algorithms and techniques used in each of the fol-
23 lowing:

24 (A) Mobile service.

1 (B) Mobile communications equipment or
2 services.

3 (C) Commonly used mobile phones and
4 other mobile devices.

5 (D) Commonly used mobile operating sys-
6 tems and communications software and applica-
7 tions.

8 (5) A discussion of the barriers for providers of
9 mobile service to adopt more efficacious encryption
10 and authentication algorithms and techniques and to
11 prohibit the use of older encryption and authentica-
12 tion algorithms and techniques with established
13 vulnerabilities in mobile service, mobile communica-
14 tions equipment or services, and mobile phones and
15 other mobile devices.

16 (6) An estimate and discussion of the preva-
17 lence, usage, and availability of technologies that au-
18 thenticate legitimate mobile service and mobile com-
19 munications equipment or services to which mobile
20 phones and other mobile devices are connected.

21 (7) An estimate and discussion of the preva-
22 lence, costs, commercial availability, and usage by
23 adversaries in the United States of cell site simula-
24 tors (often known as international mobile subscriber

1 identity-catchers) and other mobile service surveil-
2 lance and interception technologies.

3 (c) CONSULTATION.—In preparing the report re-
4 quired by subsection (a), the Assistant Secretary shall, to
5 the degree practicable, consult with—

6 (1) the Federal Communications Commission;

7 (2) the National Institute of Standards and
8 Technology;

9 (3) the intelligence community;

10 (4) the Cybersecurity and Infrastructure Secu-
11 rity Agency of the Department of Homeland Secu-
12 rity;

13 (5) the Science and Technology Directorate of
14 the Department of Homeland Security;

15 (6) academic and independent researchers with
16 expertise in privacy, encryption, cybersecurity, and
17 network threats;

18 (7) participants in multistakeholder standards
19 and technical organizations (including the 3rd Gen-
20 eration Partnership Project and the Internet Engi-
21 neering Task Force);

22 (8) international stakeholders, in coordination
23 with the Department of State as appropriate;

24 (9) providers of mobile service, including small
25 providers (or the representatives of such providers)

1 and rural providers (or the representatives of such
2 providers);

3 (10) manufacturers, operators, and providers of
4 mobile communications equipment or services and
5 mobile phones and other mobile devices;

6 (11) developers of mobile operating systems and
7 communications software and applications; and

8 (12) other experts that the Assistant Secretary
9 considers appropriate.

10 (d) SCOPE OF REPORT.—The Assistant Secretary
11 shall—

12 (1) limit the report required by subsection (a)
13 to mobile service networks;

14 (2) exclude consideration of 5G protocols and
15 networks in the report required by subsection (a);

16 (3) limit the assessment required by subsection
17 (b)(1) to vulnerabilities that have been shown to
18 be—

19 (A) exploited in non-laboratory settings; or

20 (B) feasibly and practicably exploitable in
21 real-world conditions; and

22 (4) consider in the report required by sub-
23 section (a) vulnerabilities that have been effectively
24 mitigated by manufacturers of mobile phones and
25 other mobile devices.

1 (e) FORM OF REPORT.—

2 (1) CLASSIFIED INFORMATION.—The report re-
3 quired by subsection (a) shall be produced in unclas-
4 sified form but may contain a classified annex.

5 (2) POTENTIALLY EXPLOITABLE UNCLASSIFIED
6 INFORMATION.—The Assistant Secretary shall re-
7 dact potentially exploitable unclassified information
8 from the report required by subsection (a) but shall
9 provide an unredacted form of the report to the
10 committees described in such subsection.

11 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to carry out this section
13 \$500,000 for fiscal year 2022. Such amount is authorized
14 to remain available through fiscal year 2023.

15 (g) DEFINITIONS.—In this section:

16 (1) ADVERSARY.—The term “adversary” in-
17 cludes—

18 (A) any unauthorized hacker or other in-
19 truder into a mobile service network; and

20 (B) any foreign government or foreign
21 nongovernment person engaged in a long-term
22 pattern or serious instances of conduct signifi-
23 cantly adverse to the national security of the
24 United States or security and safety of United
25 States persons.

1 (2) ASSISTANT SECRETARY.—The term “Assist-
2 ant Secretary” means the Assistant Secretary of
3 Commerce for Communications and Information.

4 (3) ENTITY.—The term “entity” means a part-
5 nership, association, trust, joint venture, corpora-
6 tion, group, subgroup, or other organization.

7 (4) INTELLIGENCE COMMUNITY.—The term
8 “intelligence community” has the meaning given
9 that term in section 3 of the National Security Act
10 of 1947 (50 U.S.C. 3003).

11 (5) MOBILE COMMUNICATIONS EQUIPMENT OR
12 SERVICE.—The term “mobile communications equip-
13 ment or service” means any equipment or service
14 that is essential to the provision of mobile service.

15 (6) MOBILE SERVICE.—The term “mobile serv-
16 ice” means, to the extent provided to United States
17 customers, either or both of the following services:

18 (A) Commercial mobile service (as defined
19 in section 332(d) of the Communications Act of
20 1934 (47 U.S.C. 332(d))).

21 (B) Commercial mobile data service (as de-
22 fined in section 6001 of the Middle Class Tax
23 Relief and Job Creation Act of 2012 (47 U.S.C.
24 1401)).

1 (7) PERSON.—The term “person” means an in-
2 dividual or entity.

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

5 (A) an individual who is a United States
6 citizen or an alien lawfully admitted for perma-
7 nent residence to the United States;

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

12 (C) any person in the United States.

13 **SEC. 20103. INFORMATION AND COMMUNICATION TECH-**
14 **NOLOGY STRATEGY.**

15 (a) REPORT.—Not later than 1 year after the date
16 of the enactment of this Act, the Secretary shall submit
17 to the Committee on Energy and Commerce and the Per-
18 manent Select Committee on Intelligence and the Com-
19 mittee on Foreign Affairs of the House of Representatives
20 and the Committee on Commerce, Science, and Transpor-
21 tation and the Select Committee on Intelligence and the
22 Committee on Foreign Relations of the Senate a report
23 on the information and communication technology supply
24 chain that—

25 (1) identifies—

1 (A) information and communication tech-
2 nology critical to the economic competitiveness
3 of the United States; and

4 (B) the industrial capacity of—

5 (i) United States vendors that
6 produce information and communication
7 technology identified under subparagraph
8 (A); and

9 (ii) trusted information and commu-
10 nication technology vendors that produce
11 information and communication technology
12 identified under subparagraph (A);

13 (2) assesses the economic competitiveness of
14 vendors described under paragraph (1)(B);

15 (3) assesses whether, and to what extent, there
16 is a dependence by providers of advanced tele-
17 communications capability in the United States on
18 information and communication technology identified
19 under paragraph (1)(A) that is not trusted;

20 (4) identifies—

21 (A) what actions by the Federal Govern-
22 ment are needed to support, and bolster the
23 economic competitiveness of, trusted informa-
24 tion and communication technology vendors;
25 and

1 (B) what Federal resources are needed to
2 reduce dependence by providers of advanced
3 telecommunications capability in the United
4 States on companies that—

5 (i) produce information and commu-
6 nication technology; and

7 (ii) are not trusted; and

8 (5) defines lines of effort and assigns respon-
9 sibilities for a whole-of-Government response to en-
10 suring the competitiveness of the information and
11 communication technology supply chain in the
12 United States.

13 (b) WHOLE-OF-GOVERNMENT STRATEGY.—

14 (1) IN GENERAL.—The Secretary shall develop,
15 on the basis of the report required by subsection (a),
16 a whole-of-Government strategy to ensure the eco-
17 nomic competitiveness of trusted information and
18 communication technology vendors that includes—

19 (A) recommendations on how—

20 (i) to strengthen the structure, re-
21 sources, and authorities of the Federal
22 Government to support the economic com-
23 petitiveness of trusted information and
24 communication technology vendors, includ-
25 ing United States vendors that are trusted

1 information and communication technology
2 vendors; and

3 (ii) the Federal Government can ad-
4 dress any barriers to a market-based solu-
5 tion for increasing the economic competi-
6 tiveness of such information and commu-
7 nication technology vendors;

8 (B) defined lines of effort and responsibil-
9 ities for Federal agencies to implement the
10 strategy; and

11 (C) a description of—

12 (i) any change to a Federal program,
13 Federal law, or structure of the Federal
14 Government necessary to implement any
15 recommendation under subparagraph (A);
16 and

17 (ii) any additional Federal resource
18 necessary to implement any recommenda-
19 tion under subparagraph (A).

20 (2) REPORT.—Not later than 180 days after
21 the submission of the report required by subsection
22 (a), the Secretary shall submit to the Committee on
23 Energy and Commerce and the Permanent Select
24 Committee on Intelligence of the House of Rep-
25 resentatives and the Committee on Commerce,

1 Science, and Transportation and the Select Com-
2 mittee on Intelligence of the Senate a report con-
3 taining the strategy developed under paragraph (1).

4 (c) CONSULTATION REQUIRED.—In carrying out sub-
5 sections (a) and (b), the Secretary shall consult with—

6 (1) a cross-section of trusted information and
7 communication technology vendors; and

8 (2) the Secretary of State, the Secretary of
9 Homeland Security, the Attorney General, the Direc-
10 tor of National Intelligence, the Chair of the Federal
11 Communications Commission and any other head of
12 an agency the Secretary determines necessary.

13 (d) DEFINITIONS.—In this section:

14 (1) ADVANCED TELECOMMUNICATIONS CAPA-
15 BILITY.—The term “advanced telecommunications
16 capability” has the meaning given that term in sec-
17 tion 706 of the Telecommunications Act of 1996 (47
18 U.S.C. 1302).

19 (2) INFORMATION AND COMMUNICATION TECH-
20 NOLOGY SUPPLY CHAIN.—The term “information
21 and communication technology supply chain” means
22 all of the companies that produce information and
23 communication technology.

24 (3) INFORMATION AND COMMUNICATION TECH-
25 NOLOGY.—The term “information and communica-

1 tion technology” means a technology (including soft-
2 ware), component, or material that enables commu-
3 nications by radio or wire.

4 (4) NOT TRUSTED.—The term “not trusted”
5 means, with respect to a company or information
6 and communication technology, that the company or
7 information and communication technology is deter-
8 mined by the Secretary to pose an unacceptable risk
9 to the national security of the United States, or the
10 security and safety of United States persons, based
11 solely on one or more determination described under
12 paragraphs (1) through (4) of section 2(c) of the Se-
13 cure and Trusted Communications Networks Act of
14 2019 (47 U.S.C. 1601(c)).

15 (5) SECRETARY.—The term “Secretary” means
16 the Secretary of Commerce, acting through the As-
17 sistant Secretary of Commerce for Communications
18 and Information.

19 (6) TRUSTED.—The term “trusted” means,
20 with respect to a company, that the Secretary has
21 not determined that the company is not trusted.

22 (7) TRUSTED INFORMATION AND COMMUNICA-
23 TION TECHNOLOGY VENDOR.—The term “trusted in-
24 formation and communication technology vendor”
25 means a company—

1 (A) that produces information and commu-
2 nication technology; and

3 (B) that is trusted.

4 **SEC. 20104. OPEN RAN OUTREACH.**

5 (a) IN GENERAL.—The Assistant Secretary shall con-
6 duct outreach and provide technical assistance to small
7 communications network providers—

8 (1) to raise awareness regarding the uses, bene-
9 fits, and challenges of Open RAN networks and
10 other open network architectures; and

11 (2) regarding participation in the Wireless Sup-
12 ply Chain Innovation Grant Program established
13 under section 9202(a)(1) of the William M. (Mac)
14 Thornberry National Defense Authorization Act for
15 Fiscal Year 2021 (Public Law 116–283).

16 (b) DEFINITIONS.—In this section:

17 (1) ASSISTANT SECRETARY.—The term “Assist-
18 ant Secretary” means the Assistant Secretary of
19 Commerce for Communications and Information,
20 acting through the head of the Office of Internet
21 Connectivity and Growth.

22 (2) OPEN NETWORK ARCHITECTURE.—The
23 term “open network architecture” means Open RAN
24 networks and other network elements that follow a
25 set of published open standards for multi-vendor

1 network equipment interoperability, including open
2 core and open transport.

3 (3) OPEN RAN NETWORK.—The term “Open
4 RAN network” means a wireless network that fol-
5 lows the Open Radio Access Network approach to
6 standardization adopted by the O-RAN Alliance,
7 Telecom Infra Project, or Third Generation Partner-
8 ship Project (3GPP), or any similar set of published
9 open standards for multi-vendor network equipment
10 interoperability.

11 **SEC. 20105. FUTURE NETWORKS.**

12 (a) ESTABLISHMENT.—Not later than 120 days after
13 the date of the enactment of this Act, the Commission
14 shall establish a task force to be known as the “6G Task
15 Force”.

16 (b) MEMBERSHIP.—

17 (1) APPOINTMENT.—The members of the Task
18 Force shall be appointed by the Chair.

19 (2) COMPOSITION.—To the extent practicable,
20 the membership of the Task Force shall be com-
21 posed of the following:

22 (A) Representatives of companies in the
23 communications industry, except companies
24 that are determined by the Chair to be not
25 trusted.

1 (B) Representatives of public interest orga-
2 nizations or academic institutions, except public
3 interest organizations or academic institutions
4 that are determined by the Chair to be not
5 trusted.

6 (C) Representatives of the Federal Govern-
7 ment, State governments, local governments, or
8 Tribal Governments, with at least one member
9 representing each such type of government.

10 (c) REPORT.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date on which the Task Force is established
13 under subsection (a), the Task Force shall publish
14 in the Federal Register and on the website of the
15 Commission, and submit to the Committee on En-
16 ergy and Commerce of the House of Representatives
17 and the Committee on Commerce, Science, and
18 Transportation of the Senate, a report on sixth-gen-
19 eration wireless technology, including—

20 (A) the status of industry-led standards-
21 setting bodies in setting standards for such
22 technology;

23 (B) possible uses of such technology identi-
24 fied by industry-led standards-setting bodies
25 that are setting standards for such technology;

1 (C) any limitations of such technology (in-
2 cluding any supply chain or cybersecurity limi-
3 tations) identified by industry-led standards-set-
4 ting bodies that are setting standards for such
5 technology; and

6 (D) how to best work with entities across
7 the Federal Government, State governments,
8 local governments, and Tribal Governments to
9 leverage such technology, including with regard
10 to siting, deployment, and adoption.

11 (2) DRAFT REPORT; PUBLIC COMMENT.—The
12 Task Force shall—

13 (A) not later than 180 days after the date
14 on which the Task Force is established under
15 subsection (a), publish in the Federal Register
16 and on the website of the Commission a draft
17 of the report required by paragraph (1); and

18 (B) accept public comments on such draft
19 and take such comments into consideration in
20 preparing the final version of such report.

21 (d) DEFINITIONS.—In this section:

22 (1) CHAIR.—The term “Chair” means the
23 Chair of the Commission.

24 (2) COMMISSION.—The term “Commission”
25 means the Federal Communications Commission.

1 (3) NOT TRUSTED.—

2 (A) IN GENERAL.—The term “not trusted”
3 means, with respect to an entity, that—

4 (i) the Chair has made a public deter-
5 mination that such entity is owned by, con-
6 trolled by, or subject to the influence of a
7 foreign adversary; or

8 (ii) the Chair otherwise determines
9 that such entity poses a threat to the na-
10 tional security of the United States.

11 (B) CRITERIA FOR DETERMINATION.—In
12 making a determination under subparagraph
13 (A)(ii), the Chair shall use the criteria de-
14 scribed in paragraphs (1) through (4) of section
15 2(c) of the Secure and Trusted Communica-
16 tions Networks Act of 2019 (47 U.S.C.
17 1601(c)), as appropriate.

18 (4) STATE.—The term “State” has the mean-
19 ing given such term in section 3 of the Communica-
20 tions Act of 1934 (47 U.S.C. 153).

21 (5) TASK FORCE.—The term “Task Force”
22 means the 6G Task Force established under sub-
23 section (a).

1 **SEC. 20106. NTIA POLICY AND CYBERSECURITY COORDINA-**
2 **TION.**

3 (a) OFFICE OF POLICY DEVELOPMENT AND CYBER-
4 SECURITY.—Part A of title I of the National Tele-
5 communications and Information Administration Organi-
6 zation Act (47 U.S.C. 901 et seq.) is amended by adding
7 at the end the following:

8 **“SEC. 106. OFFICE OF POLICY DEVELOPMENT AND CYBER-**
9 **SECURITY.**

10 “(a) ESTABLISHMENT.—There shall be within the
11 NTIA an office to be known as the Office of Policy Devel-
12 opment and Cybersecurity (in this section referred to as
13 the ‘Office’).

14 “(b) ASSOCIATE ADMINISTRATOR.—The head of the
15 Office shall be an Associate Administrator for Policy De-
16 velopment and Cybersecurity (in this section referred to
17 as the ‘Associate Administrator’), who shall report to the
18 Assistant Secretary.

19 “(c) DUTIES.—

20 “(1) IN GENERAL.—The Associate Adminis-
21 trator shall oversee and conduct national commu-
22 nications and information policy analysis and devel-
23 opment for the internet and communications tech-
24 nologies.

25 “(2) PARTICULAR DUTIES.—In carrying out
26 paragraph (1), the Office shall—

1 “(A) develop, analyze, and advocate for
2 market-based policies that promote innovation,
3 competition, consumer access, digital inclusion,
4 workforce development, and economic growth in
5 the communications, media, and technology
6 markets;

7 “(B) issue studies, as delegated by the As-
8 sistant Secretary or required by Congress, on
9 how individuals in the United States access and
10 use the internet, wireline and wireless teleph-
11 ony, mass media, other digital services, and
12 video services;

13 “(C) coordinate transparent, consensus-
14 based, multistakeholder processes to create
15 guidance or to support the development and im-
16 plementation of cybersecurity and privacy poli-
17 cies with respect to the internet and other com-
18 munications networks;

19 “(D) promote increased collaboration be-
20 tween security researchers and providers of
21 communications services and software system
22 developers;

23 “(E) perform such duties as the Assistant
24 Secretary considers appropriate relating to the
25 program for preventing future vulnerabilities es-

1 tablished under section 8(a) of the Secure and
2 Trusted Communications Networks Act of 2019
3 (47 U.S.C. 1607(a));

4 “(F) advocate for policies that promote the
5 security and resilience to cybersecurity incidents
6 of communications networks while fostering in-
7 novation, including policies that promote secure
8 communications network supply chains;

9 “(G) at the direction of the Assistant Sec-
10 retary, present security of the digital economy
11 and infrastructure and cybersecurity policy ef-
12 forts before the Commission, Congress, and
13 elsewhere;

14 “(H) provide advice and assistance to the
15 Assistant Secretary in carrying out the policy
16 responsibilities of the NTIA with respect to cy-
17 bersecurity policy matters, including the evalua-
18 tion of the impact of cybersecurity matters
19 pending before the Commission, other Federal
20 agencies, and Congress;

21 “(I) in addition to the duties described in
22 subparagraph (H), perform such other duties
23 regarding the policy responsibilities of the
24 NTIA with respect to cybersecurity policy mat-

1 ters as the Assistant Secretary considers appro-
2 priate;

3 “(J) develop policies to accelerate innova-
4 tion and commercialization with respect to ad-
5 vances in technological understanding of com-
6 munications technologies;

7 “(K) identify barriers to trust, security, in-
8 novation, and commercialization with respect to
9 communications technologies, including access
10 to capital and other resources, and ways to
11 overcome such barriers;

12 “(L) provide public access to relevant data,
13 research, and technical assistance on innovation
14 and commercialization with respect to commu-
15 nications technologies, consistent with the pro-
16 tection of classified information;

17 “(M) strengthen collaboration on and co-
18 ordination of policies relating to innovation and
19 commercialization with respect to communica-
20 tions technologies, including policies focused on
21 the needs of small businesses and rural commu-
22 nities—

23 “(i) within the Department of Com-
24 merce;

1 “(ii) between the Department of Com-
2 merce and State government agencies, as
3 appropriate; and

4 “(iii) between the Department of
5 Commerce and the Commission or any
6 other Federal agency the Assistant Sec-
7 retary determines to be necessary; and

8 “(N) solicit and consider feedback from
9 small and rural communications service pro-
10 viders, as appropriate.”.

11 (b) TRANSITIONAL RULES.—

12 (1) REDESIGNATION OF ASSOCIATE ADMINIS-
13 TRATOR; CONTINUATION OF SERVICE.—

14 (A) REDESIGNATION.—The position of As-
15 sociate Administrator for Policy Analysis and
16 Development at the NTIA is hereby redesi-
17 gnated as the position of Associate Adminis-
18 trator for Policy Development and Cybersecu-
19 rity.

20 (B) CONTINUATION OF SERVICE.—The in-
21 dividual serving as Associate Administrator for
22 Policy Analysis and Development at the NTIA
23 on the date of the enactment of this Act shall
24 become, as of such date, the Associate Adminis-

1 trator for Policy Development and Cybersecu-
2 rity.

3 (2) NTIA DEFINED.—In this subsection, the
4 term “NTIA” means the National Telecommuni-
5 cations and Information Administration.

6 **SEC. 20107. AMERICAN CYBERSECURITY LITERACY.**

7 (a) IN GENERAL.—The Secretary of Commerce, in
8 consultation with the Director of the Cybersecurity and
9 Infrastructure Security Agency, shall develop and conduct
10 a cybersecurity literacy campaign (which shall be available
11 in multiple languages and formats, if practicable) to in-
12 crease the knowledge and awareness of the American peo-
13 ple of best practices to reduce cybersecurity risks.

14 (b) CAMPAIGN.—To reduce cybersecurity risks, the
15 Secretary of Commerce, in consultation with the Director
16 of the Cybersecurity and Infrastructure Security Agency,
17 shall—

18 (1) educate the American people on how to pre-
19 vent and mitigate cyberattacks and cybersecurity
20 risks, including by—

21 (A) instructing the American people on
22 how to identify—

23 (i) phishing emails and messages; and

24 (ii) secure websites;

1 (B) instructing the American people about
2 the benefits of changing default passwords on
3 hardware and software technology;

4 (C) encouraging the use of cybersecurity
5 tools, including—

- 6 (i) multi-factor authentication;
- 7 (ii) complex passwords;
- 8 (iii) anti-virus software;
- 9 (iv) patching and updating software
10 and applications; and

11 (v) virtual private networks;

12 (D) identifying the devices that could pose
13 possible cybersecurity risks, including—

- 14 (i) personal computers;
 - 15 (ii) smartphones;
 - 16 (iii) tablets;
 - 17 (iv) Wi-Fi routers;
 - 18 (v) smart home appliances;
 - 19 (vi) webcams;
 - 20 (vii) internet-connected monitors; and
 - 21 (viii) any other device that can be con-
22 nected to the internet, including mobile de-
23 vices other than smartphones and tablets;
- 24 (E) encouraging Americans to—

- 1 (i) regularly review mobile application
2 permissions;
- 3 (ii) decline privilege requests from mo-
4 bile applications that are unnecessary;
- 5 (iii) download applications only from
6 trusted vendors or sources; and
- 7 (iv) consider a product's life cycle and
8 the developer or manufacturer's commit-
9 ment to providing security updates during
10 a connected device's expected period of use;
11 and
- 12 (F) identifying the potential cybersecurity
13 risks of using publicly available Wi-Fi networks
14 and the methods a user may utilize to limit
15 such risks; and
- 16 (2) encourage the American people to use re-
17 sources to help mitigate the cybersecurity risks iden-
18 tified in this subsection.

19 **SEC. 20108. COMMUNICATIONS SECURITY ADVISORY COUN-**
20 **CIL.**

21 (a) ESTABLISHMENT.—

- 22 (1) IN GENERAL.—Not later than 90 days after
23 the date of the enactment of this Act, the Commis-
24 sion shall establish a council, to advise the Commis-

1 sion on issues including the security, reliability, and
2 interoperability of communications networks.

3 (2) EXISTING ADVISORY COMMITTEES.—A Fed-
4 eral advisory committee of the Commission that is
5 operating, on the date of the enactment of this Act,
6 under a charter for the purpose of addressing the
7 issues described in paragraph (1), satisfies the re-
8 quirements of such paragraph if the membership of
9 such committee complies with subsection (b) or is
10 modified to comply with such subsection not later
11 than 90 days after the date of the enactment of this
12 Act.

13 (b) MEMBERSHIP.—

14 (1) APPOINTMENT.—The members of the coun-
15 cil shall be appointed by the Chair.

16 (2) COMPOSITION.—To the extent practicable,
17 the membership of the council shall be composed of
18 the following:

19 (A) Representatives of companies in the
20 communications industry, except companies
21 that are determined by the Chair to be not
22 trusted.

23 (B) Representatives of public interest orga-
24 nizations or academic institutions, except public
25 interest organizations or academic institutions

1 that are determined by the Chair to be not
2 trusted.

3 (C) Representatives of the Federal Govern-
4 ment, State governments, local governments, or
5 Tribal Governments, with at least one member
6 representing each such type of government.

7 (3) KNOWLEDGE AND EXPERIENCE.—Each
8 member of the council shall have knowledge and ex-
9 perience relevant to the purpose and goals of the
10 council.

11 (4) TERMS.—

12 (A) IN GENERAL.—Each member of the
13 council shall be appointed for a term of 2 years,
14 except as provided in subparagraph (B).

15 (B) VACANCIES.—Any member appointed
16 to fill a vacancy occurring before the expiration
17 of the term for which the member's predecessor
18 was appointed shall be appointed only for the
19 remainder of that term. A member may serve
20 after the expiration of that member's term until
21 a successor has taken office.

22 (c) REPORTS.—

23 (1) IN GENERAL.—Not later than 2 years after
24 the date on which the council is established under
25 subsection (a), and every 2 years thereafter, the

1 council shall submit to the Chair each report adopt-
2 ed by the council during the preceding 2-year period,
3 and any report adopted by any working group of the
4 council during such period, including any such re-
5 port of the council or a working group containing
6 recommendations on ways to increase the security,
7 reliability, and interoperability of communications
8 networks, and on other relevant issues as appro-
9 priate.

10 (2) AVAILABILITY ON COMMISSION WEBSITE.—

11 The Commission shall make each report submitted
12 under paragraph (1) publicly available on the
13 website of the Commission.

14 (d) DURATION.—Section 14(a)(2)(B) of the Federal
15 Advisory Committee Act (5 U.S.C. App.; relating to the
16 termination of advisory committees) shall not apply to the
17 council.

18 (e) DEFINITIONS.—In this section:

19 (1) CHAIR.—The term “Chair” means the
20 Chair of the Commission.

21 (2) COMMISSION.—The term “Commission”
22 means the Federal Communications Commission.

23 (3) COUNCIL.—The term “council” means the
24 council established under subsection (a).

25 (4) NOT TRUSTED.—

1 (A) IN GENERAL.—The term “not trusted”
2 means, with respect to an entity, that—

3 (i) the Chair has made a public deter-
4 mination that such entity is owned by, con-
5 trolled by, or subject to the influence of a
6 foreign adversary; or

7 (ii) the Chair otherwise determines
8 that such entity poses a threat to the na-
9 tional security of the United States.

10 (B) CRITERIA FOR DETERMINATION.—In
11 making a determination under subparagraph
12 (A)(ii), the Chair shall use the criteria de-
13 scribed in paragraphs (1) through (4) of section
14 2(e) of the Secure and Trusted Communica-
15 tions Networks Act of 2019 (47 U.S.C.
16 1601(c)), as appropriate.

17 (5) STATE.—The term “State” has the mean-
18 ing given such term in section 3 of the Communica-
19 tions Act of 1934 (47 U.S.C. 153).

20 **SEC. 20109. PROMOTING UNITED STATES WIRELESS LEAD-**
21 **ERSHIP.**

22 (a) IN GENERAL.—In order to enhance the represen-
23 tation of the United States and promote United States
24 leadership in standards-setting bodies that set standards
25 for 5G networks and for future generations of wireless

1 communications networks, the Assistant Secretary shall,
2 in consultation with the National Institute of Standards
3 and Technology—

4 (1) equitably encourage participation by compa-
5 nies and a wide variety of relevant stakeholders, but
6 not including any company or relevant stakeholder
7 that the Assistant Secretary has determined to be
8 not trusted, (to the extent such standards-setting
9 bodies allow such stakeholders to participate) in
10 such standards-setting bodies; and

11 (2) equitably offer technical expertise to compa-
12 nies and a wide variety of relevant stakeholders, but
13 not including any company or relevant stakeholder
14 that the Assistant Secretary has determined to be
15 not trusted, (to the extent such standards-setting
16 bodies allow such stakeholders to participate) to fa-
17 cilitate such participation.

18 (b) STANDARDS-SETTING BODIES.—The standards-
19 setting bodies referred to in subsection (a) include—

20 (1) the International Organization for Stand-
21 ardization;

22 (2) the voluntary standards-setting bodies that
23 develop protocols for wireless devices and other
24 equipment, such as the 3GPP and the Institute of
25 Electrical and Electronics Engineers; and

1 (3) any standards-setting body accredited by
2 the American National Standards Institute or Alli-
3 ance for Telecommunications Industry Solutions.

4 (c) BRIEFING.—Not later than 60 days after the date
5 of the enactment of this Act, the Assistant Secretary shall
6 brief the Committees on Energy and Commerce and For-
7 eign Affairs of the House of Representatives and the Com-
8 mittees on Commerce, Science, and Transportation and
9 Foreign Relations of the Senate on a strategy to carry
10 out subsection (a).

11 (d) DEFINITIONS.—In this section:

12 (1) 3GPP.—The term “3GPP” means the 3rd
13 Generation Partnership Project.

14 (2) 5G NETWORK.—The term “5G network”
15 means a fifth-generation mobile network as de-
16 scribed by 3GPP Release 15 or higher.

17 (3) ASSISTANT SECRETARY.—The term “Assist-
18 ant Secretary” means the Assistant Secretary of
19 Commerce for Communications and Information.

20 (4) CLOUD COMPUTING.—The term “cloud
21 computing” has the meaning given the term in Spe-
22 cial Publication 800–145 of the National Institute of
23 Standards and Technology, entitled “The NIST Def-
24 inition of Cloud Computing”, published in Sep-
25 tember 2011, or any successor publication.

1 (5) COMMUNICATIONS NETWORK.—The term
2 “communications network” means any of the fol-
3 lowing:

4 (A) A system enabling the transmission,
5 between or among points specified by the user,
6 of information of the user’s choosing.

7 (B) Cloud computing resources.

8 (C) A network or system used to access
9 cloud computing resources.

10 (6) NOT TRUSTED.—The term “not trusted”
11 means, with respect to a company or stakeholder,
12 that the company or stakeholder is determined by
13 the Assistant Secretary to pose a threat to the na-
14 tional security of the United States. In making such
15 a determination, the Assistant Secretary shall rely
16 solely on one or more of the following determina-
17 tions:

18 (A) A specific determination made by any
19 executive branch interagency body with appro-
20 priate national security expertise, including the
21 Federal Acquisition Security Council estab-
22 lished under section 1322(a) of title 41, United
23 States Code.

24 (B) A specific determination made by the
25 Department of Commerce pursuant to Execu-

1 tive Order No. 13873 (84 Fed. Reg. 22689; re-
2 lating to securing the information and commu-
3 nications technology and services supply chain).

4 (C) Whether a company or stakeholder
5 produces or provides covered telecommuni-
6 cations equipment or services, as defined in sec-
7 tion 889(f)(3) of the John S. McCain National
8 Defense Authorization Act for Fiscal Year 2019
9 (Public Law 115–232; 132 Stat. 1918).

10 **SEC. 20110. CRITICAL INFRASTRUCTURE MANUFACTURING**
11 **FEASIBILITY.**

12 (a) STUDY.—Not later than 1 year after the date of
13 enactment of this Act, the Secretary of Commerce shall
14 conduct a study to—

15 (1) identify any product that is in high demand
16 within each critical infrastructure sector that is
17 being imported due to a manufacturing, material, or
18 supply chain constraint in the United States;

19 (2) analyze the costs and benefits of manufac-
20 turing the product in the United States, including
21 any effects on—

22 (A) jobs, employment rates, and labor con-
23 ditions in the United States; and

24 (B) the cost of the product;

1 (3) identify any product described in paragraph
2 (1) that feasibly may be manufactured in the United
3 States; and

4 (4) analyze the feasibility of, and any impedi-
5 ments to, manufacturing any product identified in
6 paragraph (3) in—

7 (A) a rural area;

8 (B) an industrial park; or

9 (C) an industrial park in a rural area.

10 (b) REPORT TO THE CONGRESS.—Not later than 18
11 months after the date of enactment of this Act, the Sec-
12 retary shall—

13 (1) submit to the Congress a report containing
14 the results of the study required by subsection (a)
15 with recommendations for products described in sub-
16 section (a)(1) that feasibly may be manufactured in
17 the United States; and

18 (2) make the report available to the public on
19 the website of the Department of Commerce.

20 (c) LIMITATION ON AUTHORITY.—This section shall
21 not be interpreted to provide the Secretary of Commerce
22 with authority to compel a person or company to provide
23 information described in this section.

24 (d) DEFINITION OF CRITICAL INFRASTRUCTURE
25 SECTOR.—In this Act, the term “critical infrastructure

1 sector” means each of the 16 designated critical infra-
2 structure sectors identified in Presidential Policy Directive
3 21 of February 12, 2013 (Critical Infrastructure Security
4 and Resilience).

5 **TITLE II—CONSUMER**
6 **PROTECTION AND COMMERCE**
7 **Subtitle A—Supply Chain**
8 **Resilience**

9 **SEC. 20201. OFFICE OF MANUFACTURING SECURITY AND**
10 **RESILIENCE.**

11 (a) ESTABLISHMENT.—Not later than 180 days after
12 the date of the enactment of this Act, the Secretary shall
13 establish an Office of Manufacturing Security and Resil-
14 ience.

15 (b) MISSION.—The mission of the Office shall be the
16 following:

17 (1) Help to promote the leadership of the
18 United States with respect to critical industries and
19 supply chains that—

20 (A) strengthen the national security of the
21 United States; and

22 (B) have a significant effect on the eco-
23 nomic security of the United States.

24 (2) Encourage a Governmentwide approach
25 through partnerships and collaboration with the pri-

1 vate sector, labor organizations, the governments of
2 countries that are allies or key international part-
3 ners of the United States, States or political subdivi-
4 sions thereof, and Tribal governments in order to—

5 (A) promote the resilience of supply
6 chains; and

7 (B) identify, prepare for, and respond to
8 supply chain shocks to—

9 (i) critical industries; and

10 (ii) supply chains.

11 (3) Monitor the resilience, diversity, security,
12 and strength of supply chains and critical industries.

13 (4) Support the availability of critical goods
14 from domestic manufacturers, domestic enterprises,
15 and manufacturing operations in the United States
16 and in countries that are allies or key international
17 partners.

18 (5) Assist the Federal Government in preparing
19 for and responding to supply chain shocks, including
20 by improving the flexible manufacturing capacities
21 and capabilities in the United States.

22 (6) Encourage and incentivize the reduced reli-
23 ance of domestic entities and domestic manufactur-
24 ers on critical goods from countries of concern.

1 (7) Encourage the relocation of manufacturing
2 facilities that manufacture critical goods from coun-
3 tries of concern to the United States and countries
4 that are allies and key international partners to
5 strengthen the resilience, diversity, security, and
6 strength of supply chains.

7 (8) Support the creation of jobs with competi-
8 tive wages in the United States manufacturing sec-
9 tor.

10 (9) Encourage manufacturing growth and op-
11 portunities in economically distressed areas and un-
12 derserved communities.

13 (10) Promote the health of the economy of the
14 United States and the competitiveness of manufac-
15 turing in the United States.

16 (11) Coordinate executive branch actions nec-
17 cessary to carry out the functions described in para-
18 graphs (1) through (10).

19 (c) ASSISTANT SECRETARY OF THE OFFICE.—

20 (1) APPOINTMENT AND TERM.—The head of
21 the Office shall be the Assistant Secretary of Manu-
22 facturing Security and Resilience, appointed by the
23 President, by and with the advice and consent of the
24 Senate, for a term of not more than 5 years. The
25 Assistant Secretary of Manufacturing Security and

1 Resilience may function as and be known as the
2 United States Chief Manufacturing Officer.

3 (2) PAY.—The Assistant Secretary shall be
4 compensated at the rate in effect for level II of the
5 Executive Schedule under section 5313 of title 5,
6 United States Code.

7 (3) ADMINISTRATIVE AUTHORITIES.—The As-
8 sistant Secretary may appoint officers and employ-
9 ees in accordance with chapter 51 and subchapter
10 III of chapter 53 of title 5, United States Code.

11 **SEC. 20202. UNITED STATES STRATEGY TO COUNTER**
12 **THREATS TO SUPPLY CHAINS.**

13 (a) IN GENERAL.—In accordance with Executive
14 Order No. 14017 (86 Fed. Reg. 11849 relating to Amer-
15 ica’s supply chains), the Assistant Secretary shall, not
16 later than 1 year after the date of the enactment of this
17 Act, develop and implement a strategy taking a Govern-
18 mentwide approach to support the resilience, diversity, se-
19 curity, and strength of supply chains.

20 (b) ELEMENTS.—The strategy required under sub-
21 section (a) shall include the following:

22 (1) A plan to do the following:

23 (A) Execute a unified national effort to re-
24 duce reliance on concentrated supply chains and

1 protect against threats from countries of con-
2 cern relating to supply chains.

3 (B) Support sufficient access to critical
4 goods by mitigating supply chain vulnerabilities,
5 including supply chains concentrated in coun-
6 tries of concern.

7 (C) Collaborate with other relevant Federal
8 agencies to assist allies or key international
9 partners build capacity for manufacturing crit-
10 ical goods.

11 (D) Incentivize (through grants, loans,
12 loan guarantees, and equity investment author-
13 ized under section 20204) and identify other
14 means, as appropriate—

15 (i) for domestic manufacturers that
16 manufacture critical goods to—

17 (I) relocate manufacturing facili-
18 ties, industrial equipment, or oper-
19 ations related to the production of
20 critical goods from countries of con-
21 cern to the United States or to other
22 allies or key international partners;
23 and

24 (II) to support manufacturing fa-
25 cilities, industrial equipment, or oper-

1 ations to increase the production of
2 critical goods and meet demand for
3 such goods; and

4 (ii) for domestic manufacturers that
5 do not manufacture critical goods to make
6 necessary or appropriate modifications to
7 existing manufacturing facilities, industrial
8 equipment, manufacturing technology, or
9 operations in order to manufacture 1 or
10 more critical goods.

11 (E) Describe the manner and processes
12 through which the Assistant Secretary will im-
13 plement the program under section 20204, in-
14 cluding through consultation with, or requests
15 for information from, the heads of any relevant
16 Federal agencies, including those with jurisdic-
17 tion over supply chains, for the purposes of en-
18 suring the program authorized under section
19 20204—

20 (i) supports the resilience, diversity,
21 security and strength of a supply chain;
22 and

23 (ii) meets the national security and
24 economic security needs of the United
25 States.

1 (F) Strengthen and increase trade through
2 new and revised trade agreements and other
3 forms of engagement between the United States
4 and allies or key international partners in order
5 to mitigate—

6 (i) supply chain vulnerabilities; and

7 (ii) the effects of supply chain shocks.

8 (G) Recover from supply chain shocks.

9 (H) Identify, in coordination with other
10 relevant Federal agencies, actions relating to
11 supply chains with which the United States
12 might—

13 (i) raise living standards;

14 (ii) increase employment opportuni-
15 ties;

16 (iii) address the underlying causes of
17 irregular migration; and

18 (iv) improve critical industry supply
19 chain response to supply chain shocks.

20 (I) Protect against supply chain shocks
21 from countries of concern relating to supply
22 chains.

23 (J) Provide recommendations to effectuate
24 the strategy under this section.

25 (2) An assessment of the following:

1 (A) The extent to which any office or bu-
2 reau within the Department of Commerce that
3 the Assistant Secretary determines has duties,
4 responsibilities, resources, or expertise that sup-
5 port or duplicate the mission of the Office.

6 (B) The purpose of each office and bureau
7 identified under subparagraph (A).

8 (C) Whether the Assistant Secretary will
9 coordinate with each such office and bureau in
10 implementing the requirements of this Act.

11 (D) If the Assistant Secretary makes a
12 positive determination under subparagraph (C),
13 the effectiveness and efficiency of the Assistant
14 Secretary and each such office and bureau at
15 implementing the requirements of this Act.

16 (3) Recommendations, if applicable and con-
17 sistent with the objectives of this Act, on consoli-
18 dating functions amongst the Office and each such
19 office and bureau identified under paragraph (2)(A).

20 (c) SUBMISSION OF STRATEGY.—

21 (1) IN GENERAL.—Not later than 450 days
22 after the date of the enactment of this Act, the As-
23 sistant Secretary shall submit to the Committee on
24 Energy and Commerce of the House of Representa-
25 tives and the Committee on Commerce, Science, and

1 Transportation of the Senate, and publish on the
2 website of the Office, a report containing the strat-
3 egy developed under this section.

4 (2) UPDATE.—Not less than once every 4 years
5 after the date on which the strategy is submitted
6 under paragraph (1), the Assistant Secretary shall
7 submit to Congress an update to such strategy.

8 (3) FORM.—The report submitted under para-
9 graph (1), and any update submitted under para-
10 graph (2), shall be submitted in unclassified form
11 and may include a classified annex.

12 **SEC. 20203. CRITICAL SUPPLY CHAIN MONITORING PRO-**
13 **GRAM.**

14 (a) ACTIVITIES.—The Assistant Secretary shall carry
15 out the following activities:

16 (1) In consultation with the coordination group
17 established under subsection (c)—

18 (A) map, monitor, and model supply
19 chains, including by—

20 (i) monitoring the financial and oper-
21 ational conditions of domestic manufactur-
22 ers and domestic enterprises;

23 (ii) performing stress tests for critical
24 industries, supply chains, domestic enter-
25 prises, and domestic manufacturers;

1 (iii) monitoring the demand and sup-
2 ply of critical goods and services, industrial
3 equipment, and manufacturing technology;
4 and

5 (iv) monitoring manufacturing,
6 warehousing, transportation, and distribu-
7 tion; and

8 (B) identify high priority supply chain
9 gaps and vulnerabilities in critical industries
10 and supply chains that—

11 (i) exist as of the date of the enact-
12 ment of this section; or

13 (ii) are anticipated in the future.

14 (2) Identify and evaluate the following:

15 (A) Supply chain shocks that may disrupt,
16 strain, compromise, or eliminate a supply chain,
17 including the effect on consumer prices, job
18 losses, national security, or economic competi-
19 tiveness.

20 (B) The manufacturing needs critical to
21 the national security and economic security of
22 the United States.

23 (C) The diversity, security, reliability, and
24 strength of—

1 (i) supply chains, including single
2 point of failure, single producer, or consoli-
3 dated manufacturing; and

4 (ii) the sources of critical goods, in-
5 dustrial equipment, or manufacturing tech-
6 nology, including those obtained or pur-
7 chased from a person outside of the United
8 States or imported into the United States.

9 (D) The availability, capability, and capac-
10 ity of domestic manufacturers or manufacturers
11 located in countries that are allies or key inter-
12 national partners to serve as a source of a crit-
13 ical good, industrial equipment, or manufac-
14 turing technology.

15 (E) The effect on the economic security of
16 the United States, including jobs and wages,
17 that may result from the disruption, strain,
18 compromise, or elimination of a supply chain.

19 (F) The effect on the national security of
20 the United States that may result from the dis-
21 ruption, strain, compromise, or elimination of a
22 supply chain.

23 (G) The state of the manufacturing work-
24 force, including—

1 (i) the needs of domestic manufactur-
2 ers; and

3 (ii) opportunities to create high-qual-
4 ity manufacturing jobs.

5 (H) Investments in critical goods, indus-
6 trial equipment, or manufacturing technology
7 from non-Federal sources.

8 (3) In consultation with the coordination group
9 established under subsection (c), States or political
10 subdivisions thereof, and Tribal governments, and,
11 as appropriate, in cooperation with the governments
12 of countries that are allies or key international part-
13 ners of the United States, the following:

14 (A) Identify opportunities to reduce supply
15 chain gaps and vulnerabilities in critical indus-
16 tries and supply chains.

17 (B) Encourage partnerships between the
18 Federal Government and industry, labor organi-
19 zations, States and political subdivisions there-
20 of, and territorial and Tribal governments to
21 better respond to supply chain shocks to critical
22 industries and supply chains and coordinate re-
23 sponse efforts.

24 (C) Encourage partnerships between the
25 Federal Government and the governments of

1 countries that are allies or key international
2 partners of the United States.

3 (D) Develop or identify opportunities to
4 build the capacity of the United States in crit-
5 ical industries and supply chains.

6 (E) Develop or identify opportunities to
7 build the capacity of countries that are allies or
8 key international partners of the United States
9 in critical industries and supply chains.

10 (4) In coordination with the Secretary of State
11 and the United States Trade Representative work
12 with governments of countries that are allies or key
13 international partners of the United States to pro-
14 mote diversified and resilient supply chains that en-
15 sure the supply of critical goods, industrial equip-
16 ment, and manufacturing technology to the United
17 States and companies of countries that are allies or
18 key international partners of the United States.

19 (5) Coordinate with other offices and divisions
20 of the Department of Commerce and other Federal
21 agencies to use authorities, as of the date of the en-
22 actment of this section, to encourage the resilience
23 of supply chains of critical industries.

24 (b) CONTINUOUS MONITORING.—The Assistant Sec-
25 retary, in consultation with the head of any relevant Fed-

1 eral agency, including those with jurisdiction over supply
2 chains, shall continuously monitor the resilience, diversity,
3 security, and strength of supply chains.

4 (c) COORDINATION GROUP.—

5 (1) IN GENERAL.—In carrying out the applica-
6 ble activities under subsection (a), the Assistant Sec-
7 retary shall establish a unified coordination group
8 led by the Assistant Secretary which shall include
9 private sector partners, labor organizations, and, as
10 appropriate, federally funded research and develop-
11 ment centers, to serve as a method for consultation
12 between and among Federal agencies described
13 under subsection (g) to plan for and respond to sup-
14 ply chain shocks and support the resilience, diver-
15 sity, security, and strength of supply chains.

16 (2) IMPLEMENTATION.—In consultation with
17 the unified coordination group established under
18 paragraph (1), the Assistant Secretary shall do the
19 following:

20 (A) Acquire on a voluntary basis technical,
21 engineering, and operational supply chain infor-
22 mation from the private sector in a manner
23 that ensures any supply chain information pro-
24 vided by the private sector is kept confidential
25 and is exempt from disclosure under section

1 552(b)(3) of title 5, United States Code (com-
2 monly known as the “Freedom of Information
3 Act”).

4 (B) Study the supply chain information ac-
5 quired under subparagraph (A) to—

6 (i) identify supply chains;

7 (ii) assess the resilience of supply
8 chains;

9 (iii) identify supply chains vulnerable
10 to disruption, strain, compromise, or elimi-
11 nation; and

12 (iv) inform planning.

13 (C) Convene with relevant private sector
14 entities to share best practices, planning, and
15 capabilities to respond to potential supply chain
16 shocks.

17 (D) Develop contingency plans and coordi-
18 nation mechanisms to ensure an effective and
19 coordinated response to potential supply chain
20 shocks.

21 (3) SUBGROUPS.—In carrying out the activities
22 described in paragraph (2), the Assistant Secretary
23 may establish subgroups of the unified coordination
24 group established under paragraph (1) led by the
25 head of an appropriate Federal agency.

1 (4) INTERNATIONAL COOPERATION.—The Sec-
2 retary, in consultation with other relevant Federal
3 agencies, may cooperate with governments of coun-
4 tries that are allies or key international partners of
5 the United States relating to enhancing the security
6 and resilience of supply chains in response to supply
7 chain shocks.

8 (d) DESIGNATIONS.—The Assistant Secretary shall—

9 (1) not later than 270 days after the date of
10 the enactment of this Act, designate—

11 (A) critical industries;

12 (B) supply chains; and

13 (C) critical goods;

14 (2) provide for a period of public comment and
15 review in carrying out paragraph (1); and

16 (3) update the designations made under para-
17 graph (1) not less frequently than once every four
18 years.

19 (e) QUADRENNIAL REPORT ON SUPPLY CHAIN RE-
20 SILIENCE AND DOMESTIC MANUFACTURING.—

21 (1) IN GENERAL.—Not later than four years
22 after the date on which the final Sectoral Supply
23 Chain Assessments report on supply chains required
24 under section 4(a) of Executive Order No. 14017
25 (relating to America’s supply chains) is submitted,

1 and not later than once every four years thereafter,
2 the Assistant Secretary, in coordination with the
3 head of each relevant Federal agency and relevant
4 private sector entities, labor organizations, States
5 and political subdivisions thereof, and territorial and
6 Tribal governments, shall submit to the relevant
7 committees of Congress and post on the website of
8 the Assistant Secretary a report on supply chain re-
9 silience and domestic manufacturing (in this sub-
10 section referred to as the “report”) to strengthen,
11 improve, and preserve the resilience, diversity, secu-
12 rity, and strength of supply chains.

13 (2) CONTENTS OF REPORT.—The report shall
14 include the following:

15 (A) An identification of—

16 (i) the critical industries, supply
17 chains, and critical goods designated under
18 subsection (d);

19 (ii) supplies that are critical to the
20 crisis preparedness of the United States;

21 (iii) substitutes for critical goods, in-
22 dustrial equipment, and manufacturing
23 technology;

24 (iv) the matters identified and evalu-
25 ated pursuant to subsection (a)(2); and

1 (v) countries that are critical to ad-
2 dressing international and domestic supply
3 chain weaknesses and vulnerabilities.

4 (B) A description of—

5 (i) the manufacturing base and supply
6 chains in the United States, including the
7 manufacturing base and supply chains
8 for—

9 (I) industrial equipment;

10 (II) critical goods, including raw
11 materials, semiconductors, and rare
12 earth permanent magnets, that are es-
13 sential to the production of tech-
14 nologies and supplies for critical in-
15 dustries; and

16 (III) manufacturing technology;

17 and

18 (ii) the ability of the United States

19 to—

20 (I) maintain readiness with re-
21 spect to preparing for and responding
22 to supply chain shocks; and

23 (II) in response to a supply chain
24 shock—

1 (aa) surge production in
2 critical industries;

3 (bb) surge production of
4 critical goods and industrial
5 equipment; and

6 (cc) maintain access to crit-
7 ical goods, industrial equipment,
8 and manufacturing technology.

9 (C) An assessment and description of—

10 (i) demand and supply of critical
11 goods, industrial equipment, and manufac-
12 turing technology;

13 (ii) production of critical goods, indus-
14 trial equipment, and manufacturing tech-
15 nology by domestic manufacturers;

16 (iii) the capability and capacity of do-
17 mestic manufacturers and manufacturers
18 in countries that are allies or key inter-
19 national partners of the United States to
20 manufacture critical goods, industrial
21 equipment, and manufacturing technology;
22 and

23 (iv) how supply chain shocks could af-
24 fect rural, Tribal, and underserved commu-
25 nities.

1 (D) An identification of defense, intel-
2 ligence, homeland, economic, domestic labor
3 supply, natural, geopolitical, or other contin-
4 gencies and other supply chain shocks that may
5 disrupt, strain, compromise, or eliminate a sup-
6 ply chain.

7 (E) An assessment of—

8 (i) the resilience and capacity of the
9 manufacturing base, supply chains, and
10 workforce of the United States and allies
11 and key international partners that can
12 sustain critical industries through a supply
13 chain shock;

14 (ii) the flexible manufacturing capac-
15 ity and capabilities available in the United
16 States in the case of a supply chain shock;
17 and

18 (iii) the effect innovation has on do-
19 mestic manufacturing.

20 (F) Specific recommendations to improve
21 the security and resilience of manufacturing ca-
22 pacity and supply chains through the following:

23 (i) Developing long-term strategies.

1 (ii) Increasing visibility into the net-
2 works and capabilities of suppliers and do-
3 mestic manufacturers.

4 (iii) Identifying industry best prac-
5 tices.

6 (iv) Evaluating how diverse supplier
7 networks, multi-platform and multi-region
8 production capabilities and sources, and in-
9 tegrated global and regional supply chains
10 can—

11 (I) enhance the resilience of crit-
12 ical industries and manufacturing ca-
13 pabilities in the United States;

14 (II) support and create jobs in
15 the United States; and

16 (III) support access of the
17 United States to critical goods during
18 a supply chain shock.

19 (v) Identifying and mitigating risks,
20 including—

21 (I) the financial and operational
22 risks of a supply chain;

23 (II) significant vulnerabilities to
24 supply chain shocks and other emer-
25 gencies; and

1 (III) exposure to gaps and
2 vulnerabilities in—

3 (aa) domestic capacity or ca-
4 pabilities; and

5 (bb) sources of imports
6 needed to sustain critical indus-
7 tries and supply chains.

8 (vi) Identifying enterprise resource
9 planning systems that are—

10 (I) compatible across supply
11 chain tiers; and

12 (II) affordable for small and me-
13 dium-sized businesses.

14 (vii) Understanding the total cost of
15 ownership, total value contribution, and
16 other best practices that encourage stra-
17 tegic partnerships throughout supply
18 chains.

19 (viii) Understanding Federal procure-
20 ment opportunities to increase resilience of
21 supply chains and fill gaps in domestic
22 purchasing of critical goods.

23 (ix) Identifying policies that maximize
24 job retention and creation in the United

1 States, including workforce development
2 programs.

3 (x) Identifying opportunities to work
4 with allies or key international partners of
5 the United States to build more resilient
6 critical industry supply chains and mitigate
7 risks.

8 (xi) Identifying areas requiring fur-
9 ther investment in research and develop-
10 ment or workforce education.

11 (xii) Identifying such other services as
12 the Assistant Secretary determines nec-
13 essary.

14 (xiii) Identifying opportunities to
15 reuse and recycle critical goods, including
16 raw materials, to increase resilience of sup-
17 ply chains.

18 (G) Guidance to the National Science
19 Foundation and other relevant Federal agencies
20 with respect to critical goods, industrial equip-
21 ment, and manufacturing technologies that
22 should be prioritized.

23 (H) With respect to countries that are al-
24 lies or key international partners of the United
25 States—

1 (i) a review of and, if appropriate,
2 recommendations for expanding the
3 sourcing of critical goods, industrial equip-
4 ment, and manufacturing technology asso-
5 ciated with critical industries from those
6 countries; and

7 (ii) a recommendation to coordinate
8 with those countries on—

9 (I) sourcing critical goods, indus-
10 trial equipment, and manufacturing
11 technology; and

12 (II) developing, sustaining, and
13 expanding production and availability
14 of supply chains, critical goods, indus-
15 trial equipment, and manufacturing
16 technology during a supply chain
17 shock.

18 (I) Recommendations for strengthening the
19 financial and operational health of small and
20 medium-sized businesses in supply chains of the
21 United States and countries that are allies or
22 key international partners of the United States
23 to mitigate risks and ensure diverse and com-
24 petitive supplier markets that are less vulner-
25 able to failure.

1 (J) An assessment of policies, rules, and
2 regulations that impact the operating costs of
3 domestic manufacturers and inhibit the ability
4 for domestic manufacturers to compete with
5 global competitors.

6 (K) Recommendations regarding freight
7 and logistics necessary to support supply
8 chains.

9 (3) PROHIBITION.—The report may not in-
10 clude—

11 (A) supply chain information that is not
12 aggregated; or

13 (B) confidential business information of a
14 private sector entity.

15 (4) COLLABORATION.—The head of any Fed-
16 eral agency with jurisdiction over any supply chain
17 shall collaborate with the Assistant Secretary and
18 provide any information, data, or assistance that the
19 Assistant Secretary determines to be necessary for
20 developing the report.

21 (5) FORM.—The report, and any update sub-
22 mitted thereafter, shall be submitted in unclassified
23 form and may include a classified annex.

1 (6) PUBLIC COMMENT.—The Assistant Sec-
2 retary shall provide for a period of public comment
3 and review in developing the report.

4 (f) REPORT TO CONGRESS.—Concurrent with the an-
5 nual submission by the Secretary of the budget under sec-
6 tion 1105 of title 31, United States Code, the Secretary
7 shall submit to the relevant committees of Congress and
8 post on the website of the Assistant Secretary a report
9 that contains a summary of the activities required under
10 subsection (a) carried out under this section during the
11 fiscal year covered by the report. Such report shall be sub-
12 mitted in unclassified form and may include a classified
13 annex.

14 (g) COORDINATION.—

15 (1) IN GENERAL.—In implementing the require-
16 ments under subsection (e), the Assistant Secretary
17 shall, as appropriate coordinate with—

18 (A) the heads of appropriate Federal agen-
19 cies, including—

20 (i) the Secretary of State; and

21 (ii) the United States Trade Rep-
22 resentative; and

23 (B) the Attorney General and the Federal
24 Trade Commission with respect to—

1 (i) advice on the design and activities
2 of the unified coordination group described
3 in subsection (c)(1); and

4 (ii) ensuring compliance with Federal
5 antitrust law.

6 (2) SPECIFIC COORDINATION.—In carrying out
7 the requirements under this section, with respect to
8 supply chains involving specific sectors, the Assist-
9 ant Secretary shall, as appropriate, coordinate
10 with—

11 (A) the Secretary of Defense;

12 (B) the Secretary of Homeland Security;

13 (C) the Secretary of the Treasury;

14 (D) the Secretary of Energy;

15 (E) the Secretary of Transportation;

16 (F) the Secretary of Agriculture;

17 (G) the Director of National Intelligence;

18 (H) the Secretary of Health and Human

19 Services;

20 (I) the Small Business Administration;

21 (J) the Secretary of Labor; and

22 (K) the head of any other relevant Federal
23 agency, as appropriate.

24 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion shall be construed to require any private entity—

1 (1) to share information with the Secretary or
2 Assistant Secretary;

3 (2) to request assistance from the Secretary or
4 Assistant Secretary; or

5 (3) that requests assistance from the Secretary
6 or Assistant Secretary to implement any measure or
7 recommendation suggested by the Secretary or As-
8 sistant Secretary.

9 (i) PROTECTIONS.—

10 (1) IN GENERAL.—Supply chain information
11 that is voluntarily and lawfully submitted by a pri-
12 vate entity and accompanied by an express state-
13 ment described in paragraph (2) of this subsection—

14 (A) shall be exempt from disclosure under
15 section 552(b)(3) of title 5, United States Code;

16 (B) shall not be made available by any
17 Federal, State, local, or Tribal authority pursu-
18 ant to any Federal, State, local, or Tribal law
19 requiring public disclosure of information or
20 records; and

21 (C) shall not, without the written consent
22 of the person or entity submitting such infor-
23 mation, be used directly by the Assistant Sec-
24 retary, or any other Federal, State, or local au-

1 thority in any civil enforcement action brought
2 by a Federal, State, or local authority.

3 (2) EXPRESS STATEMENT.—The express state-
4 ment described in this paragraph, with respect to in-
5 formation or records, is—

6 (A) in the case of written information or
7 records, a written marking on the information
8 or records substantially similar to the following:
9 “This information is voluntarily submitted to
10 the Federal Government in expectation of pro-
11 tection from disclosure as provided by the provi-
12 sions of section 20203(i) of the America COM-
13 PETES Act of 2022.”; or

14 (B) in the case of oral information, a writ-
15 ten statement similar to the statement de-
16 scribed in subparagraph (A) submitted within a
17 reasonable period following the oral communica-
18 tion.

19 (3) INAPPLICABILITY TO SEMICONDUCTOR IN-
20 CENTIVE PROGRAM.—This subsection shall not apply
21 to the voluntary submission of supply chain informa-
22 tion by a private entity in an application for Federal
23 financial assistance under section 9902 of the Wil-
24 liam M. (Mac) Thornberry National Defense Author-

1 (b) APPLICATION.—The Assistant Secretary may not
2 provide a grant, loan, or loan guarantee under this section
3 to an eligible entity unless the eligible entity submits to
4 the Assistant Secretary an application at such time, in
5 such form, and containing such information as the Assist-
6 ant Secretary may require, including—

7 (1) a description of the eligible activity to be
8 carried out with the grant, loan, or loan guarantee;

9 (2) a description of the supply chain supported
10 by the eligible activity;

11 (3) an estimate of the total costs of the eligible
12 activity; and

13 (4) in the case of an application submitted for
14 an eligible activity described in subparagraph (B) or
15 (C) of subsection (c)(2), a description of domestic
16 manufacturing operations for the production of the
17 critical good.

18 (c) ELIGIBLE ACTIVITIES.—

19 (1) ACTIVITIES IN THE UNITED STATES.—The
20 following activities may be carried out with a grant,
21 loan, or loan guarantee under this section:

22 (A) The development, diversification, pres-
23 ervation, improvement, support, restoration, or
24 expansion of supply chains and the domestic
25 manufacturing of critical goods, industrial

1 equipment, and manufacturing technology, in-
2 cluding activities that support any of the fol-
3 lowing:

4 (i) The manufacturing of a critical
5 good or industrial equipment in the United
6 States.

7 (ii) The commercialization, adoption,
8 deployment, or use of manufacturing tech-
9 nology by domestic manufacturers in the
10 United States.

11 (iii) The design, engineering, con-
12 struction, expansion, improvement, repair,
13 or maintenance of critical infrastructure or
14 a manufacturing facility in the United
15 States.

16 (iv) The purchase, lease, acquisition,
17 enhancement, or retooling of industrial
18 equipment for use in the United States.

19 (v) The purchase, lease, or other ac-
20 quisition of critical goods, industrial equip-
21 ment, or manufacturing technology from
22 reliable sources.

23 (vi) The relocation of manufacturing
24 facilities or operations related to the pro-

1 duction of a critical good out of a country
2 of concern and into the United States.

3 (vii) The modification of manufac-
4 turing facilities, industrial equipment, or
5 operations related to the manufacture of
6 critical goods to—

7 (I) create new capabilities for an
8 eligible entity to manufacture critical
9 goods in the United States;

10 (II) expand existing operations to
11 increase the manufacture of critical
12 goods in the United States; or

13 (III) accommodate any manufac-
14 turing operations related to critical
15 goods that are being relocated to the
16 United States.

17 (viii) The development of tools or
18 processes that relate to procuring, trans-
19 porting, or storing critical goods.

20 (B) The manufacture or acquisition of a
21 substitute for a critical good, industrial equip-
22 ment, or manufacturing technology.

23 (C) The establishment, improvement, de-
24 velopment, expansion, or preservation of surge
25 capacity or stockpiling of a critical good or in-

1 industrial equipment, as appropriate and nec-
2 essary.

3 (D) The establishment, improvement, or
4 preservation of diverse, secure, reliable, and
5 strong sources and locations of a critical good
6 in the United States.

7 (2) ACTIVITIES RELATING TO ALLIES AND KEY
8 INTERNATIONAL PARTNERS.—The following activi-
9 ties may be carried out with a loan or loan guar-
10 antee under this section:

11 (A) The design, engineering, construction,
12 expansion, improvement, repair, or maintenance
13 of critical infrastructure or a manufacturing fa-
14 cility in an ally or key international partner.

15 (B) The relocation of manufacturing facili-
16 ties or operations related to the production of
17 a critical good out of a country of concern and
18 into an ally or key international partner, with
19 a priority for countries—

20 (i) in the covered Western Hemi-
21 sphere countries;

22 (ii) that are member states of the
23 North Atlantic Treaty Organization
24 (NATO);

1 (iii) that are designated as a major
2 non-NATO ally pursuant to section 517(a)
3 of the Foreign Assistance Act of 1961 (22
4 U.S.C. 2321k(a)); and

5 (iv) identified under section
6 20203(e)(2)(A)(v).

7 (C) The modification of manufacturing fa-
8 cilities, industrial equipment, or operations re-
9 lated to the manufacture of critical goods to—

10 (i) create new capabilities for an eligi-
11 ble entity to manufacture critical goods in
12 an ally or key international partner;

13 (ii) expand existing operations to in-
14 crease the manufacture of critical goods in
15 an ally or key international partner; or

16 (iii) accommodate any manufacturing
17 operations related to critical goods that are
18 being relocated to an ally or key inter-
19 national partner.

20 (d) ELIGIBLE ENTITIES.—The following entities are
21 eligible to receive grants, loans, and loan guarantees under
22 this section:

23 (1) A domestic manufacturer.

24 (2) A domestic enterprise.

1 (3) A State or a county, city, or other political
2 subdivision of a State.

3 (4) A Tribal government.

4 (5) A manufacturing extension center estab-
5 lished as part of the Hollings Manufacturing Exten-
6 sion Partnership.

7 (6) A Manufacturing USA institute as de-
8 scribed in section 34(d) of the National Institute of
9 Standards and Technology Act (15 U.S.C. 278s(d)).

10 (7) An institution of higher education acting as
11 part of a consortium, partnership, or joint venture
12 with another eligible entity described in paragraphs
13 (1) through (6).

14 (8) A public or private nonprofit organization
15 or association acting as part of a consortium, part-
16 nership, or joint venture with another eligible entity
17 described in paragraphs (1) through (6).

18 (9) A consortium, partnership, or joint venture
19 of two or more eligible entities described under para-
20 graphs (1) through (8).

21 (e) REQUIREMENTS.—The Assistant Secretary may
22 only provide a grant, loan, or loan guarantee to an eligible
23 entity if the Assistant Secretary makes a determination
24 of the following:

1 (1) The grant, loan, or loan guarantee is for an
2 eligible activity.

3 (2) Without the grant, loan, or loan guarantee,
4 the eligible entity would not be able to fund or fi-
5 nance the eligible activity under reasonable terms
6 and conditions.

7 (3) The grant, loan, or loan guarantee is a cost
8 effective, expedient, and practical form of financial
9 assistance for the eligible activity.

10 (4) There is a reasonable assurance that—

11 (A) the eligible entity will implement the
12 eligible activity in accordance with the applica-
13 tion submitted under subsection (b); and

14 (B) the eligible activity will support—

15 (i) the resilience, diversity, security, or
16 strength of a supply chain; and

17 (ii) the national security or economic
18 security of the United States.

19 (5) The eligible entity agrees to provide the in-
20 formation required under subsection (m)(3).

21 (6) For an eligible activity described in sub-
22 paragraph (B) or (C) of subsection (c)(2), relocation
23 of a manufacturing facility or operations into the
24 United States is uneconomical.

1 (7) The eligible activity does not support the
2 production of a critical good subject to an anti-
3 dumping or countervailing duty order imposed by
4 the United States.

5 (f) CRITERIA.—The Assistant Secretary shall estab-
6 lish criteria for the awarding of grants, loans, and loan
7 guarantees that meet the requirements of subsection (e),
8 including the following:

9 (1) The extent to which the eligible activity sup-
10 ports the resilience, diversity, security, and strength
11 of a supply chain.

12 (2) The extent to which the eligible activity is
13 funded or financed by non-Federal sources.

14 (3) The extent to which the grant, loan, or loan
15 guarantee will assist small and medium-sized domes-
16 tic manufacturers.

17 (4) The amount of appropriations that are re-
18 quired to fund or finance the grant, loan, or loan
19 guarantee.

20 (g) RELOCATION CONSIDERATION.—In making a de-
21 termination to provide a loan or loan guarantee to an eligi-
22 ble entity for an eligible activity described in subparagraph
23 (B) or (C) of subsection (c)(2), the Assistant Secretary—

24 (1) shall—

1 (A) consult with the Secretary of State and
2 the heads of other relevant Federal agencies, as
3 appropriate; and

4 (B) to the extent practicable, ensure no
5 single ally or key international partner benefits
6 from an outsized amount of Federal funding
7 provided under this section; and

8 (2) may take into considerations labor and envi-
9 ronmental standards of the ally or key international
10 partner when considering the siting locations for the
11 eligible activity.

12 (h) RELOCATION LIMITATIONS.—As a condition of
13 receiving a loan or loan guarantee for an eligible activity
14 described under subparagraph (B) or (C) of subsection
15 (c)(2), the Assistant Secretary shall prohibit an eligible
16 entity from making capital or labor investments in the
17 manufacturing facility or operation in the country of con-
18 cern for the duration of the grant, loan, or loan guarantee.

19 (i) GRANT COST SHARE.—

20 (1) IN GENERAL.—The amount of a grant
21 under this section may not exceed 80 percent of the
22 reasonably anticipated costs of the eligible activity
23 for which the grant is made.

24 (2) WAIVER.—Upon providing written justifica-
25 tion for a determination made pursuant to this para-

1 graph, which may be submitted with a classified
2 annex to the Committee on Energy and Commerce
3 of the House of Representatives and the Committee
4 on Commerce, Science, and Transportation of the
5 Senate, the Assistant Secretary may waive the cost
6 share requirement of paragraph (1)—

7 (A) during a period of national emergency
8 declared by an Act of Congress or the Presi-
9 dent; and

10 (B) upon making a determination that a
11 grant is necessary to avert the disruption,
12 strain, compromise, or elimination of a supply
13 chain that would severely affect the national se-
14 curity or economic security of the United
15 States.

16 (3) USE OF OTHER FEDERAL ASSISTANCE.—

17 Federal assistance other than a grant under this
18 section may be used to satisfy the non-Federal share
19 of the cost of the eligible activity.

20 (j) LOANS AND LOAN GUARANTEES.—

21 (1) IN GENERAL.—The Assistant Secretary
22 may enter into an agreement with an eligible entity
23 to make a loan, the proceeds of which shall be used
24 to finance an eligible activity.

1 (2) MAXIMUM AMOUNT.—The amount of a loan
2 under this section may not exceed 80 percent of the
3 reasonably anticipated costs of the eligible activity
4 for which the loan is made.

5 (3) WAIVER.—Upon providing written justifica-
6 tion for a determination made pursuant to this para-
7 graph, which may be submitted with a classified
8 annex to the Committee on Energy and Commerce
9 of the House of Representatives and the Committee
10 on Commerce, Science, and Transportation of the
11 Senate, the Assistant Secretary may waive the re-
12 quirement of paragraph (2)—

13 (A) during a period of national emergency
14 declared by an Act of Congress or the Presi-
15 dent; or

16 (B) upon making a determination that a
17 loan is necessary to avert the disruption, strain,
18 compromise, or elimination of a supply chain
19 that would severely affect the national security
20 or economic security of the United States.

21 (4) LOAN GUARANTEES.—

22 (A) IN GENERAL.—The Assistant Sec-
23 retary may provide a loan guarantee to a lender
24 in lieu of making a loan under this section.

1 (B) TERMS.—The terms of a loan guar-
2 antee provided under this section shall be con-
3 sistent with the terms established in this sub-
4 section for a loan.

5 (k) MANUFACTURING INVESTMENT COMPANIES.—

6 (1) IN GENERAL.—The Assistant Secretary
7 may provide a loan or loan guarantee to a manufac-
8 turing investment company.

9 (2) EQUITY CAPITAL.—A manufacturing invest-
10 ment company shall use the proceeds of a loan or
11 loan guarantee provided under this subsection to
12 provide a source of equity capital for eligible entities
13 to carry out eligible activities.

14 (3) APPLICATION.—The Assistant Secretary
15 may not provide a loan or loan guarantee to a man-
16 ufacturing investment company unless the manufac-
17 turing investment company submits to the Assistant
18 Secretary an application at such time, in such form,
19 and containing such information as the Assistant
20 Secretary may require, which shall include the fol-
21 lowing:

22 (A) A plan describing how the manufac-
23 turing investment company intends to provide
24 equity capital to eligible entities to support the

1 resilience, diversity, security, and strength of
2 supply chains.

3 (B) Information regarding the relevant
4 qualifications and general reputation of the
5 management of the manufacturing investment
6 company.

7 (C) A description of how the manufac-
8 turing investment company intends to address
9 the unmet capital needs of eligible entities.

10 (D) A description of whether and to what
11 extent the manufacturing investment company
12 meets the criteria established under paragraph
13 (4).

14 (E) For a manufacturing investment com-
15 pany seeking to provide equity capital for an el-
16 igible activity described in subparagraph (B) or
17 (C) of subsection (c)(2), a description of domes-
18 tic manufacturing operations for the production
19 of the critical good.

20 (4) CRITERIA.—The Secretary shall establish
21 criteria for the awarding of a loan or loan guarantee
22 under this subsection to a manufacturing investment
23 company, including the following:

24 (A) The extent to which the equity capital
25 to be provided under paragraph (2) will support

1 the resilience, diversity, security, and strength
2 of supply chains.

3 (B) The extent to which the plan sub-
4 mitted under paragraph (3)(A) will be funded
5 or financed by non-Federal sources.

6 (C) The extent to which the manufacturing
7 investment company will assist small and me-
8 dium-sized domestic manufacturers.

9 (D) The amount of appropriations that are
10 required to fund or finance the loan or loan
11 guarantee.

12 (5) REQUIREMENTS.—As a condition for pro-
13 viding a loan or loan guarantee under this sub-
14 section, the Assistant Secretary shall require a man-
15 ufacturing investment company to certify the fol-
16 lowing:

17 (A) The equity capital is for an eligible ac-
18 tivity.

19 (B) Without the equity capital, the eligible
20 entity would not be able to fund or finance the
21 eligible activity under reasonable terms and
22 conditions.

23 (C) The equity capital is a cost effective,
24 expedient, and practical form of financial assist-
25 ance for the eligible activity.

1 (D) There is a reasonable assurance
2 that—

3 (i) the eligible entity will implement
4 the eligible activity; and

5 (ii) the eligible activity will support—

6 (I) the resilience, diversity, secu-
7 rity, or strength of a supply chain;
8 and

9 (II) the national security or eco-
10 nomic security of the United States.

11 (E) The manufacturing investment com-
12 pany will provide the information required
13 under paragraph (6)(C).

14 (F) In the case of an eligible activity de-
15 scribed in subsection (c)(2) (B) or (C), reloca-
16 tion of a manufacturing facility or operations
17 into the United States is uneconomical.

18 (G) The eligible activity does not support
19 the production of a critical good subject to an
20 anti-dumping or countervailing duty order im-
21 posed by the United States.

22 (6) PERFORMANCE MEASURES.—For loans and
23 loan guarantees provided under this subsection, the
24 Assistant Secretary shall—

1 (A) develop metrics to assess the extent to
2 which manufacturing investment companies
3 meet the criteria established under paragraph
4 (4);

5 (B) assess the extent to which each manu-
6 facturing investment company awarded a loan
7 or loan guarantee is meeting the criteria estab-
8 lished under paragraph (4); and

9 (C) require the manufacturing investment
10 company to provide to the Assistant Secretary
11 any information relating to the loan or loan
12 guarantee that the Assistant Secretary deter-
13 mines to be necessary to conduct the assess-
14 ment under subparagraph (B).

15 (7) EQUITY CAPS.—The Assistant Secretary
16 may, as a condition of providing a loan or loan guar-
17 antee under this subsection, establish limits on—

18 (A) the maximum amount of equity or
19 quasi-equity securities, shares, or financial in-
20 terests a manufacturing investment company
21 may purchase, make and fund commitments to
22 purchase, invest in, make pledges in respect of,
23 or otherwise acquire from an eligible entity; and

24 (B) the maximum amount of assets a man-
25 ufacturing investment company may hold to be

1 eligible for a loan or loan guarantee under this
2 subsection.

3 (8) CONDITIONS.—The Assistant Secretary may
4 prescribe either specifically or by maximum limits or
5 otherwise, rates of interest, guarantee and commit-
6 ment fees, and other charges which may be made in
7 connection with equity capital made under this sub-
8 section.

9 (9) RELOCATION CONSIDERATION.—In making
10 a determination to provide a loan or loan guarantee
11 to a manufacturing investment company for an eligi-
12 ble activity described under subparagraph (B) or (C)
13 of subsection (c)(2), the Assistant Secretary may
14 take into consideration labor and environmental
15 standards of the ally or key international partner
16 when considering the siting locations for the eligible
17 activity.

18 (10) RELOCATION LIMITATIONS.—As a condi-
19 tion of receiving a loan or loan guarantee from a
20 manufacturing investment company for an eligible
21 activity described under subparagraph (B) or (C) of
22 subsection (c)(2), the manufacturing investment
23 company shall prohibit an eligible entity from mak-
24 ing capital or labor investments in the manufac-

1 turing facility or operation in the country of concern
2 for the duration of the equity capital.

3 (l) CREDITWORTHINESS.—

4 (1) IN GENERAL.—For a loan or loan guar-
5 antee provided under this section, the manufacturing
6 investment company or eligible entity and eligible ac-
7 tivity receiving such loan or loan guarantee shall be
8 creditworthy, which shall be determined by the As-
9 sistant Secretary.

10 (2) CONSIDERATIONS.—In determining the
11 creditworthiness of a manufacturing investment
12 company or an eligible entity and eligible activity
13 under paragraph (1), the Assistant Secretary shall
14 take into consideration relevant factors, including
15 the following:

16 (A) The terms, conditions, financial struc-
17 ture, and security features of the loan or loan
18 guarantee.

19 (B) The revenue sources that will secure or
20 fund any note, bond, debenture, or other debt
21 obligation issued in connection with the loan or
22 loan guarantee.

23 (C) The financial assumptions upon which
24 the loan or loan guarantee is based.

25 (D) The ability of—

1 (i) the manufacturing investment
2 company to provide a source of equity cap-
3 ital for eligible entities; or

4 (ii) the eligible entity to successfully
5 achieve the goal of the eligible activity.

6 (E) The financial soundness and credit his-
7 tory of the manufacturing investment company
8 or eligible entity.

9 (m) CONDITIONS.—The Assistant Secretary may pre-
10 scribe—

11 (1) either specifically or by maximum limits or
12 otherwise, rates of interest, guarantee and commit-
13 ment fees, and other charges which may be made in
14 connection with a loan or loan guarantee made
15 under this section; and

16 (2) regulations governing the forms and proce-
17 dures (which shall be uniform to the extent prac-
18 ticable) to be used in connection with such loans and
19 loan guarantees.

20 (n) SELECTION OF RECIPIENTS.—

21 (1) ABILITY TO MEET CRITERIA.—To the ex-
22 tent practicable, in awarding grants, loans, and loan
23 guarantees under this section, the Assistant Sec-
24 retary shall—

25 (A) select—

1 (i) manufacturing investment compa-
2 nies that best meet the criteria established
3 under subsection (k)(4); and

4 (ii) eligible entities and eligible activi-
5 ties that best meet the criteria established
6 under subsection (f); and

7 (B) serve the greatest needs for a diverse
8 array of critical industries.

9 (2) PRIORITY.—In awarding grants, loans, and
10 loan guarantees under this section, the Assistant
11 Secretary shall prioritize—

12 (A) eligible activities that—

13 (i) are within the United States and
14 employ citizens of the United States; and

15 (ii) will result in the production of
16 critical goods that relate to the strategic
17 needs of the Federal Government in pre-
18 paring for and responding to supply chain
19 shocks;

20 (B) eligible entities that agree to coordi-
21 nate with the Assistant Secretary to assist the
22 United States in preparing for and responding
23 to supply chain shocks, including through the
24 manufacture of critical goods, as necessary; and

1 (C) small and medium sized manufactur-
2 ers.

3 (o) PERFORMANCE MEASURES.—For grants, loans,
4 and loan guarantees provided under this section to eligible
5 entities, the Assistant Secretary shall—

6 (1) develop metrics to assess the extent to
7 which the criteria established under subsection (f)
8 are met;

9 (2) assess the extent to which the criteria estab-
10 lished under subsection (f) are met; and

11 (3) require the eligible entity to provide to the
12 Assistant Secretary any information that the Assist-
13 ant Secretary determines to be necessary to conduct
14 the assessment under paragraph (2).

15 (p) CONSTRUCTION PROJECTS.—The requirements
16 of section 602 of the Public Works and Economic Develop-
17 ment Act of 1965 (42 U.S.C. 3212) shall apply to a con-
18 struction project that receives financial assistance from
19 the Assistant Secretary under this section in the same
20 manner as such requirements apply to a project assisted
21 by the Secretary under such Act.

22 (q) WORKFORCE PROTECTIONS.—Any eligible entity
23 and manufacturing investment company applying for a
24 grant, loan, or loan guarantee under this section, in any
25 case in which the eligible entity has 100 or more employ-

ees, shall make a good-faith certification to the Assistant Secretary that—

(1) the eligible entity will not abrogate existing collective bargaining agreements, as applicable, for—

(A) the term of the grant; or

(B) the term of the loan or loan guarantee and 2 years after completing repayment of the loan; and

(2) the eligible entity will remain neutral in any union organizing effort for the term of the grant, loan, or loan guarantee.

(r) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with United States obligations under international agreements.

(s) LIMITATION.—To the extent practicable, none of the funds made available to carry out this section may be used to support manufacturing in a country of concern.

(t) REGULATIONS.—The Assistant Secretary may promulgate such regulations as the Assistant Secretary determines to be appropriate to carry out this section.

(u) SUPPLY CHAINS FOR CRITICAL MANUFACTURING INDUSTRIES FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be

1 known as the “Supply Chains for Critical Manufac-
2 turing Industries Fund” (in this section referred to
3 as the “Fund”), which shall solely be used by the
4 Assistant Secretary to carry out this section.

5 (2) REVOLVING LOAN FUND.—The proceeds of
6 any conditions prescribed under subsection (k)(1)
7 shall be deposited into the Fund.

8 (v) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion may be construed to permit the proceeds of a grant,
10 loan, loan guarantee, or equity investment to support ac-
11 tivities that offshore manufacturing capacity from the
12 United States.

13 (w) AUTHORIZATION OF APPROPRIATIONS.—

14 (1) IN GENERAL.—There is authorized to be
15 appropriated to the Fund \$45,000,000,000 for fiscal
16 years 2022 through 2027. Such amount is author-
17 ized to remain available until expended.

18 (2) PURPOSES.—Of the amount authorized to
19 be appropriated under paragraph (1), not more
20 than—

21 (A) \$31,000,000,000 is authorized to be
22 appropriated for loans and loan guarantees to
23 eligible entities;

24 (B) \$10,000,000,000 is authorized to be
25 appropriated for grants to eligible entities; and

1 (C) \$4,000,000,000 is authorized to be ap-
2 propriated for loans and loan guarantees to
3 manufacturing investment companies.

4 (3) ADMINISTRATIVE COSTS.—Of the amounts
5 authorized to be appropriated under paragraph (2),
6 up to 2 percent per fiscal year is authorized to be
7 appropriated for administrative costs associated with
8 carrying out this section.

9 **SEC. 20205. SUPPLY CHAIN INNOVATION AND BEST PRAC-**
10 **TICES.**

11 (a) IN GENERAL.—The Assistant Secretary, in con-
12 sultation with the Director of the National Institute of
13 Standards and Technology, shall, on an ongoing basis, fa-
14 cilitate and support the development of a voluntary set of
15 standards, guidelines, best practices, management strate-
16 gies, methodologies, procedures, and processes for domes-
17 tic manufacturers and entities manufacturing, purchasing,
18 or using a critical good to—

19 (1) measure the resilience, diversity, security,
20 and strength of supply chains;

21 (2) evaluate the value of the resilience, diver-
22 sity, security, and strength of supply chains; and

23 (3) design organizational processes and incen-
24 tives to reduce the risks of disruption, strain, com-
25 promise, or elimination of a supply chain.

1 (b) REQUIREMENTS.—In carrying out subsection (a),
2 the Assistant Secretary shall do the following:

3 (1) Coordinate closely and regularly with rel-
4 evant private sector personnel and entities, manufac-
5 turing extension centers established as part of the
6 Hollings Manufacturing Extension Partnership,
7 Manufacturing USA institutes as described in sec-
8 tion 34(d) of the National Institute of Standards
9 and Technology Act (15 U.S.C. 278s(d)), and other
10 relevant stakeholders and incorporate industry ex-
11 pertise.

12 (2) Consult with the head of any relevant Fed-
13 eral agency, including those with jurisdiction over
14 supply chains, States, local governments, Tribal gov-
15 ernments, the governments of other nations, and
16 international organizations, as necessary.

17 (3) Collaborate with private sector stakeholders
18 to identify a prioritized, flexible, repeatable, per-
19 formance-based, and cost-effective approach that
20 may be voluntarily adopted by domestic manufactur-
21 ers and entities purchasing or using a critical good
22 to help them—

23 (A) identify, assess, and manage risks to
24 supply chains; and

1 (B) value the resilience, diversity, security,
2 and strength of their supply chain.

3 (4) Facilitate the design of—

4 (A) voluntary processes for selecting sup-
5 pliers that support the resilience, diversity, se-
6 curity, and strength of supply chains; and

7 (B) methodologies to identify and mitigate
8 the effects of a disruption, strain, compromise,
9 or elimination of a supply chain.

10 (5) Disseminate research and information to as-
11 sist domestic manufacturers redesign products, ex-
12 pand manufacturing capacity, and improve capabili-
13 ties to meet domestic needs for critical goods and
14 supply chains.

15 (6) Incorporate relevant voluntary standards
16 and industry best practices.

17 (7) Consider small business concerns.

18 (8) Any other elements the Assistant Secretary
19 determines to be necessary.

20 (9) Leverage existing mechanisms for the Fed-
21 eral Government to provide supply chain solutions,
22 including manufacturing technology, in collaboration
23 with the Manufacturing USA institutes and Manu-
24 facturing Extension Partnerships described in para-
25 graph (1). The Manufacturing USA institutes and

1 Manufacturing Extension Partnerships may provide
2 products, tools, and workforce development solutions
3 related to critical supply chain resiliency for United
4 States manufacturers, with allocated resources spe-
5 cific to small and medium sized manufacturers.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to the Office \$500,000,000
8 for fiscal years 2022 through 2027, to remain available
9 until expended, for the Assistant Secretary to carry out
10 this section, of which not more than 2 percent per fiscal
11 year may be used for administrative costs.

12 **SEC. 20206. PROGRAM EVALUATION BY THE INSPECTOR**
13 **GENERAL OF THE DEPARTMENT OF COM-**
14 **MERCE.**

15 (a) PROGRAM EVALUATION.—Not later than 4 years
16 after the date of the enactment of this Act, and every 4
17 years thereafter, the Inspector General of the Department
18 of Commerce shall conduct an audit of the Office to—

19 (1) evaluate the performance of the activities
20 supported by a grant, loan, or loan guarantee under
21 section 20204;

22 (2) evaluate the extent to which the require-
23 ments and criteria under this subtitle are met; and

24 (3) provide recommendations on any proposed
25 changes to improve the effectiveness of the Office on

1 meeting the mission described under section
2 20201(b).

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to the Inspector General of
5 the Department of Commerce \$5,000,000 for fiscal years
6 2022 through 2027, to remain available until expended,
7 to carry out subsection (a).

8 **SEC. 20207. SUPPLY CHAIN DATABASE AND TOOLKIT.**

9 (a) ESTABLISHMENT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the Sec-
12 retary of Commerce shall establish a database and
13 online toolkit under which—

14 (A) United States businesses may volun-
15 tarily submit to the Secretary information on—

16 (i) the products produced by such
17 businesses in the United States, which may
18 be finished goods or inputs for other
19 goods;

20 (ii) the inputs required for such prod-
21 ucts, which may include, with respect to
22 such an input—

23 (I) the specific geographic loca-
24 tion of the production of the input, in-
25 cluding if the input is sourced from

1 the United States or a foreign coun-
2 try;

3 (II) the business name of a sup-
4 plier of the input;

5 (III) information related to per-
6 ceived or realized challenges in secur-
7 ing the input;

8 (IV) information related to the
9 suspected vulnerabilities or implica-
10 tions of a disruption in securing the
11 input, whether related to national se-
12 curity or the effect on the United
13 States business; or

14 (V) in the case of an input
15 sourced from a foreign country, infor-
16 mation on—

17 (aa) why the input is
18 sourced from a foreign country
19 rather than in the United States;
20 and

21 (bb) if the United States
22 business would be interested in
23 identifying an alternative pro-
24 duced in the United States;

1 (B) United States businesses may request
2 and receive contact information or general in-
3 formation about a United States source or a
4 foreign source for an input;

5 (C) United States businesses are able to
6 specify—

7 (i) what information can be shared
8 with other United States businesses;

9 (ii) what information should be shared
10 only with the Department of Commerce;
11 and

12 (iii) what information could be sub-
13 mitted to Congress or made available to
14 the public; and

15 (D) the Secretary makes information pro-
16 vided under this paragraph available, subject to
17 subparagraph (C), to enable other United
18 States businesses to identify inputs for their
19 products produced in the United States.

20 (2) **FORMAT; PUBLIC AVAILABILITY.**—The Sec-
21 retary shall—

22 (A) provide the database and online toolkit
23 established under paragraph (1) on a publicly
24 available website of the Department of Com-
25 merce; and

1 (B) ensure that the database and online
2 toolkit are—

- 3 (i) searchable and filterable according
4 to the type of information; and
5 (ii) presented in a user-friendly for-
6 mat.

7 (3) EXEMPTION FROM PUBLIC DISCLOSURE.—
8 Information submitted to the Secretary in relation to
9 the database and online toolkit established under
10 paragraph (1)—

11 (A) shall be exempt from disclosure under
12 section 552(b)(3) of title 5, United States Code;
13 and

14 (B) shall not be made available by any
15 Federal, State, political subdivision, or Tribal
16 authority pursuant to any Federal, State, polit-
17 ical subdivision, or Tribal law requiring public
18 disclosure of information or records.

19 (4) REPORTING.—

20 (A) REPORT TO CONGRESS.—Not later
21 than 180 days after the date of the enactment
22 of this Act, and every days thereafter, the Sec-
23 retary shall submit to Congress a report that
24 includes—

1 (i) an assessment of the effectiveness
2 of the database and online toolkit estab-
3 lished under paragraph (1), including sta-
4 tistics regarding the number of new en-
5 tries, total businesses involved, and any
6 change in participation rate during the
7 preceding 180-day period;

8 (ii) recommendations for additional
9 actions to improve the database and online
10 toolkit and participation in the database
11 and online toolkit; and

12 (iii) such other information as the
13 Secretary considers appropriate.

14 (B) PUBLIC REPORT.—Not later than one
15 year after the date of the enactment of this Act,
16 and annually thereafter, the Secretary shall
17 post on a publicly available website of the De-
18 partment of Commerce a report that sets
19 forth—

20 (i) general statistics related to foreign
21 and domestic sourcing of inputs used by
22 United States businesses;

23 (ii) an estimate of the percentage of
24 total inputs used by United States busi-
25 nesses obtained from foreign countries;

1 (iii) data on such inputs
2 disaggregated by industry, geographical lo-
3 cation, and size of operation; and

4 (iv) a description of the methodology
5 used to calculate the statistics and esti-
6 mates required by this paragraph.

7 (b) PUBLIC OUTREACH CAMPAIGN.—

8 (1) IN GENERAL.—The Secretary shall carry
9 out a national public outreach campaign—

10 (A) to educate United States businesses
11 about the existence of the database and online
12 toolkit established under subsection (a); and

13 (B) to facilitate and encourage the partici-
14 pation of such businesses in the database and
15 online toolkit.

16 (2) OUTREACH REQUIREMENT.—In carrying
17 out the campaign under paragraph (1), the Sec-
18 retary shall—

19 (A) establish an advertising and outreach
20 program directed to businesses, industries,
21 State and local agencies, chambers of com-
22 merce, and labor organizations—

23 (i) to facilitate understanding of the
24 value of an aggregated demand mapping
25 system; and

1 (ii) to advertise that the database and
2 online toolkit established under subsection
3 (a) are available for that purpose;

4 (B) notify appropriate State agencies not
5 later than 10 days after the date of the enact-
6 ment of this Act regarding the development of
7 the database and online toolkit; and

8 (C) post a notice on a publicly available
9 website of the Department of Commerce and es-
10 tablish a social media awareness campaign to
11 advertise the database and online toolkit.

12 (3) COORDINATION.—In carrying out the cam-
13 paign under paragraph (1), the Secretary may co-
14 ordinate with other Federal agencies and State or
15 local agencies as appropriate.

16 (4) SEPARATE ACCOUNTING.—

17 (A) BUDGETARY LINE ITEM.—The Sec-
18 retary shall include in the budget justification
19 materials submitted to Congress in support of
20 the Department of Commerce budget for fiscal
21 years 2023 and 2024 (as submitted with the
22 budget of the President under section 1105(a)
23 of title 31, United States Code) specific identi-
24 fication, as a budgetary line item, of the

1 amounts required to carry out the campaign
2 under paragraph (1).

3 (B) PROHIBITION ON COMMINGLING.—

4 Amounts appropriated to carry out this sub-
5 section may not be commingled with any other
6 amounts appropriated to the Department of
7 Commerce.

8 (c) USE OF DEPARTMENT OF COMMERCE RE-
9 SOURCES.—

10 (1) IN GENERAL.—The Secretary—

11 (A) shall, to the maximum extent prac-
12 ticable, construct the database and online tool-
13 kit required by subsection (a), and related ana-
14 lytical features, using expertise within the De-
15 partment of Commerce; and

16 (B) may, as appropriate, adopt new tech-
17 nologies and hire additional employees to carry
18 out this section.

19 (2) MINIMIZATION OF CONTRACTING.—If the
20 activities described in subparagraphs (A) and (B) of
21 paragraph (1) cannot be completed without the em-
22 ployment of contractors, the Secretary should seek
23 to minimize the number of contractors and the scope
24 of the contract.

1 (d) TERMINATION.—This section shall terminate on
2 September 30, 2025.

3 **SEC. 20208. AGRICULTURE AND FOOD SYSTEM SUPPLY**
4 **CHAIN MONITORING AND ASSESSMENT.**

5 (a) ACTIVITIES.—Not later than 270 days after the
6 date of the enactment of this Act, the Assistant Secretary,
7 in consultation with the Secretary of Agriculture, shall
8 identify and evaluate the stability and reliability of the ag-
9 riculture and food system supply chain, including—

10 (1) the state of the agriculture and food system
11 workforce and any supply chain vulnerabilities re-
12 lated to the agriculture and food system workforce;

13 (2) transportation bottlenecks in the distribu-
14 tion of agricultural inputs, processed and unproc-
15 essed food and food input products, and consumer-
16 ready food products; and

17 (3) opportunities to create training and edu-
18 cation programs focused on high-quality jobs in the
19 agriculture and food system that—

20 (A) increase the stability of the agriculture
21 and food system; and

22 (B) alleviate supply chain bottlenecks in
23 the distribution of agricultural inputs, proc-
24 essed and unprocessed food and food input
25 products, and consumer-ready food products.

1 (b) REPORT TO CONGRESS.—In carrying out sub-
2 section (a), the Assistant Secretary shall submit to the
3 Committee on Energy and Commerce and the Committee
4 on Agriculture of the House of Representatives and the
5 Committee on Commerce, Science, and Transportation
6 and the Committee on Agriculture, Nutrition, and For-
7 estry of the Senate a report that contains the following:

8 (1) An identification of the strengths, weak-
9 nesses, critical bottlenecks, workforce challenges and
10 opportunities, and overall stability and reliability of
11 the agriculture and food system supply chain.

12 (2) An assessment of Federal, State, and local
13 laws and regulations that—

14 (A) increase the stability and reliability of
15 the agriculture and food system supply chain;

16 or

17 (B) decrease or otherwise negatively im-
18 pact, both in the present moment and in the fu-
19 ture, the stability and reliability of the agri-
20 culture and food system supply chain.

21 (3) Specific recommendations to improve the se-
22 curity, safety, and resilience of the agriculture and
23 food system supply chain. The recommendations
24 shall contain—

25 (A) long-term strategies;

1 (B) industry best practices;

2 (C) risk mitigation actions to prevent fu-
3 ture bottlenecks and vulnerabilities at all levels
4 of the agriculture and food system supply chain;
5 and

6 (D) legislative and regulatory actions that
7 would positively impact the security and resil-
8 ience of the agriculture and food system supply
9 chain.

10 **SEC. 20209. DEFINITIONS.**

11 In this subtitle:

12 (1) **ALLY OR KEY INTERNATIONAL PARTNER.**—

13 The term “ally or key international partner” does
14 not include—

15 (A) a country that poses a significant na-
16 tional security or economic security risk to the
17 United States; or

18 (B) a country of concern.

19 (2) **ASSISTANT SECRETARY.**—The term “Assist-
20 ant Secretary” means the Assistant Secretary of
21 Manufacturing Security and Resilience appointed
22 pursuant to section 20201(c).

23 (3) **COUNTRY OF CONCERN.**—The term “coun-
24 try of concern” means a country in which a con-
25 centrated supply chain is located and—

1 (A) that poses a significant national secu-
2 rity or economic security threat to the United
3 States;

4 (B) is a covered nation (as defined under
5 section 2533c(d) of title 10, United States
6 Code); or

7 (C) whose government, or elements of such
8 government, has proven to have, or has been
9 credibly alleged to have, committed crimes
10 against humanity or genocide.

11 (4) COVERED WESTERN HEMISPHERE COUN-
12 TRIES.—The term “covered Western Hemisphere
13 countries” means the following countries: Anguilla,
14 Antigua and Barbuda, Argentina, Aruba, The Baha-
15 mas, Barbados, Belize, Bermuda, Bolivia, Brazil, the
16 British Virgin Islands, Canada, Chile, Colombia,
17 Costa Rica, Dominica, Dominican Republic, Ecu-
18 dor, El Salvador, Grenada, Guatemala, Guyana,
19 Haiti, Honduras, Jamaica, Mexico, Montserrat,
20 Netherlands Antilles, Panama, Paraguay, Peru,
21 Saint Kitts and Nevis, Saint Lucia, Saint Vincent
22 and the Grenadines, Suriname, Trinidad and To-
23 bago, Turks and Caicos Islands, Uruguay, and the
24 sovereign government recognized by the United
25 States in Venezuela.

1 (5) CRITICAL GOOD.—The term “critical good”
2 means any raw, in process, or manufactured mate-
3 rial (including any mineral, metal, or advanced proc-
4 essed material), article, commodity, supply, product,
5 or item of supply the absence of which would have
6 a significant effect on—

7 (A) the national security or economic secu-
8 rity of the United States; and

9 (B) critical infrastructure.

10 (6) CRITICAL INDUSTRY.—The term “critical
11 industry” means an industry that is critical for the
12 national security or economic security of the United
13 States, considering key technology focus areas and
14 critical infrastructure.

15 (7) CRITICAL INFRASTRUCTURE.—The term
16 “critical infrastructure” has the meaning given to
17 that term in the Critical Infrastructures Protection
18 Act of 2001 (42 U.S.C. 5195c).

19 (8) DOMESTIC ENTERPRISE.—The term “do-
20 mestic enterprise” means an enterprise that con-
21 ducts business in the United States and procures a
22 critical good.

23 (9) DOMESTIC MANUFACTURER.—The term
24 “domestic manufacturer” means a business that—

1 (A) conducts in the United States the re-
2 search and development, engineering, or pro-
3 duction activities necessary or incidental to
4 manufacturing; or

5 (B) if provided a grant, loan, loan guar-
6 antee, or equity investment under section
7 20204, will conduct in the United States the re-
8 search and development, engineering, or pro-
9 duction activities necessary or incidental to
10 manufacturing.

11 (10) ECONOMICALLY DISTRESSED AREA.—The
12 term “economically distressed area” means an area
13 that meets 1 or more of the requirements described
14 in section 301(a) of the Public Works and Economic
15 Development Act of 1965 (42 U.S.C. 3161(a)).

16 (11) ELIGIBLE ACTIVITY.—The term “eligible
17 activity” means an activity described under section
18 20204(c).

19 (12) ELIGIBLE ENTITY.—The term “eligible en-
20 tity” means an entity described under section
21 20204(d).

22 (13) FEDERAL AGENCY.—The term “Federal
23 agency” has the meaning given the term “agency”
24 in section 551 of title 5, United States Code.

1 (14) INDUSTRIAL EQUIPMENT.—The term “in-
2 dustrial equipment” means any component, sub-
3 system, system, equipment, tooling, accessory, part,
4 or assembly necessary for the manufacturing of a
5 critical good.

6 (15) INSTITUTION OF HIGHER EDUCATION.—
7 The term “institution of higher education” has the
8 meaning given that term under section 101(a) of the
9 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

10 (16) KEY TECHNOLOGY FOCUS AREAS.—The
11 term “key technology focus areas” means the fol-
12 lowing:

13 (A) Artificial intelligence, machine learn-
14 ing, autonomy, and related advances.

15 (B) High performance computing, semi-
16 conductors, and advanced computer hardware
17 and software.

18 (C) Quantum information science and
19 technology.

20 (D) Robotics, automation, and advanced
21 manufacturing.

22 (E) Natural and anthropogenic disaster
23 prevention or mitigation.

1 (F) Advanced communications technology
2 (including optical transmission components)
3 and immersive technology.

4 (G) Advanced communications technology
5 (including optical transmission components)
6 and educational technology.

7 (H) Biotechnology, medical technology,
8 genomics, and synthetic biology.

9 (I) Data storage, data management, dis-
10 tributed ledger technologies, and cybersecurity,
11 including biometrics.

12 (J) Advanced energy and industrial effi-
13 cacy technologies, such as batteries, advanced
14 nuclear technologies, and polysilicon for use in
15 solar photovoltaics, including for the purposes
16 of electric generation (consistent with section
17 15 of the National Science Foundation Act of
18 1950 (42 U.S.C. 1874)).

19 (K) Advanced materials science, including
20 composites and 2D materials and equipment,
21 aerospace grade metals, and aerospace specific
22 manufacturing enabling chemicals.

23 (17) LABOR ORGANIZATION.—The term “labor
24 organization” has the meaning given the term in
25 section 2(5) of the National Labor Relations Act (29

1 U.S.C. 152(5)), except that such term shall also in-
2 clude—

3 (A) any organization composed of labor or-
4 ganizations, such as a labor union federation or
5 a State or municipal labor body; and

6 (B) any organization which would be in-
7 cluded in the definition for such term under
8 such section 2(5) but for the fact that the orga-
9 nization represents—

10 (i) individuals employed by the United
11 States, any wholly owned Government cor-
12 poration, any Federal Reserve Bank, or
13 any State or political subdivision thereof;

14 (ii) individuals employed by persons
15 subject to the Railway Labor Act (45
16 U.S.C. 151 et seq.); or

17 (iii) individuals employed as agricul-
18 tural laborers.

19 (18) LENDER.—The term “lender” means any
20 non-Federal qualified institutional buyer (as defined
21 in section 230.144A(a) of title 17, Code of Federal
22 Regulations or a successor regulation).

23 (19) LOAN.—The term “loan” means a direct
24 loan or other debt obligation issued by an eligible en-
25 tity or a manufacturing investment company and

1 funded by the Assistant Secretary in connection with
2 the financing of an eligible activity under section
3 20204.

4 (20) LOAN GUARANTEE.—The term “loan guar-
5 antee” means any guarantee or other pledge by the
6 Assistant Secretary under section 20204 to pay all
7 or part of the principal of, and interest on, a loan
8 or other debt obligation entered into by an eligible
9 entity or a manufacturing investment company and
10 funded by a lender.

11 (21) MANUFACTURE.—The term “manufac-
12 ture” means any activity that is necessary for or in-
13 cidental to the development, production, processing,
14 distribution, or delivery of any raw, in process, or
15 manufactured material (including any mineral,
16 metal, and advanced processed material), article,
17 commodity, supply, product, critical good, or item of
18 supply.

19 (22) MANUFACTURING FACILITY.—The term
20 “manufacturing facility” means any type of building,
21 structure, or real property necessary or incidental to
22 the manufacturing of a critical good.

23 (23) MANUFACTURING INVESTMENT COM-
24 PANY.—The term “manufacturing investment com-
25 pany” means an incorporated body, a limited liabil-

1 ity company, or a limited partnership, including a
2 consortium of public and private entities, organized
3 and chartered or otherwise existing under State law.

4 (24) MANUFACTURING TECHNOLOGY.—The
5 term “manufacturing technology” means tech-
6 nologies that are necessary or incidental to the man-
7 ufacturing of a critical good.

8 (25) NONPROFIT ORGANIZATION.—The term
9 “nonprofit organization” means an organization that
10 is described in section 501(c)(3) of the Internal Rev-
11 enue Code of 1986 and exempt from taxation under
12 section 501(a) of such Code.

13 (26) OFFICE.—The term “Office” means the
14 Office of Manufacturing Security and Resilience es-
15 tablished under section 20201.

16 (27) OFFSHORE.—The term “offshore” means
17 the transfer or relocation of manufacturing capacity
18 that is occurring or otherwise would occur in the
19 United States to another country.

20 (28) RELEVANT COMMITTEES OF CONGRESS.—
21 The term “relevant committees of Congress” means
22 the following:

23 (A) The Committee on Commerce, Science,
24 and Transportation of the Senate.

1 (B) The Committee on Appropriations of
2 the Senate.

3 (C) The Committee on Finance of the Sen-
4 ate.

5 (D) The Committee on Homeland Security
6 and Governmental Affairs of the Senate.

7 (E) The Committee on Armed Services of
8 the Senate.

9 (F) The Committee on Energy and Nat-
10 ural Resources of the Senate.

11 (G) The Select Committee on Intelligence
12 of the Senate.

13 (H) The Committee on Science, Space, and
14 Technology of the House of Representatives.

15 (I) The Committee on Energy and Com-
16 merce of the House of Representatives.

17 (J) The Committee on Appropriations of
18 the House of Representatives.

19 (K) The Committee on Ways and Means of
20 the House of Representatives.

21 (L) The Committee on Homeland Security
22 of the House of Representatives.

23 (M) The Committee on Armed Services of
24 the House of Representatives.

1 (N) The Permanent Select Committee on
2 Intelligence of the House of Representatives.

3 (O) The Committee on Agriculture of the
4 House of Representatives.

5 (P) The Committee on Agriculture, Nutri-
6 tion, and Forestry of the Senate.

7 (29) RESILIENT SUPPLY CHAIN.—The term
8 “resilient supply chain” means a supply chain
9 that—

10 (A) ensures that the United States can
11 sustain critical industry production, supply
12 chains, services, and access to critical goods, in-
13 dustrial equipment, and manufacturing tech-
14 nology during supply chain shocks; and

15 (B) has key components of resilience that
16 include—

17 (i) effective private sector risk man-
18 agement and mitigation planning to sus-
19 tain supply chains and supplier networks
20 during a supply chain shock;

21 (ii) minimized or managed exposure to
22 supply chain shocks; and

23 (iii) the financial and operational ca-
24 pacity to—

1 (I) sustain supply chains during
2 supply chain shocks; and

3 (II) recover from supply chain
4 shocks.

5 (30) SECRETARY.—The term “Secretary”
6 means the Secretary of Commerce.

7 (31) SMALL BUSINESS CONCERN.—The term
8 “small business concern” has the meaning given
9 that term in section 3(a) of the Small Business Act
10 (15 U.S.C. 632(a)).

11 (32) STATE.—The term “State” means each
12 State of the United States, the District of Columbia,
13 American Samoa, Guam, the Commonwealth of the
14 Northern Mariana Islands, Puerto Rico, the Virgin
15 Islands of the United States, and any other territory
16 of the United States.

17 (33) SUPPLY CHAIN.—The term “supply chain”
18 means a supply chain for a critical good.

19 (34) SUPPLY CHAIN INFORMATION.—The term
20 “supply chain information” means information that
21 is not customarily in the public domain and relating
22 to—

23 (A) sustaining and adapting supply chains
24 during a supply chain shock;

1 (B) supply chain risk mitigation and recovery
2 planning with respect to a supply chain
3 shock, including any planned or past assess-
4 ment, projection, or estimate of a vulnerability
5 within the supply chain, including testing, sup-
6 plier network assessments, production flexi-
7 bility, risk evaluations thereto, risk manage-
8 ment planning, or risk audits; or

9 (C) operational best practices, planning,
10 and supplier partnerships that enable enhanced
11 resilience of supply chains during a supply
12 chain shock, including response, repair, recovery,
13 reconstruction, insurance, or continuity.

14 (35) SUPPLY CHAIN SHOCK.—The term “supply
15 chain shock” includes the following:

16 (A) A natural disaster or extreme weather
17 event.

18 (B) An accidental or human-caused event.

19 (C) An economic disruption.

20 (D) A pandemic.

21 (E) A biological threat.

22 (F) A cyber attack.

23 (G) A great power conflict.

24 (H) A terrorist or geopolitical attack.

1 (I) A public health emergency declared by
2 the Secretary of Health and Human Services
3 pursuant to section 319 of the Public Health
4 Service Act (42 U.S.C. 247d).

5 (J) An event for which the President de-
6 clares a major disaster or an emergency under
7 section 401 or 501, respectively, of the Robert
8 T. Stafford Disaster Relief and Emergency As-
9 sistance Act (42 U.S.C. 5170 and 5191).

10 (K) A national emergency declared by the
11 President under the National Emergencies Act
12 (50 U.S.C. 1601 et seq.).

13 (L) Any other supply chain disruption or
14 threat that affects the national security or eco-
15 nomic security of the United States.

16 (36) TRIBAL GOVERNMENT.—The term “Tribal
17 government” means the governing body of a feder-
18 ally recognized Indian Tribe, an Alaska Native tribal
19 entity, or a Native Hawaiian community.

20 **SEC. 20210. DEPARTMENTS OF COMMERCE AND TRANSPOR-**
21 **TATION SUPPLY CHAIN REPORT.**

22 Not later than 30 days after the date of the enact-
23 ment of this Act, the Secretary of Commerce, in consulta-
24 tion with the Secretary of Transportation, shall publish

1 and submit to Congress a report on the following, related
2 to supply chains in the United States:

3 (1) Points of congestion or blockages.

4 (2) Underlying causes of supply chain interrup-
5 tions, shortages, and delays.

6 (3) Other supply chain shortcomings which,
7 with public or private investment, could be remedied
8 to result in more efficient movement of goods into
9 and within the United States.

10 **SEC. 20211. SUPPLY CHAIN REPORT REQUIRED.**

11 Not later than 60 days after the date of the enact-
12 ment of this Act, the Secretary shall conduct a govern-
13 mentwide study and submit to Congress a report on the
14 steps that can be implemented within 30 days after sub-
15 mitting the report to immediately address the supply chain
16 crisis.

17 **SEC. 20212. NATIONAL COMMISSION ON CRITICAL SUPPLY**
18 **CHAINS.**

19 (a) ESTABLISHMENT.—Congress shall establish a
20 National Commission on Critical Supply Chains (referred
21 to in this section as the “Commission”).

22 (b) PURPOSES.—The purposes of the Commission
23 shall be to—

24 (1) convene an independent entity that brings
25 together national experts in a highly visible forum to

1 conduct a systematic study and give guidance to
2 Congress on the complex and strategically important
3 issues related to rebuilding critical American supply
4 chains;

5 (2) identify the critical supply chains in which
6 the United States is dependent on materials, prod-
7 ucts, equipment, or services from foreign countries
8 and in which substantial harm would come to U.S.
9 economic security, national defense, or way of life if
10 those supply chains were compromised or no longer
11 available;

12 (3) investigate in depth and report on existing
13 dependencies, limitations, and risks to the United
14 States for each of these critical supply chains, in-
15 cluding considerations for medical supplies, equip-
16 ment, and medications; rare earth materials; preci-
17 sion-integrated circuits and microchips; machine
18 tools and production equipment; defense components
19 and homeland security capabilities; scientific equip-
20 ment needed for advanced technology research and
21 development; clothing and textiles; and food and ag-
22 ricultural products;

23 (4) assess and provide guidance on key ques-
24 tions, including—

1 (A) which driving forces are pushing U.S.
2 companies to offshore their procurement or
3 their manufacturing operations;

4 (B) how the United States can predict and
5 prevent future supply chain disruptions;

6 (C) what the United States can do to re-
7 duce future vulnerabilities and risks;

8 (D) whether the United States can make
9 the American supply chain resilient enough to
10 protect necessary capabilities and resources;

11 (E) which manufacturing activities should
12 be performed strictly within the United States
13 to ensure economic and national security;

14 (F) what actions should be taken by the
15 United States to increase domestic manufac-
16 turing to meet critical supply chain needs and
17 improve its terms of trade; and

18 (G) what would be the effects of a new na-
19 tional manufacturing strategy on employment,
20 growth, innovation, and national security; and

21 (5) develop and propose specific recommenda-
22 tions, submit a biannual comprehensive report (and
23 intermediate updates as necessary to maintain time-
24 ly and relevant information), and provide Congres-
25 sional oversight to Congress to be used as a resource

1 for legislative actions to mitigate the risks of future
2 American supply chain disruptions.

3 (c) MEMBERSHIP.—

4 (1) MEMBERS.—The Commission shall be com-
5 posed of 12 members, of whom—

6 (A) three members shall be appointed by
7 the Speaker of the House of Representatives, in
8 consultation with the chairpersons of relevant
9 committees, including the Committee on Ways
10 and Means, Committee on Energy and Com-
11 merce, Committee on Science, Space, and Tech-
12 nology, Committee on Transportation and In-
13 frastructure, Committee on Armed Services,
14 Committee on Natural Resources, Committee
15 on Small Business, Committee on Homeland
16 Security, and Committee on Agriculture of the
17 House of Representatives;

18 (B) three members shall be appointed by
19 the minority leader of the House of Representa-
20 tives, in consultation with the ranking minority
21 Members of relevant committees, including the
22 Committees described in subparagraph (A);

23 (C) three members shall be appointed by
24 the President pro tempore of the Senate upon
25 the recommendation of the majority leader of

1 the Senate, in consultation with the chair-
2 persons of relevant committees, including the
3 Committee on Finance, Committee on Com-
4 merce, Science, and Technology, Committee on
5 Armed Services, Committee on Energy and
6 Natural Resources, Committee on Small Busi-
7 ness and Entrepreneurship, Committee on
8 Homeland Security and Governmental Affairs,
9 Committee on Environment and Public Works,
10 and Committee on Agriculture, Nutrition, and
11 Forestry of the Senate; and

12 (D) three members shall be appointed by
13 the President pro tempore of the Senate upon
14 the recommendation of the minority leader of
15 the Senate, in consultation with the ranking mi-
16 nority Members of relevant committees, includ-
17 ing the Committees described in subparagraph
18 (C).

19 (2) CHAIR; VICE CHAIR.—

20 (A) APPOINTMENT.—Not later than 30
21 days after the initial meeting of the Commis-
22 sion, the Commission shall elect a Chair and
23 Vice Chair from among the Commission's mem-
24 bers by a simple majority vote, and such Chair
25 and Vice Chair shall be members of the Com-

1 mission who were appointed by appointing au-
2 thorities from different political parties under
3 paragraph (1).

4 (B) PRESENCE.—For purposes of appoint-
5 ing the Chair, all 12 members must be present.
6 If all 12 members are not present, appointment
7 of the chair shall be delayed until the next
8 meeting of the Commission at which all 12
9 members are present.

10 (C) TIMING.—If a quorum is not present
11 at that initial meeting, the Chair shall be ap-
12 pointed at the first meeting after that at which
13 a quorum is present. If a Vice Chair is elected
14 before the Chair and no Chair is elected, the
15 Vice Chair shall serve as acting Chair until the
16 Chair is elected.

17 (D) NEW CHAIR AND VICE CHAIR EACH
18 CONGRESS.—A new Chair and Vice Chair shall
19 be elected with respect to each Congress. Any
20 member that was a Chair or Vice Chair in a
21 Congress may not be elected to be a Chair or
22 Vice Chair in a subsequent Congress.

23 (3) QUALIFICATIONS.—

24 (A) AREAS OF EXPERTISE.—

1 (i) IN GENERAL.—Each individual ap-
2 pointed to the Commission shall have sub-
3 stantial expertise in one or more of the fol-
4 lowing areas:

5 (I) Supply chain expertise, in-
6 cluding the following:

7 (aa) Advanced manufactur-
8 ing, with a focus on distrib-
9 uted operations and supply chain
10 management.

11 (bb) Economics of U.S.
12 manufacturing.

13 (cc) Supply chain logistics.

14 (dd) Supplier certification
15 and quality assurance processes.

16 (ee) Raw materials sourcing
17 and distribution.

18 (ff) Metrics used by Original
19 Equipment Manufacturer pur-
20 chasing managers and chief fi-
21 nancial officers to make pur-
22 chasing decisions.

23 (II) Critical domain expertise, in-
24 cluding the following:

1 (aa) Health care, medical
2 device, and pharmaceutical man-
3 ufacturing.

4 (bb) Mining, supply, and
5 usage of rare earth materials.

6 (cc) Precision-integrated cir-
7 cuits, microchips, and semicon-
8 ductor manufacturing.

9 (dd) Defense component
10 manufacturing and homeland se-
11 curity products.

12 (ee) Advanced machine tools
13 and production equipment.

14 (ff) Scientific equipment for
15 high-precision research and devel-
16 opment.

17 (gg) Clothing and textiles
18 manufacturing.

19 (hh) Food production and
20 agricultural products manufac-
21 turing.

22 (III) Industrial policy expertise,
23 including knowledge of industrial or-
24 ganization, development economics,
25 and policy tools that have been used

1 by the United States and other devel-
2 oping or industrial economies in the
3 world.

4 (ii) COMPOSITION.—The composition
5 of the members of the Commission shall
6 ensure the Commission has substantial ex-
7 pertise in all areas described in clause (i).

8 (B) NONGOVERNMENT APPOINTEES.—An
9 individual appointed to the Commission may
10 not be an officer or employee of the Federal
11 Government.

12 (4) APPOINTMENT REQUIREMENTS.—

13 (A) INITIAL APPOINTMENTS.—Members of
14 the Commission shall be appointed not later
15 than 45 days after the date of the enactment of
16 this Act.

17 (B) TERM OF APPOINTMENTS.—The term
18 of each member of the Commission shall expire
19 on December 31 of the second session of the
20 Congress in which the member is appointed to
21 the Commission.

22 (C) APPOINTMENTS WITH EACH CON-
23 GRESS.—Appointments to the Commission
24 made after the initial appointments to the Com-
25 mission under subparagraph (A) shall be made

1 not later than 30 days after the date on which
2 each Congress convenes.

3 (D) RENEWAL OF APPOINTMENTS.—A
4 member of the Commission may be reappointed
5 for additional terms of service upon mutual
6 agreement between such member and the ap-
7 pointing authority that appointed such member
8 to the Commission.

9 (E) VACANCIES.—A vacancy in the Com-
10 mission shall not affect the powers of the Com-
11 mission and shall be filled by the same appoint-
12 ing authority that made the original appoint-
13 ment. Any member appointed to fill a vacancy
14 occurring before the expiration of the term for
15 which the member's predecessor was appointed
16 shall be appointed only for the remainder of
17 that term. A member may serve after the expi-
18 ration of that member's term until a successor
19 has taken office. A vacancy in the Commission
20 shall be filled in the manner in which the origi-
21 nal appointment was made by not later than 30
22 days after the date such vacancy occurs.

23 (F) REMOVAL.—A member of the Commis-
24 sion may be removed from the Commission at
25 any time by the appointing authority that ap-

1 pointed such member to the Commission should
2 the member fail to meet Commission respon-
3 sibilities.

4 (5) COMPENSATION; TRAVEL EXPENSES.—Each
5 member of the Commission may be compensated at
6 a rate not to exceed the daily equivalent of the an-
7 nual rate of basic pay in effect for a position at level
8 IV of the Executive Schedule under section 5315 of
9 title 5, United States Code, for each day during
10 which the member is engaged in the actual perform-
11 ance of the duties of the Commission. Travel ex-
12 penses of members of the Commission shall be al-
13 lowed at rates authorized for employees of agencies
14 under subchapter I of chapter 57 of title 5, United
15 States Code, except that foreign travel for official
16 purposes by members of the Commission is not au-
17 thorized.

18 (d) MEETING REQUIREMENTS.—

19 (1) INITIAL MEETING.—The Commission shall
20 convene for an initial meeting not later than 45 days
21 after the initial members of the Commission are all
22 appointed. An initial meeting may be convened so
23 long as at least 10 members are present.

24 (2) SUBSEQUENT MEETINGS.—After the initial
25 meeting under paragraph (1), the Commission shall

1 meet upon the call of the Chair or as determined by
2 a majority of Commission members.

3 (3) EXPECTATIONS FOR ATTENDANCE BY MEM-
4 BERS.—Members are expected to attend all Commis-
5 sion meetings. In the case of an absence, members
6 are expected to report to the Chair prior to the
7 meeting and allowance may be made for an absent
8 member to participate remotely. Members will still
9 be responsible for fulfilling prior commitments, re-
10 gardless of attendance status. If a member is absent
11 from multiple meetings, the member may be re-
12 viewed by the Chair and appointing authority that
13 appointed such member to the Commission and fur-
14 ther action will be considered, including removal and
15 replacement on the Commission.

16 (4) QUORUM.—A majority of the members of
17 the Commission shall constitute a quorum.

18 (5) VOTING.—Each member of the Commission
19 shall be entitled to one vote, which shall be equal to
20 the vote of every other member of the Commission.

21 (6) MEETING NOTES.—Meetings notes shall be
22 made available to the congressional committees of
23 jurisdiction.

24 (e) SUBCOMMITTEES AND WORKING GROUPS.—The
25 Commission may choose, at the discretion of the Chair and

1 Vice Chair, to establish subcommittees and working
2 groups for any purpose consistent with the duties of the
3 Commission. Any findings, conclusions, or recommenda-
4 tions made by a subcommittee or working group shall be
5 considered by the full Commission, which shall be respon-
6 sible for determining any final findings, conclusions, and
7 recommendations. Each such subcommittee or working
8 group shall operate only for the Congressional Session
9 with respect to which such subcommittee or group was es-
10 tablished.

11 (f) ADMINISTRATION AND POWERS OF COMMIS-
12 SION.—

13 (1) HEARINGS.—The Commission may, for the
14 purpose of carrying out this Act—

15 (A) hold such hearings, sit and act at such
16 times and places, take such testimony, receive
17 such evidence, and administer such oaths as the
18 Commission considers appropriate; and

19 (B) subject to paragraph (2), require the
20 attendance and testimony of witnesses and the
21 production of books, records, correspondence,
22 memoranda, papers, and documents.

23 (2) OBTAINING OFFICIAL DATA.—

24 (A) IN GENERAL.—The Commission may
25 secure directly from any executive department,

1 bureau, agency, board, commission, office, inde-
2 pendent establishment, or other instrumentality
3 of the Federal Government or a State, local,
4 Tribal, or territorial government any informa-
5 tion, suggestions, estimates, and statistics to
6 enable the Commission to carry out this Act.
7 Each such department, bureau, agency, board,
8 commission, office, independent establishment,
9 or instrumentality shall, to the extent author-
10 ized by law, furnish such information, sugges-
11 tions, estimates, and statistics directly to the
12 Commission, upon request of the Chair of the
13 Commission and the Vice Chair of the Commis-
14 sion or any member designated by a majority of
15 the Commission.

16 (B) RECEIPT, HANDLING, STORAGE, AND
17 DISSEMINATION.—Any information, sugges-
18 tions, estimates, and statistics submitted under
19 subparagraph (A) shall only be received, han-
20 dled, stored, and disseminated by members of
21 the Commission and its staff, consistent with
22 applicable Federal law.

23 (3) PUBLIC HEARINGS AND MEETINGS.—

1 (A) IN GENERAL.—The Commission shall
2 hold public hearings and meetings as deter-
3 mined appropriate by the Commission.

4 (B) PROTECTION OF CERTAIN INFORMA-
5 TION.—Any public hearings and meetings of the
6 Commission shall be conducted in a manner
7 consistent with applicable Federal law regard-
8 ing the protection of data submitted to the
9 Commission under paragraph (3).

10 (4) PERSONNEL.—

11 (A) STAFF.—

12 (i) APPOINTMENT; COMPENSATION;
13 TRAVEL EXPENSES.—The Chair of the
14 Commission, in consultation with Vice
15 Chair of the Commission, and in accord-
16 ance with rules agreed upon by the Com-
17 mission, may appoint and fix the com-
18 pensation of an executive director and
19 other additional technical and administra-
20 tive personnel as may be necessary to en-
21 able the Commission to carry out its du-
22 ties, without regard to the provisions of
23 title 5, United States Code, governing ap-
24 pointments in the competitive service, and
25 without regard to the provisions of chapter

1 51 and subchapter III of chapter 53 of
2 such title relating to classification and
3 General Schedule pay rates, except that no
4 rate of pay fixed under this clause may ex-
5 ceed the equivalent of that payable for a
6 position at level V of the Executive Sched-
7 ule under section 5316 of title 5, United
8 States Code. Travel expenses of the execu-
9 tive director and other additional technical
10 and administrative personnel of the Com-
11 mission shall be allowed at rates author-
12 ized for employees of agencies under sub-
13 chapter I of chapter 57 of title 5, United
14 States Code, except that foreign travel for
15 official purposes by such director and per-
16 sonnel of the Commission is not author-
17 ized.

18 (ii) TECHNICAL STAFF EXPERTISE
19 REQUIREMENT.—Technical staff of the
20 Commission shall be individuals with sub-
21 stantial expertise in one or more of the
22 areas described in subsection (c)(2). The
23 expertise of such technical staff shall aug-
24 ment the ability of the Commission to have

1 substantial expertise in all areas so de-
2 scribed.

3 (iii) PERSONNEL AS FEDERAL EM-
4 PLOYEES.—

5 (I) IN GENERAL.—The executive
6 director and any other personnel of
7 the Commission shall be treated as
8 employees under section 2105 of title
9 5, United States Code, for purposes of
10 chapters 63, 81, 83, 84, 85, 87, 89,
11 and 90 of such title.

12 (II) MEMBERS OF COMMIS-
13 SION.—Subclause (I) shall not be con-
14 strued to apply to members of the
15 Commission.

16 (iv) DETAILEES.—Any Federal Gov-
17 ernment employee may be detailed to the
18 Commission without reimbursement from
19 the Commission, and such detailee shall re-
20 tain the rights, status, and privileges of his
21 or her regular employment without inter-
22 ruption.

23 (v) EXPERTS AND CONSULTANTS.—
24 The Commission may procure temporary
25 and intermittent services of experts and

1 consultants in accordance with section
2 3109 of title 5, United States Code, but at
3 a rate not to exceed the daily equivalent of
4 the annual rate of basic pay in effect for
5 a position at level IV of the Executive
6 Schedule under section 5315 of title 5,
7 United States Code.

8 (B) ASSISTANCE FROM FEDERAL AGEN-
9 CIES.—

10 (i) GENERAL SERVICES ADMINISTRA-
11 TION.—The Administrator of General
12 Services shall provide to the Commission,
13 on a reimbursable basis, administrative
14 support and other services necessary to
15 carry out the duties of the Commission.

16 (ii) OTHER DEPARTMENTS AND AGEN-
17 CIES.—In addition to the assistance de-
18 scribed in subparagraph (A), departments
19 and agencies of the Federal Government
20 may provide to the Commission such serv-
21 ices, funds, facilities, and staff as such de-
22 partments and agencies determine appro-
23 priate and as authorized by Federal law.

24 (g) SECURITY CLEARANCES.—The members and
25 staff of the Commission shall obtain, if necessary to carry

1 out the functions of the Commission, appropriate security
2 clearances for access to any classified briefing, records,
3 and materials to be reviewed by such members or staff.
4 The appropriate Federal agencies or departments shall co-
5 operate with the Commission in expeditiously providing to
6 the members and staff of the Commission security clear-
7 ances pursuant to existing procedures and requirements,
8 except that no person may be provided with access to clas-
9 sified information under this Act without the appropriate
10 security clearance.

11 (h) REPORTS.—

12 (1) REPORTS.—Not later than December 1 of
13 each year that the Commission remains active and
14 in operation, the Commission shall submit to the
15 majority and minority leaders of the House of Rep-
16 resentatives and Senate a comprehensive report on
17 the findings, conclusions, and recommendations of
18 the Commission with respect to such year and in-
19 cluding an executive summary of the Commission's
20 purposes and activities and any relevant references
21 and materials with respect to such year. Notwith-
22 standing the previous sentence, the Commission
23 shall not be required to submit a report under this
24 paragraph with respect to the first year in which
25 such Commission is active and in operation if the

1 Commission is so active and in operation for fewer
2 than six months of such first year.

3 (2) CLASSIFIED INFORMATION.—In the case
4 that a report submitted under this subsection in-
5 cludes classified information, the Commission shall
6 also submit to the majority and minority leaders of
7 the House of Representatives and Senate a redacted
8 version of such report with such classified informa-
9 tion included as a classified annex to such report.

10 (3) PUBLIC AVAILABILITY.—Reports submitted
11 under this subsection, or the redacted versions of
12 such reports (if applicable), shall be made publicly
13 available on a centralized Federal internet website.

14 (i) APPLICABILITY OF FACCA.—Except as provided in
15 subsection (j), the provisions of the Federal Advisory
16 Committee Act (5 U.S.C. App.) shall apply to the activi-
17 ties of the Commission.

18 (j) TERMINATION.—

19 (1) IN GENERAL.—The Commission, and all the
20 authorities of the Commission under this Act, shall
21 remain active and in operation until the last day of
22 the 10-year period beginning on the date of the en-
23 actment of this Act.

24 (2) ADMINISTRATIVE ACTIVITIES.—The Com-
25 mission may use the 60-day period following the

1 date of termination of the Commission for the pur-
2 pose of concluding its activities, including providing
3 testimony to Congress concerning its results and dis-
4 seminating the final report of the Commission.

5 (k) AUTHORIZATION OF APPROPRIATIONS.—For pur-
6 poses of carrying out this section, there is authorized to
7 be appropriated to the Commission \$6,000,000 for fiscal
8 year 2022 and such sums as may be necessary for each
9 fiscal year thereafter through fiscal year 2032, to be avail-
10 able until expended.

11 **Subtitle B—Strengthening Con-**
12 **sumer Protections, Tourism,**
13 **and Manufacturing**

14 **SEC. 20211. NATIONAL MANUFACTURING ADVISORY COUN-**
15 **CIL.**

16 (a) DEFINITIONS.—In this section:

17 (1) ADVISORY COUNCIL.—The term “Advisory
18 Council” means the National Manufacturing Advi-
19 sory Council established under subsection (b)(1).

20 (2) APPROPRIATE COMMITTEES OF CON-
21 GRESS.—The term “appropriate committees of Con-
22 gress” means—

23 (A) the Committee on Health, Education,
24 Labor, and Pensions, the Committee on Com-
25 merce, Science, and Transportation, the Com-

1 mittee on Energy and Natural Resources, the
2 Committee on Armed Services, and the Com-
3 mittee on Appropriations of the Senate; and

4 (B) the Committee on Education and
5 Labor, the Committee on Science, Space, and
6 Technology, the Committee on Energy and
7 Commerce, the Committee on Armed Services,
8 and the Committee on Appropriations of the
9 House of Representatives.

10 (3) SECRETARY.—The term “Secretary” means
11 the Secretary of Commerce.

12 (b) ESTABLISHMENT.—

13 (1) IN GENERAL.—The Secretary, in consulta-
14 tion with the Secretary of Labor, the Secretary of
15 Defense, the Secretary of Energy, the United States
16 Trade Representative, and the Secretary of Edu-
17 cation, shall establish within the Department of
18 Commerce the National Manufacturing Advisory
19 Council.

20 (2) PURPOSE.—The purpose of the Advisory
21 Council shall be to provide recommendations to the
22 Secretary and Federal Government on ways to—

23 (A) provide worker education, training, de-
24 velopment, and entrepreneurship training;

1 (B) connect individuals and business with
2 the services described in subparagraph (A) that
3 are offered in the community of the individuals
4 or businesses;

5 (C) coordinate services relating to em-
6 ployee engagement, including employee owner-
7 ship and workforce training;

8 (D) connect manufacturers with career and
9 technical education entities, institutions of high-
10 er education, community colleges, workforce de-
11 velopment boards, labor organizations, and non-
12 profit job training providers to develop and sup-
13 port training and job placement services and
14 apprenticeship and online learning platforms for
15 new and incumbent workers;

16 (E) develop programming to prevent job
17 losses as entities adopt new technologies and
18 processes; and

19 (F) develop best practices for employee
20 ownership.

21 (c) MISSION.—The mission of the Advisory Council
22 shall be to—

23 (1) provide a forum for regular communication
24 between the Federal Government and the manufac-
25 turing sector in the United States;

1 (2) advise the Federal Government regarding
2 policies and programs of the Federal Government
3 that affect manufacturing in the United States;

4 (3) provide a forum for discussing and pro-
5 posing solutions to problems relating to the manu-
6 facturing industry in the United States; and

7 (4) provide advice and recommendations to the
8 Federal Government to help the United States re-
9 mains the preeminent destination throughout the
10 world for investment in manufacturing.

11 (d) DUTIES.—The duties of the Advisory Council
12 shall include—

13 (1) meeting not less frequently than every 180
14 days to provide independent advice and rec-
15 ommendations to the Secretary regarding issues in-
16 volving manufacturing in the United States;

17 (2) completing specific tasks requested by the
18 Secretary;

19 (3) conveying input to the Assistant Secretary
20 of the Office of Supply Chain Resiliency and Crisis
21 Response from key industry, labor, academic, de-
22 fense, governmental, and other stakeholders to aid in
23 the development of a national strategic plan for
24 manufacturing in the United States;

1 (4) monitoring the status of technological devel-
2 opments, critical production capacity, skill avail-
3 ability, investment patterns, emerging defense needs,
4 and other key indicators of manufacturing competi-
5 tiveness to provide foresight for periodic updates to
6 the national strategic plan for manufacturing devel-
7 oped under paragraph (3);

8 (5) soliciting input from the public and private
9 sectors and academia relating to emerging trends in
10 manufacturing, the responsiveness of Federal pro-
11 gramming with respect to manufacturing, and sug-
12 gestions for areas of increased Federal attention
13 with respect to manufacturing;

14 (6) monitoring global manufacturing trends and
15 global threats to manufacturing sectors in the
16 United States;

17 (7) providing advice and recommendations to
18 the Federal Government on matters relating to in-
19 vestment in and support of the manufacturing work-
20 force relating to—

21 (A) worker participation, including through
22 labor organizations and through other methods
23 determined by the Advisory Council, in the
24 planning for deployment of new technologies
25 across an industry and within workplaces;

1 (B) training and education priorities for
2 the Federal Government and for employers to
3 assist workers in adapting the skills and experi-
4 ences of those workers to fit the demands of the
5 21st century economy;

6 (C) innovative suggestions from workers on
7 the development of new technologies and proc-
8 esses and, as appropriate, assessing the impact
9 of those technologies and processes on the
10 workforce and economy of the United States;

11 (D) management practices that lead to
12 worker employment, job quality, worker protec-
13 tion, worker participation and power in decision
14 making, and investment in worker career suc-
15 cess;

16 (E) policies and procedures to prioritize di-
17 versity and inclusion in the manufacturing and
18 technology workforce by expanding access to
19 job, career advancement, and management op-
20 portunities for underrepresented populations;
21 and

22 (F) advice on how to improve access to de-
23 mand-driven education, training, and re-train-
24 ing for workers, including community and tech-

1 nical colleges, higher education, apprenticeships
2 and work-based learning opportunities;

3 (8) with respect to the manufacturing.gov
4 website, or any successor thereto, providing advice
5 and recommendations to the Secretary in order to—

6 (A) make that website more user-friendly
7 to enhance the ability of that website to—

8 (i) provide information to manufactur-
9 ers; and

10 (ii) receive feedback from manufactur-
11 ers;

12 (B) assist that website in becoming the
13 principal place of interaction between manufac-
14 turers in the United States and Federal pro-
15 grams relating to manufacturing; and

16 (C) enable that website to provide assist-
17 ance to manufacturers relating to—

18 (i) international trade and investment
19 matters;

20 (ii) research and technology develop-
21 ment opportunities;

22 (iii) workforce development and train-
23 ing programs and opportunities;

24 (iv) small and medium manufacturer
25 needs; and

1 (v) industrial commons and supply
2 chain needs; and

3 (9) soliciting input from—

4 (A) economically disadvantaged areas (as
5 defined in section 20209); or

6 (B) areas in which foreign competition re-
7 sulted in mass factory layoffs.

8 (e) MEMBERSHIP.—

9 (1) IN GENERAL.—The Advisory Council
10 shall—

11 (A) consist of individuals appointed by the
12 Secretary with a balance of backgrounds, expe-
13 riences, and viewpoints; and

14 (B) include an equal proportion of individ-
15 uals with manufacturing experience who rep-
16 resent private industry, academia, and labor or-
17 ganizations.

18 (2) PUBLIC PARTICIPATION.—The Secretary
19 shall, to the maximum extent practicable, accept rec-
20 ommendations from the public regarding the ap-
21 pointment of individuals under paragraph (1).

22 (3) PERIOD OF APPOINTMENT; VACANCIES.—

23 (A) IN GENERAL.—Each member of the
24 Advisory Council shall be appointed by the Sec-
25 retary for a term of 3 years.

1 (B) RENEWAL.—The Secretary may renew
2 an appointment made under subparagraph (A)
3 not more than 2 additional terms.

4 (C) STAGGER TERMS.—The Secretary may
5 stagger the terms of the members of the Advi-
6 sory Council to ensure that the terms of the
7 members expire during different years.

8 (D) VACANCIES.—Any member appointed
9 to fill a vacancy on the Advisory Council occur-
10 ring before the expiration of the term for which
11 the member's predecessor was appointed shall
12 be appointed only for the remainder of that
13 term. A member may serve after the expiration
14 of that term until a successor has been ap-
15 pointed.

16 (f) TRANSFER OF FUNCTIONS.—

17 (1) IN GENERAL.—All functions of the United
18 States Advanced Manufacturing Council of the
19 International Trade Administration of the Depart-
20 ment of Commerce, including the personnel, assets,
21 and obligations of the United States Manufacturing
22 Council of the International Trade Administration of
23 the Department of Commerce, as in existence on the
24 day before the date of the enactment of this Act,
25 shall be transferred to the Advisory Council.

1 (2) DEEMING OF NAME.—Any reference in law,
2 regulation, document, paper, or other record of the
3 United States to the United States Advanced Manu-
4 facturing Council of the International Trade Admin-
5 istration of the Department of Commerce shall be
6 deemed a reference to the Advisory Council.

7 (3) UNEXPENDED BALANCES.—Unexpended
8 balances of appropriations, authorization, alloca-
9 tions, or other funds related to the United States
10 Advanced Manufacturing Council of the Inter-
11 national Trade Administration of the Department of
12 Commerce shall be available for use by the Advisory
13 Council for the purpose for which the appropria-
14 tions, authorizations, allocations, or other funds
15 were originally made available.

16 (g) REPORT.—Not later than 180 days after the date
17 on which the Advisory Council holds the initial meeting
18 of the Advisory Council and annually thereafter, the Advi-
19 sory Council shall submit to the appropriate committees
20 of Congress a report containing a detailed statement of
21 the advice and recommendations of the Advisory Council
22 required under subsection (d)(7).

23 (h) DEPARTMENTAL SUPPORT.—Notwithstanding
24 any other provision of law and subject to confidentiality
25 requirements, the Secretary shall furnish to the advisory

1 committee relevant information in the possession of the
2 Department of Commerce relating to the mission of the
3 Advisory Council.

4 **SEC. 20212. AVAILABILITY OF TRAVEL PROMOTION FUND**
5 **FOR BRAND USA.**

6 (a) IN GENERAL.—Not later than 30 days after the
7 date of the enactment of this Act, the Secretary of the
8 Treasury, subject to subsection (b), and notwithstanding
9 any other provision of law, shall make available, from un-
10 obligated balances remaining available from fees collected
11 before October 1, 2020, and credited to Travel Promotion
12 Fund established under subsection (d) of the Travel Pro-
13 motion Act of 2009 (22 U.S.C. 2131(d)), \$250,000,000
14 for the Corporation for Travel Promotion (commonly
15 known as “Brand USA”). Such amounts shall remain
16 available until expended.

17 (b) INAPPLICABILITY OF CERTAIN REQUIREMENTS
18 AND LIMITATIONS.—The limitations and requirements set
19 forth in paragraphs (2)(B) and (3) of subsection (d) of
20 such Act shall not apply to amounts made available under
21 subsection (a).

22 (c) USE OF FUNDS.—The Corporation may only use
23 funds provided under subsection (a) to promote travel
24 from countries the citizens and nationals of which are per-
25 mitted to enter into the United States.

1 (d) REPORT REQUIRED.—Not later than 60 days
2 after the date of the enactment of this Act, Brand USA
3 shall submit to Congress a plan for obligating and expend-
4 ing the amounts described in subsection (a).

5 **SEC. 20213. COLLECTION, VERIFICATION, AND DISCLOSURE**
6 **OF INFORMATION BY ONLINE MARKET-**
7 **PLACES TO INFORM CONSUMERS.**

8 (a) COLLECTION AND VERIFICATION OF INFORMA-
9 TION.—

10 (1) COLLECTION.—

11 (A) IN GENERAL.—An online marketplace
12 shall require any high-volume third party seller
13 on such online marketplace’s platform to pro-
14 vide, not later than 10 days after qualifying as
15 a high-volume third party seller on the plat-
16 form, the following information to the online
17 marketplace:

18 (i) BANK ACCOUNT.—

19 (I) IN GENERAL.—A bank ac-
20 count number, or, if such seller does
21 not have a bank account, the name of
22 the payee for payments issued by the
23 online marketplace to such seller.

24 (II) PROVISION OF INFORMA-
25 TION.—The bank account or payee in-

1 formation required under subclause
2 (I) may be provided by the seller in
3 the following ways:

4 (aa) To the online market-
5 place.

6 (bb) To a payment processor
7 or other third party contracted
8 by the online marketplace to
9 maintain such information, pro-
10 vided that the online marketplace
11 ensures that it can obtain such
12 information on demand from
13 such payment processor or other
14 third party.

15 (ii) CONTACT INFORMATION.—Contact
16 information for such seller as follows:

17 (I) With respect to a high-volume
18 third party seller that is an individual,
19 the individual's name.

20 (II) With respect to a high-vol-
21 ume third party seller that is not an
22 individual, one of the following forms
23 of contact information:

24 (aa) A copy of a valid gov-
25 ernment-issued identification for

1 an individual acting on behalf of
2 such seller that includes the indi-
3 vidual's name.

4 (bb) A copy of a valid gov-
5 ernment-issued record or tax doc-
6 ument that includes the business
7 name and physical address of
8 such seller.

9 (iii) TAX ID.—A business tax identi-
10 fication number, or, if such seller does not
11 have a business tax identification number,
12 a taxpayer identification number.

13 (iv) WORKING EMAIL AND PHONE
14 NUMBER.—A current working email ad-
15 dress and phone number for such seller.

16 (B) NOTIFICATION OF CHANGE; ANNUAL
17 CERTIFICATION.—An online marketplace
18 shall—

19 (i) periodically, but not less than an-
20 nually, notify any high-volume third party
21 seller on such online marketplace's plat-
22 form of the requirement to keep any infor-
23 mation collected under subparagraph (A)
24 current; and

1 (ii) require any high-volume third
2 party seller on such online marketplace's
3 platform to, not later than 10 days after
4 receiving the notice under clause (i), elec-
5 tronically certify that—

6 (I) the seller has provided any
7 changes to such information to the
8 online marketplace, if any such
9 changes have occurred;

10 (II) there have been no changes
11 to such seller's information; or

12 (III) such seller has provided any
13 changes to such information to the
14 online marketplace.

15 (C) SUSPENSION.—In the event that a
16 high-volume third party seller does not provide
17 the information or certification required under
18 this paragraph, the online marketplace shall,
19 after providing the seller with written or elec-
20 tronic notice and an opportunity to provide
21 such information or certification not later than
22 10 days after the issuance of such notice, sus-
23 pend any future sales activity of such seller
24 until such seller provides such information or
25 certification.

1 (2) VERIFICATION.—

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

4 (i) verify the information collected
5 under paragraph (1)(A) not later than 10
6 days after such collection; and

7 (ii) verify any change to such informa-
8 tion not later than 10 days after being no-
9 tified of such change by a high-volume
10 third party seller under paragraph (1)(B).

11 (B) PRESUMPTION OF VERIFICATION.—In
12 the case of a high-volume third party seller that
13 provides a copy of a valid government-issued
14 tax document, any information contained in
15 such document shall be presumed to be verified
16 as of the date of issuance of such document.

17 (3) DATA USE LIMITATION.—Data collected
18 solely to comply with the requirements of this sec-
19 tion may not be used for any other purpose unless
20 required by law.

21 (4) DATA SECURITY REQUIREMENT.—An online
22 marketplace shall implement and maintain reason-
23 able security procedures and practices, including ad-
24 ministrative, physical, and technical safeguards, ap-
25 propriate to the nature of the data and the purposes

1 for which the data will be used, to protect the data
2 collected to comply with the requirements of this
3 section from unauthorized use, disclosure, access, de-
4 struction, or modification.

5 (b) DISCLOSURE REQUIRED.—

6 (1) REQUIREMENT.—

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

9 (i) require any high-volume third
10 party seller with an aggregate total of
11 \$20,000 or more in annual gross revenues
12 on such online marketplace, and that uses
13 such online marketplace’s platform, to pro-
14 vide the information described in subpara-
15 graph (B) to the online marketplace; and

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

19 (I) in the order confirmation
20 message or other document or com-
21 munication made to a consumer after
22 a purchase is finalized; and

23 (II) in the consumer’s account
24 transaction history.

1 (B) INFORMATION DESCRIBED.—The in-
2 formation described in this subparagraph is the
3 following:

4 (i) Subject to paragraph (2), the iden-
5 tity of the high-volume third party seller,
6 including—

7 (I) the full name of the seller,
8 which may include the seller name or
9 seller's company name, or the name
10 by which the seller or company oper-
11 ates on the online marketplace;

12 (II) the physical address of the
13 seller; and

14 (III) contact information for the
15 seller, to allow for the direct,
16 unhindered communication with high-
17 volume third party sellers by users of
18 the online marketplace, including—

19 (aa) a current working
20 phone number;

21 (bb) a current working email
22 address; or

23 (cc) other means of direct
24 electronic messaging (which may

1 be provided to such seller by the
2 online marketplace).

3 (ii) Whether the high-volume third
4 party seller used a different seller to sup-
5 ply the consumer product to the consumer
6 upon purchase, and, upon the request of
7 an authenticated purchaser, the informa-
8 tion described in clause (i) relating to any
9 such seller that supplied the consumer
10 product to the purchaser, if such seller is
11 different than the high-volume third party
12 seller listed on the product listing prior to
13 purchase.

14 (2) EXCEPTION.—

15 (A) IN GENERAL.—Subject to subpara-
16 graph (B), upon the request of a high-volume
17 third party seller, an online marketplace may
18 provide for partial disclosure of the identity in-
19 formation required under paragraph (1)(B)(i)
20 in the following situations:

21 (i) If such seller certifies to the online
22 marketplace that the seller does not have
23 a business address and only has a residen-
24 tial street address, or has a combined busi-

1 ness and residential address, the online
2 marketplace may—

3 (I) disclose only the country and,
4 if applicable, the State in which such
5 seller resides; and

6 (II) inform consumers that there
7 is no business address available for
8 the seller and that consumer inquiries
9 should be submitted to the seller by
10 phone, email, or other means of elec-
11 tronic messaging provided to such
12 seller by the online marketplace.

13 (ii) If such seller certifies to the online
14 marketplace that the seller is a business
15 that has a physical address for product re-
16 turns, the online marketplace may disclose
17 the seller's physical address for product re-
18 turns.

19 (iii) If such seller certifies to the on-
20 line marketplace that the seller does not
21 have a phone number other than a per-
22 sonal phone number, the online market-
23 place shall inform consumers that there is
24 no phone number available for the seller
25 and that consumer inquiries should be sub-

1 mitted to the seller's email address or
2 other means of electronic messaging pro-
3 vided to such seller by the online market-
4 place.

5 (B) LIMITATION ON EXCEPTION.—If an
6 online marketplace becomes aware that a high-
7 volume third party seller has made a false rep-
8 resentation to the online marketplace in order
9 to justify the provision of a partial disclosure
10 under subparagraph (A) or that a high-volume
11 third party seller who has requested and re-
12 ceived a provision for a partial disclosure under
13 subparagraph (A) has not provided responsive
14 answers within a reasonable time frame to con-
15 sumer inquiries submitted to the seller by
16 phone, email, or other means of electronic mes-
17 saging provided to such seller by the online
18 marketplace, the online marketplace shall, after
19 providing the seller with written or electronic
20 notice and an opportunity to respond not later
21 than 10 days after the issuance of such notice,
22 suspend any future sales activity of such seller
23 unless such seller consents to the disclosure of
24 the identity information required under para-
25 graph (1)(B)(i).

1 (3) REPORTING MECHANISM.—An online mar-
2 ketplace shall disclose to consumers in a clear and
3 conspicuous manner on the product listing of any
4 high-volume third party seller a reporting mecha-
5 nism that allows for electronic and telephonic report-
6 ing of suspicious marketplace activity to the online
7 marketplace.

8 (4) COMPLIANCE.—If a high-volume third party
9 seller does not comply with the requirements to pro-
10 vide and disclose information under this subsection,
11 the online marketplace shall, after providing the sell-
12 er with written or electronic notice and an oppor-
13 tunity to provide or disclose such information not
14 later than 10 days after the issuance of such notice,
15 suspend any future sales activity of such seller until
16 the seller complies with such requirements.

17 (c) ENFORCEMENT BY FEDERAL TRADE COMMIS-
18 SION.—

19 (1) UNFAIR AND DECEPTIVE ACTS OR PRAC-
20 TICES.—A violation of subsection (a) or (b) by an
21 online marketplace shall be treated as a violation of
22 a rule defining an unfair or deceptive act or practice
23 prescribed under section 18(a)(1)(B) of the Federal
24 Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

25 (2) POWERS OF THE COMMISSION.—

1 (A) IN GENERAL.—The Commission shall
2 enforce subsections (a) and (b) in the same
3 manner, by the same means, and with the same
4 jurisdiction, powers, and duties as though all
5 applicable terms and provisions of the Federal
6 Trade Commission Act (15 U.S.C. 41 et seq.)
7 were incorporated into and made a part of this
8 section.

9 (B) PRIVILEGES AND IMMUNITIES.—Any
10 person that violates subsection (a) or (b) shall
11 be subject to the penalties, and entitled to the
12 privileges and immunities, provided in the Fed-
13 eral Trade Commission Act (15 U.S.C. 41 et
14 seq.).

15 (3) REGULATIONS.—The Commission may pro-
16 mulgate regulations under section 553 of title 5,
17 United States Code, with respect to the collection,
18 verification, or disclosure of information under this
19 section, provided that such regulations are limited to
20 what is necessary to collect, verify, and disclose such
21 information.

22 (4) AUTHORITY PRESERVED.—Nothing in this
23 section shall be construed to limit the authority of
24 the Commission under any other provision of law.

1 (d) ENFORCEMENT BY STATE ATTORNEYS GEN-
2 ERAL.—

3 (1) IN GENERAL.—If the attorney general of a
4 State has reason to believe that any online market-
5 place has violated or is violating this section or a
6 regulation promulgated under this section that af-
7 fects one or more residents of that State, the attor-
8 ney general of the State may bring a civil action in
9 any appropriate district court of the United States,
10 to—

11 (A) enjoin further such violation by the de-
12 fendant;

13 (B) enforce compliance with this section or
14 such regulation;

15 (C) obtain civil penalties in the amount
16 provided for under subsection (c);

17 (D) obtain other remedies permitted under
18 State law; and

19 (E) obtain damages, restitution, or other
20 compensation on behalf of residents of the
21 State.

22 (2) NOTICE.—The attorney general of a State
23 shall provide prior written notice of any action under
24 paragraph (1) to the Commission and provide the
25 Commission with a copy of the complaint in the ac-

1 tion, except in any case in which such prior notice
2 is not feasible, in which case the attorney general
3 shall serve such notice immediately upon instituting
4 such action.

5 (3) INTERVENTION BY THE FTC.—Upon receiv-
6 ing notice under paragraph (2), the Commission
7 shall have the right—

8 (A) to intervene in the action;

9 (B) upon so intervening, to be heard on all
10 matters arising therein; and

11 (C) to file petitions for appeal.

12 (4) LIMITATION ON STATE ACTION WHILE FED-
13 ERAL ACTION IS PENDING.—If the Commission has
14 instituted a civil action for violation of this section
15 or a regulation promulgated under this section, no
16 State attorney general, or official or agency of a
17 State, may bring a separate action under paragraph
18 (1) during the pendency of that action against any
19 defendant named in the complaint of the Commis-
20 sion for any violation of this section or a regulation
21 promulgated under this section that is alleged in the
22 complaint. A State attorney general, or official or
23 agency of a State, may join a civil action for a viola-
24 tion of this section or regulation promulgated under
25 this section filed by the Commission.

1 (5) RULE OF CONSTRUCTION.—For purposes of
2 bringing a civil action under paragraph (1), nothing
3 in this section shall be construed to prevent the chief
4 law enforcement officer, or official or agency of a
5 State, from exercising the powers conferred on such
6 chief law enforcement officer, official or agency of a
7 State, by the laws of the State to conduct investiga-
8 tions, administer oaths or affirmations, or compel
9 the attendance of witnesses or the production of doc-
10 umentary and other evidence.

11 (6) ACTIONS BY OTHER STATE OFFICIALS.—

12 (A) IN GENERAL.—In addition to civil ac-
13 tions brought by attorneys general under para-
14 graph (1), any other officer of a State who is
15 authorized by the State to do so, except for any
16 private person on behalf of the State attorney
17 general, may bring a civil action under para-
18 graph (1), subject to the same requirements
19 and limitations that apply under this subsection
20 to civil actions brought by attorneys general.

21 (B) SAVINGS PROVISION.—Nothing in this
22 subsection may be construed to prohibit an au-
23 thorized official of a State from initiating or
24 continuing any proceeding in a court of the

1 State for a violation of any civil or criminal law
2 of the State.

3 (e) SEVERABILITY.—If any provision of this section,
4 or the application thereof to any person or circumstance,
5 is held invalid, the remainder of this section and the appli-
6 cation of such provision to other persons not similarly situ-
7 ated or to other circumstances shall not be affected by
8 the invalidation.

9 (f) DEFINITIONS.—In this section:

10 (1) COMMISSION.—The term “Commission”
11 means the Federal Trade Commission.

12 (2) CONSUMER PRODUCT.—The term “con-
13 sumer product” has the meaning given such term in
14 section 101 of the Magnuson-Moss Warranty—Fed-
15 eral Trade Commission Improvement Act (15 U.S.C.
16 2301) and section 700.1 of title 16, Code of Federal
17 Regulations.

18 (3) HIGH-VOLUME THIRD PARTY SELLER.—

19 (A) IN GENERAL.—The term “high-volume
20 third party seller” means a participant on an
21 online marketplace’s platform who is a third
22 party seller and who, in any continuous 12-
23 month period during the previous 24 months,
24 has entered into 200 or more discrete sales or
25 transactions of new or unused consumer prod-

1 ucts and an aggregate total of \$5,000 or more
2 in gross revenues.

3 (B) CLARIFICATION.—For purposes of cal-
4 culating the number of discrete sales or trans-
5 actions or the aggregate gross revenues under
6 subparagraph (A), an online marketplace shall
7 only be required to count sales or transactions
8 made through the online marketplace and for
9 which payment was processed by the online
10 marketplace, either directly or through its pay-
11 ment processor.

12 (4) ONLINE MARKETPLACE.—The term “online
13 marketplace” means any person or entity that oper-
14 ates a consumer-directed electronically based or
15 accessed platform that—

16 (A) includes features that allow for, facili-
17 tate, or enable third party sellers to engage in
18 the sale, purchase, payment, storage, shipping,
19 or delivery of a consumer product in the United
20 States;

21 (B) is used by one or more third party sell-
22 ers for such purposes; and

23 (C) has a contractual or similar relation-
24 ship with consumers governing their use of the
25 platform to purchase consumer products.

1 (5) SELLER.—The term “seller” means a per-
2 son who sells, offers to sell, or contracts to sell a
3 consumer product through an online marketplace’s
4 platform.

5 (6) THIRD PARTY SELLER.—

6 (A) IN GENERAL.—The term “third party
7 seller” means any seller, independent of an on-
8 line marketplace, who sells, offers to sell, or
9 contracts to sell a consumer product in the
10 United States through such online market-
11 place’s platform.

12 (B) EXCLUSIONS.—The term “third party
13 seller” does not include, with respect to an on-
14 line marketplace—

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

17 (ii) a business entity that has—

18 (I) made available to the general
19 public the entity’s name, business ad-
20 dress, and working contact informa-
21 tion;

22 (II) an ongoing contractual rela-
23 tionship with the online marketplace
24 to provide the online marketplace with
25 the manufacture, distribution, whole-

1 saling, or fulfillment of shipments of
2 consumer products; and

3 (III) provided to the online mar-
4 ketplace identifying information, as
5 described in subsection (a), that has
6 been verified in accordance with that
7 subsection.

8 (7) VERIFY.—The term “verify” means to con-
9 firm information provided to an online marketplace
10 pursuant to this section, which may include the use
11 of one or more methods that enable the online mar-
12 ketplace to reliably determine that any information
13 and documents provided are valid, corresponding to
14 the seller or an individual acting on the seller’s be-
15 half, not misappropriated, and not falsified.

16 (g) RELATIONSHIP TO STATE LAWS.—No State or
17 political subdivision of a State, or territory of the United
18 States, may establish or continue in effect any law, regula-
19 tion, rule, requirement, or standard that conflicts with the
20 requirements of this section.

21 (h) EFFECTIVE DATE.—This section shall take effect
22 180 days after the date of the enactment of this Act.

23 **SEC. 20214. SUPERCOMPUTING FOR SAFER CHEMICALS**
24 **(SUPERSAFE) CONSORTIUM.**

25 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—The Secretary of Health and
2 Human Services (referred to in this section as the
3 “Secretary”), through the Director of the National
4 Toxicology Program, and in collaboration with the
5 heads of any other relevant Federal agencies (includ-
6 ing the Administrator of the Environmental Protec-
7 tion Agency and the Secretary of Energy), shall
8 form a consortium, to be known as the “Supercom-
9 puting for Safer Chemicals (SUPERSAFE) Consor-
10 tium” (referred to in this section as the “Consortium”) with the National Laboratories of the De-
11 partment of Energy and public research institutions
12 to carry out the activities described in subsection
13 (b).

15 (2) INCLUSION OF STATE AGENCIES.—The Sec-
16 retary shall allow the head of a relevant State agen-
17 cy to join the Consortium on request of the State
18 agency.

19 (b) CONSORTIUM ACTIVITIES.—

20 (1) IN GENERAL.—The Consortium, working
21 through the National Laboratories and public re-
22 search institutions, shall use supercomputing, ma-
23 chine learning, and other similar capabilities—

24 (A) to establish rapid approaches for large-
25 scale identification of toxic substances and the

1 development of safer alternatives to toxic sub-
2 stances by developing and validating computa-
3 tional toxicology methods based on unique high-
4 performance computing, artificial intelligence,
5 machine learning, and precision measurements;

6 (B) to address the need to identify safer
7 chemicals for use in consumer and industrial
8 products and in their manufacture to support
9 the move away from toxic substances and to-
10 ward safer-by-design alternatives; and

11 (C) to make recommendations on how the
12 information produced can be applied in risk as-
13 sessments and other characterizations for use
14 by the Environmental Protection Agency and
15 other agencies in regulatory decisions, and by
16 industry in identifying toxic and safer chemi-
17 cals.

18 (2) MODELS.—In carrying out paragraph (1),
19 the Consortium—

20 (A) shall use supercomputers and other
21 virtual tools to develop, validate, and run mod-
22 els to predict adverse health effects caused by
23 toxic substances and to identify safe chemicals
24 for use in products and manufacturing; and

1 (B) may utilize, as needed, appropriate bi-
2 ological test systems to test and evaluate ap-
3 proaches and improve their predictability and
4 reliability in industrial and regulatory applica-
5 tions.

6 (c) PUBLIC RESULTS.—The Consortium shall make
7 model predictions, along with supporting documentation,
8 available to the public in an accessible format.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—

10 (1) IN GENERAL.—There is authorized to be
11 appropriated to the Secretary to carry out this sec-
12 tion—

13 (A) for fiscal year 2022, \$20,000,000;

14 (B) for fiscal year 2023, \$30,000,000; and

15 (C) for each of fiscal years 2024 through
16 2026, \$35,000,000.

17 (2) AVAILABILITY.—From the amounts made
18 available under paragraph (1) for a fiscal year, not
19 less than \$5,000,000 shall be available to the Envi-
20 ronmental Protection Agency.

21 **SEC. 20215. GAO REPORT ON GLOBAL SEMICONDUCTOR**
22 **SHORTAGE.**

23 Not later than 1 year after the date of the enactment
24 of this Act, the Comptroller General of the United States
25 shall submit to Congress a report on the global semicon-

1 ductor supply shortage and the impact of that shortage
2 on manufacturing in the United States.

3 **Subtitle C—Defense Supply Chain**
4 **Risk Management**

5 **SEC. 20221. RISK MANAGEMENT FOR DEPARTMENT OF DE-**
6 **FENSE SUPPLY CHAINS.**

7 (a) RISK MANAGEMENT FOR ALL DEPARTMENT OF
8 DEFENSE SUPPLY CHAINS.—Not later than 180 days
9 after the date of the enactment of this Act, the Under
10 Secretary of Defense for Acquisition and Sustainment
11 shall—

12 (1) develop and issue implementing guidance
13 for risk management for Department of Defense
14 supply chains for materiel for the Department, in-
15 cluding pharmaceuticals;

16 (2) identify, in coordination with the Commis-
17 sioner of Food and Drugs, supply chain information
18 gaps regarding reliance on foreign suppliers of
19 drugs, including active pharmaceutical ingredients
20 and final drug products; and

21 (3) submit to Congress a report regarding—

22 (A) existing information streams, if any,
23 that may be used to assess the reliance by the
24 Department of Defense on high-risk foreign
25 suppliers of drugs;

1 (B) vulnerabilities in the drug supply
2 chains of the Department of Defense; and

3 (C) any recommendations to address—

4 (i) information gaps identified under
5 paragraph (2); and

6 (ii) any risks related to such reliance
7 on foreign suppliers.

8 (b) RISK MANAGEMENT FOR DEPARTMENT OF DE-
9 FENSE PHARMACEUTICAL SUPPLY CHAIN.—The Director
10 of the Defense Health Agency shall—

11 (1) not later than one year after the issuance
12 of the guidance required by subsection (a)(1), de-
13 velop and publish implementing guidance for risk
14 management for the Department of Defense supply
15 chain for pharmaceuticals; and

16 (2) establish a working group—

17 (A) to assess risks to the pharmaceutical
18 supply chain;

19 (B) to identify the pharmaceuticals most
20 critical to beneficiary care at military treatment
21 facilities; and

22 (C) to establish policies for allocating
23 scarce pharmaceutical resources in case of a
24 supply disruption.

1 (c) RESPONSIVENESS TESTING OF DEFENSE LOGIS-
2 TICS AGENCY PHARMACEUTICAL CONTRACTS.—The Di-
3 rector of the Defense Logistics Agency shall modify De-
4 fense Logistics Agency Instructions 5025.03 and
5 3110.01—

6 (1) to require Defense Logistics Agency Troop
7 Support to coordinate annually with customers in
8 the military departments to conduct responsiveness
9 testing of the Defense Logistics Agency’s contin-
10 gency contracts for pharmaceuticals; and

11 (2) to include the results of that testing, as re-
12 ported by customers in the military departments, in
13 the annual reports of the Warstopper Program.

14 **TITLE III—ENERGY**

15 **SEC. 20301. STRATEGIC TRANSFORMER RESERVE AND RE-** 16 **SILIENCE PROGRAM.**

17 (a) ESTABLISHMENT.—The Secretary shall establish
18 a program to reduce the vulnerability of the electric grid
19 to physical attack, cyber attack, electromagnetic pulse,
20 geomagnetic disturbances, severe weather, climate change,
21 and seismic events, including by—

22 (1) ensuring that large power transformers,
23 generator step-up transformers, power conversion
24 equipment, and other critical electric grid equipment
25 are strategically located to ensure timely replace-

1 ment of such equipment as may be necessary to re-
2 store electric grid function rapidly in the event of se-
3 vere damage to the electric grid due to physical at-
4 tack, cyber attack, electromagnetic pulse, geo-
5 magnetic disturbances, severe weather, climate
6 change, or seismic events; and

7 (2) establishing a coordinated plan to facilitate
8 transportation of large power transformers, gener-
9 ator step-up transformers, power conversion equip-
10 ment, and other critical electric grid equipment.

11 (b) TRANSFORMER RESILIENCE.—In carrying out
12 the program established under subsection (a), the Sec-
13 retary shall—

14 (1) improve large power transformers, gener-
15 ator step-up transformers, power conversion equip-
16 ment, and other critical electric grid equipment by
17 reducing their vulnerabilities;

18 (2) develop, test, and deploy innovative equip-
19 ment designs that are more flexible and offer greater
20 resiliency of electric grid functions;

21 (3) coordinate with industry and manufacturers
22 to standardize large power transformers, generator
23 step-up transformers, power conversion equipment,
24 and other critical electric grid equipment;

1 (4) monitor and test large power transformers,
2 generator step-up transformers, power conversion
3 equipment, and other critical electric grid equipment
4 that the Secretary determines may pose a risk to the
5 bulk-power system or national security; and

6 (5) facilitate the domestic manufacturing of
7 large power transformers, generator step-up trans-
8 formers, power conversion equipment, and other crit-
9 ical electric grid equipment through the issuance of
10 grants and loans, and through the provision of tech-
11 nical support.

12 (c) STRATEGIC EQUIPMENT RESERVES.—

13 (1) AUTHORIZATION.—In carrying out the pro-
14 gram established under subsection (a), the Secretary
15 may establish one or more federally owned strategic
16 equipment reserves, as appropriate, to ensure na-
17 tionwide access to large power transformers, gener-
18 ator step-up transformers, power conversion equip-
19 ment, and other critical electric grid equipment.

20 (2) CONSIDERATION.—In establishing any fed-
21 erally owned strategic equipment reserve, the Sec-
22 retary may consider existing spare transformer and
23 equipment programs and requirements established
24 by the private sector, Regional Transmission Organi-

1 zations, Independent System Operators, and State
2 regulatory authorities.

3 (d) CONSULTATION.—The program established under
4 subsection (a) shall be carried out in consultation with the
5 Federal Energy Regulatory Commission, the Electricity
6 Subsector Coordinating Council, the Electric Reliability
7 Organization, manufacturers, and owners and operators of
8 critical electric infrastructure and defense and military in-
9 stallations.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this section
12 \$75,000,000 for each of fiscal years 2022 through 2026.
13 Such amounts shall remain available until expended.

14 (f) CONSTRUCTION PROJECTS.—All laborers and me-
15 chanics employed by contractors or subcontractors in the
16 performance of construction, alteration or repair work car-
17 ried out, in whole or in part, with financial assistance
18 made available under this section shall be paid wages at
19 rates not less than those prevailing on projects of a char-
20 acter similar in the locality as determined by the Secretary
21 of Labor in accordance with subchapter IV of chapter 31
22 of title 40, United States Code. With respect to the labor
23 standards specified in this section, the Secretary of Labor
24 shall have the authority and functions set forth in Reorga-
25 nization Plan Numbered 14 of 1950 (64 Stat. 1267; 5

1 U.S.C. App.) and section 3145 of title 40, United States
2 Code.

3 (g) DEFINITIONS.—In this section:

4 (1) BULK-POWER SYSTEM; ELECTRIC RELI-
5 ABILITY ORGANIZATION.—The terms “bulk-power
6 system” and “Electric Reliability Organization”
7 have the meaning given such terms in section 215
8 of the Federal Power Act (16 U.S.C. 824o)).

9 (2) INDEPENDENT SYSTEM OPERATOR; RE-
10 GIONAL TRANSMISSION ORGANIZATION STATE REGU-
11 LATORY AUTHORITY.—The terms “Regional Trans-
12 mission Organization”, “Independent System Oper-
13 ator”, and “State regulatory authority” have the
14 meaning given such terms in section 3 of the Fed-
15 eral Power Act (16 U.S.C. 796).

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of Energy.

18 **SEC. 20302. SOLAR COMPONENT MANUFACTURING SUPPLY**

19 **CHAIN ASSISTANCE.**

20 (a) FINDINGS.—The Congress finds that it is in the
21 interest of the United States—

22 (1) to have a viable solar component manufac-
23 turing supply chain; and

1 (2) to reduce the reliance of United States
2 manufacturers on solar components made in the
3 People’s Republic of China.

4 (b) ESTABLISHMENT.—Not later than 180 days after
5 the date of enactment of this Act, the Secretary shall es-
6 tablish and carry out a program to award grants and di-
7 rect loans to eligible entities to carry out projects in the
8 United States for—

9 (1) the construction of new facilities that manu-
10 facture solar components; and

11 (2) retooling, retrofitting, or expanding existing
12 facilities that manufacture, or have the ability to
13 manufacture, solar components.

14 (c) CONSIDERATIONS.—In awarding grants and di-
15 rect loans under the program, the Secretary shall take into
16 consideration whether a project—

17 (1) is strategically located near manufacturers
18 in the solar component manufacturing supply chain
19 to create a geographic concentration of manufactur-
20 ers in the solar component manufacturing supply
21 chain;

22 (2) has the potential to materially reduce the
23 reliance of United States manufacturers on solar
24 components, including photovoltaic cells and photo-

1 voltaic wafers, made in the People’s Republic of
2 China;

3 (3) will provide the potential for both direct and
4 indirect domestic job creation, including jobs for
5 low-income communities, dislocated workers, and
6 workers from groups that are underrepresented in
7 the manufacturing industry; and

8 (4) will result in economic development or eco-
9 nomic diversification in economically distressed re-
10 gions or localities, including any region or locality—

11 (A) with a high proportion of residential
12 and commercial properties that are vacant due
13 to foreclosure, eviction, abandonment, or other
14 causes;

15 (B) with racial disparities in homeowner-
16 ship rates;

17 (C) with population loss;

18 (D) where economic inequities have grown
19 substantially due to job dislocation and out-
20 sourcing; and

21 (E) in the case of a census tract located
22 within a metropolitan area, where the median
23 family income for such census tract does not ex-
24 ceed 80 percent of the greater of statewide me-

1 dian family income or the metropolitan area
2 median family income.

3 (d) **ADVANCED SOLAR TECHNOLOGY.**—The Sec-
4 retary may issue a written finding on whether any ad-
5 vanced solar technology has significant potential to reduce
6 the reliance of United States manufacturers on traditional
7 solar components made in the People’s Republic of China.

8 (e) **PROHIBITION.**—In carrying out the program, the
9 Secretary may not award grants or direct loans for
10 projects that will source solar components from, or supply
11 their solar components to, any facility that—

12 (1) uses forced labor; or

13 (2) is located in—

14 (A) an area controlled by the Taliban or
15 any entity designated by the Secretary of State
16 as a foreign terrorist organization; or

17 (B) a foreign country of concern, as de-
18 fined in section 10306 of this Act.

19 (f) **APPLICATION.**—To be eligible to receive a grant
20 or direct loan under the program, an eligible entity shall
21 submit to the Secretary an application at such time, in
22 such manner, and containing such information as the Sec-
23 retary may require.

24 (g) **DIRECT LOAN CONDITIONS.**—A direct loan made
25 under the program shall—

1 (1) bear interest at a rate that does not exceed
2 a level that the Secretary determines appropriate;
3 and

4 (2) be subject to such other terms and condi-
5 tions as the Secretary determines appropriate.

6 (h) COST SHARING FOR GRANTS.—Section 988(c) of
7 the Energy Policy Act of 2005 (42 U.S.C. 16352(c)) shall
8 apply to a grant made under this section.

9 (i) PREVAILING WAGES.—Any laborer or mechanic
10 employed by any contractor or subcontractor in the per-
11 formance of work funded directly, or assisted in whole or
12 in part, by the Federal Government pursuant to this sec-
13 tion shall be paid wages at rates not less than those pre-
14 vailing on work of a similar character in the locality, as
15 determined by the Secretary of Labor under subchapter
16 IV of chapter 31 of title 40, United States Code (com-
17 monly referred to as the Davis-Bacon Act). With respect
18 to the labor standards in this subsection, the Secretary
19 of Labor shall have the authority and functions set forth
20 in Reorganization Plan Numbered 14 of 1950 (64 Stat.
21 1267; 5 U.S.C. App.) and section 3145 of title 40, United
22 States Code.

23 (j) LABOR-MANAGEMENT COOPERATION.—

24 (1) IN GENERAL.—Notwithstanding any con-
25 trary provision of law, including the National Labor

1 Relations Act (29 U.S.C. 151 et seq.), paragraphs
2 (2) through (7) shall apply with respect to any fund-
3 ing recipient who is an employer and any labor orga-
4 nization who represents or seeks to represent em-
5 ployees of a funding recipient, as those terms are de-
6 fined in section 2 of the National Labor Relations
7 Act (29 U.S.C. 152).

8 (2) LABOR PEACE.—Any employer receiving
9 funds under this section shall recognize for purposes
10 of collective bargaining a labor organization that
11 demonstrates that a majority of the employees in a
12 unit appropriate for bargaining who perform or will
13 perform funded work have signed valid authoriza-
14 tions designating the labor organization as their bar-
15 gaining representative and that no other labor orga-
16 nization is currently certified or recognized as the
17 exclusive representative of any of the employees in
18 the unit pursuant to the National Labor Relations
19 Act (29 U.S.C. 151 et seq.). Upon such showing of
20 majority status, the employer shall notify the labor
21 organization and the National Labor Relations
22 Board (the Board) that it has determined that the
23 labor organization represents a majority of the em-
24 ployees and that it is recognizing the labor organiza-
25 tion as the exclusive representative of the employees

1 for the purposes of collective bargaining pursuant to
2 section 9 of the National Labor Relations Act (29
3 U.S.C. 159).

4 (3) CERTIFICATION.—Should a dispute over
5 majority status or the appropriateness of the unit
6 arise between the employer and the labor organiza-
7 tion, either party may request that the Board inves-
8 tigate and resolve the dispute. If the Board finds
9 that a majority of the employees in a unit appro-
10 priate for bargaining has signed valid authorizations
11 designating the labor organization as their bar-
12 gaining representative and that no other individual
13 or labor organization is currently certified or recog-
14 nized as the exclusive representative of any of the
15 employees in the unit, the Board shall not direct an
16 election but shall certify the labor organization as
17 the representative described in section 9(a) of the
18 National Labor Relations Act (29 U.S.C. 159(a)).

19 (4) COMMENCEMENT OF BARGAINING.—Not
20 later than 10 days after receiving a written request
21 for collective bargaining from a recognized or cer-
22 tified labor organization, or within such period as
23 the parties agree upon, the labor organization and
24 employer shall meet and commence to bargain collec-

1 tively and shall make every reasonable effort to con-
2 clude and sign a collective bargaining agreement.

3 (5) MEDIATION.—If after the expiration of the
4 90-day period beginning on the date on which bar-
5 gaining is commenced, or such additional period as
6 the parties may agree upon, the parties have failed
7 to reach an agreement, either party may notify the
8 Federal Mediation and Conciliation Service of the
9 existence of a dispute and request mediation. When-
10 ever such a request is received, it shall be the duty
11 of the Service promptly to put itself in communica-
12 tion with the parties and to use its best efforts, by
13 mediation and conciliation, to bring them to agree-
14 ment.

15 (6) ARBITRATION.—If after the expiration of
16 the 30-day period beginning on the date on which
17 the request for mediation is made under paragraph
18 (5), or such additional period as the parties may
19 agree upon, the Service is not able to bring the par-
20 ties to agreement by conciliation, the Service shall
21 refer the dispute to a tripartite arbitration panel es-
22 tablished in accordance with such regulations as may
23 be prescribed by the Service, with one member se-
24 lected by the labor organization, one member se-
25 lected by the employer, and one neutral member mu-

1 tually agreed to by the parties. The labor organiza-
2 tion and employer must each select the members of
3 the tripartite arbitration panel within 14 days of the
4 Service's referral; if the labor organization or em-
5 ployer fail to do so, the Service shall designate any
6 members not selected by the labor organization or
7 the employer. A majority of the tripartite arbitration
8 panel shall render a decision settling the dispute as
9 soon as practicable and not later than within 120
10 days, absent extraordinary circumstances or by
11 agreement or permission of the parties, and such de-
12 cision shall be binding upon the parties for a period
13 of 2 years, unless amended during such period by
14 written consent of the parties. Such decision shall be
15 based on—

16 (A) the employer's financial status and
17 prospects;

18 (B) the size and type of the employer's op-
19 erations and business;

20 (C) the employees' cost of living;

21 (D) the employees' ability to sustain them-
22 selves, their families, and their dependents on
23 the wages and benefits they earn from the em-
24 ployer; and

1 (E) the wages and benefits other employers
2 in the same business provide their employees.

3 (7) SUBCONTRACTORS.—Any employer receiv-
4 ing funds under this section shall require any sub-
5 contractor whose employees perform or will perform
6 funded work to comply with the requirements set
7 forth in paragraphs (1) through (6) above.

8 (k) COSTS OF DIRECT LOANS.—The Secretary may
9 use any amounts made available under this section to pay
10 the costs of providing direct loans under the program.

11 (l) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to carry out this section
13 \$600,000,000 for each of fiscal years 2022 through 2026.

14 (m) SET ASIDE.—Not less than \$20,000,000 of the
15 amount made available to carry out this section each fiscal
16 year shall be used to award grants or direct loans under
17 the program to eligible entities that are small businesses
18 located in economically disadvantaged communities.

19 (n) DEFINITIONS.—In this section:

20 (1) ADVANCED SOLAR TECHNOLOGY.—The
21 term “advanced solar technology” means any new or
22 emerging technology, system, or mechanism that
23 uses solar radiation to generate electrical energy,
24 and any component thereof.

1 (2) DIRECT CURRENT OPTIMIZER.—The term
2 “direct current optimizer” means a product which
3 converts direct current electricity from one or more
4 solar modules or advanced solar technologies to a
5 different direct current voltage that is matched to
6 the input requirements of an inverter.

7 (3) DIRECT LOAN.—The term “direct loan”
8 means a disbursement of funds by the Government
9 to a non-Federal borrower under a contract that re-
10 quires the repayment of such funds with or without
11 interest. The term includes the purchase of, or par-
12 ticipation in, a loan made by another lender and fi-
13 nancing arrangements that defer payment for more
14 than 90 days, including the sale of a Government
15 asset on credit terms.

16 (4) ELIGIBLE ENTITY.—The term “eligible enti-
17 ty” means a private entity, including a manufac-
18 turer, or a partnership of private entities.

19 (5) FORCED LABOR.—The term “forced labor”
20 has the meaning given such term in section 307 of
21 the Tariff Act of 1930 (19 U.S.C. 1307).

22 (6) INTEGRATED MODULE.—The term “inte-
23 grated module” means a solar module produced by
24 a single manufacturer through the conversion of a

1 photovoltaic wafer or other semiconductor material
2 into an end product which is—

3 (A) suitable to generate electricity when
4 exposed to sunlight; and

5 (B) ready for installation without addi-
6 tional manufacturing processes.

7 (7) INVERTER.—The term “inverter” means a
8 product which converts direct current electricity
9 from one or more solar modules or advanced solar
10 technologies into alternating current electricity.

11 (8) LABOR ORGANIZATION.—The term “labor
12 organization” has the meaning given the term in
13 section 2 of the National Labor Relations Act (29
14 U.S.C. 152).

15 (9) PARTIES.—The term “parties” means a
16 labor organization that is newly recognized or cer-
17 tified as a representative under section 9(a) of the
18 National Labor Relations Act (29 U.S.C. 159(a))
19 and the employer of the employees represented by
20 such organization.

21 (10) PHOTOVOLTAIC CELL.—The term “photo-
22 voltaic cell” means the smallest semiconductor ele-
23 ment of a solar module which performs the imme-
24 diate conversion of light into electricity.

1 (11) PHOTOVOLTAIC WAFER.—The term “pho-
2 tovoltaic wafer” means a thin slice, sheet, or layer
3 of semiconductor material of at least 240 square
4 centimeters produced by a single manufacturer—

5 (A) either—

6 (i) directly from molten or evaporated
7 solar grade polysilicon or deposition of
8 solar grade thin film semiconductor photon
9 absorber layer; or

10 (ii) through formation of an ingot
11 from molten polysilicon and subsequent
12 slicing; and

13 (B) which comprises the substrate or ab-
14 sorber layer of one or more photovoltaic cells.

15 (12) PROGRAM.—The term “program” means
16 the program established under subsection (b).

17 (13) RACKING.—The term “racking” means a
18 structural steel or aluminum support element, of any
19 cross-section shape and which may be assembled
20 from individually manufactured segments, spanning
21 longitudinally, on which solar modules are sup-
22 ported.

23 (14) SECRETARY.—The term “Secretary”
24 means the Secretary of Energy.

1 (15) SOLAR COMPONENT.—The term “solar
2 component” includes an integrated module, a photo-
3 voltaic cell, a photovoltaic wafer, solar grade
4 polysilicon, a solar module, an inverter, racking, a
5 tracker, a direct current optimizer, and any ad-
6 vanced solar technology for which the Secretary has
7 issued a written finding under subsection (d) that
8 such advanced solar technology has significant po-
9 tential to reduce the reliance of United States manu-
10 facturers on traditional solar components made in
11 the People’s Republic of China.

12 (16) SOLAR GRADE POLYSILICON.—The term
13 “solar grade polysilicon” means silicon which is—

14 (A) suitable for use in photovoltaic manu-
15 facturing; and

16 (B) purified to a minimum purity of
17 99.999999 percent silicon by mass.

18 (17) SOLAR MODULE.—The term “solar mod-
19 ule” means the connection and lamination of photo-
20 voltaic cells into an environmentally protected final
21 assembly which is—

22 (A) suitable to generate electricity when
23 exposed to sunlight; and

24 (B) ready for installation without an addi-
25 tional manufacturing process.

1 (18) TRACKER.—The term “tracker” means—

2 (A) a structural steel support on which
3 solar modules are supported; and

4 (B) the mechanism by which that support
5 is oriented to varying angles with respect to the
6 sun’s position.

7 (19) TRADITIONAL SOLAR COMPONENT.—The
8 term “traditional solar component” means an inte-
9 grated module, a photovoltaic cell, a photovoltaic
10 wafer, solar grade polysilicon, and a solar module.

11 **SEC. 20303. SUPPORT FOR THE FIRST THREE COMMERCIAL-**
12 **SCALE IMPLEMENTATIONS OF TRANS-**
13 **FORMATIVE INDUSTRIAL TECHNOLOGIES.**

14 (a) IN GENERAL.—Subject to the availability of ap-
15 propriations, the Secretary shall establish and carry out
16 a program under which the Secretary provides grants and
17 loan guarantees to eligible entities to carry out eligible
18 projects.

19 (b) APPLICATIONS.—

20 (1) IN GENERAL.—To apply for a grant or loan
21 guarantee under the program, an eligible entity shall
22 submit to the Secretary an application at such time,
23 in such manner, and containing such information as
24 the Secretary may require.

1 (2) SELECTION.—In evaluating applications
2 submitted under paragraph (1), the Secretary shall
3 select applications that will result in the greatest—

4 (A) improvement to the competitiveness of

5 United States industry in global markets;

6 (B) reduction in energy use; or

7 (C) reduction in greenhouse gas emissions.

8 (3) CONSULTATION.—In evaluating applications
9 submitted under paragraph (1), the Secretary shall
10 solicit input from outside technical and industry ex-
11 perts on the specific industry sectors in which eligi-
12 ble technologies would be implemented.

13 (c) GRANTS AND LOAN GUARANTEES.—

14 (1) IN GENERAL.—In carrying out the program,
15 the Secretary may not provide grants or loan guar-
16 antees to carry out more than three eligible projects
17 for any category of eligible technology.

18 (2) GRANT AMOUNTS.—The amounts of the
19 grants that may be provided to carry out eligible
20 projects for each category of eligible technology shall
21 be not more than the following:

22 (A) 60 percent of the total eligible project

23 costs for the first eligible project for the cat-
24 egory of eligible technology.

1 (B) 45 percent of the total eligible project
2 costs for the second eligible project for the cat-
3 egory of eligible technology.

4 (C) 30 percent of the total eligible project
5 costs for the third eligible project for the cat-
6 egory of eligible technology.

7 (3) LOAN GUARANTEE AMOUNTS.—

8 (A) IN GENERAL.—In carrying out the
9 program, the Secretary may not provide a loan
10 guarantee for an amount that is greater than
11 80 percent of the applicable eligible project
12 costs.

13 (B) GRANT AND LOAN GUARANTEE.—In
14 any case in which an eligible entity is provided
15 a grant and a loan guarantee under the pro-
16 gram, such loan guarantee may not exceed the
17 amount that is equal to 80 percent of the
18 amount that is equal to the difference be-
19 tween—

20 (i) the eligible project cost; and

21 (ii) the amount of the grant.

22 (4) PROJECT MILESTONES.—The Secretary
23 shall work with the grant or loan guarantee recipient
24 to develop project milestones and shall issue pay-

1 ments after the recipient demonstrates that the eligi-
2 ble project has reached such milestones.

3 (d) MONITORING AND REPORTING.—

4 (1) IN GENERAL.—The Secretary shall annually
5 submit to Congress a report on how grants and loan
6 guarantees provided under the program were used.

7 (2) PROPRIETARY AND COMPETITIVE INFORMA-
8 TION.—Each report submitted under paragraph (1)
9 shall exclude any proprietary or competitive informa-
10 tion relating to eligible entities that were provided a
11 grant or loan guarantee, or eligible technologies that
12 were implemented, under the program.

13 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated to carry out this section
15 \$500,000,000 for fiscal year 2022 and \$1,000,000,000 for
16 each of fiscal years 2023 through 2031, to remain avail-
17 able until expended.

18 (f) DEFINITIONS.—In this section:

19 (1) ELIGIBLE ENTITY.—The term “eligible enti-
20 ty” means any of the following entities, including a
21 consortium or partnership of such entities:

22 (A) An owner of an industrial plant at
23 which an eligible technology would be imple-
24 mented.

25 (B) A provider that—

1 (i) manufactures an eligible tech-
2 nology; or

3 (ii) implements or integrates an eligi-
4 ble technology at an industrial plant.

5 (C) Another entity involved in the imple-
6 mentation of the eligible technology at an in-
7 dustrial plant.

8 (2) ELIGIBLE PROJECT.—The term “eligible
9 project” means the implementation of an eligible
10 technology at an industrial plant within the United
11 States or its territories.

12 (3) ELIGIBLE PROJECT COSTS.—The term “eli-
13 gible project costs” includes any capital, installation,
14 engineering, construction, and permitting costs re-
15 lated to carrying out an eligible project.

16 (4) ELIGIBLE TECHNOLOGY.—The term “eligi-
17 ble technology” means, as determined by the Sec-
18 retary, any technology that—

19 (A) is an innovative technology described
20 in section 454(b)(1) of the Energy Independ-
21 ence and Security Act of 2007 (42 U.S.C.
22 17113(b)(1));

23 (B) is demonstrated to be technically viable
24 at pilot scale and ready for commercial-scale
25 implementation;

1 (C) is able to significantly reduce the en-
2 ergy use or greenhouse gas emissions of the
3 process with respect to which the eligible tech-
4 nology is implemented, relative to the tech-
5 nology available on the date of enactment of
6 this Act; and

7 (D) has the potential to significantly re-
8 duce annual United States industrial energy use
9 or greenhouse gas emissions, relative to the
10 United States industrial energy use or green-
11 house gas emissions in calendar year 2021, if
12 the eligible technology is widely implemented at
13 appropriate existing and new industrial plants
14 in the United States.

15 (5) PROGRAM.—The term “program” means
16 the program established under subsection (a).

17 (6) SECRETARY.—The term “Secretary” means
18 the Secretary of Energy.

19 **SEC. 20304. IMPROVING THE NATURAL GAS DISTRIBUTION**
20 **SYSTEM.**

21 (a) PROGRAM.—The Secretary of Energy shall estab-
22 lish a grant program to provide financial assistance to
23 States to offset the incremental rate increases paid by low-
24 income households resulting from the implementation of
25 infrastructure replacement, repair, and maintenance pro-

1 grams that are approved by the rate-setting entity and de-
2 signed to accelerate the necessary replacement, repair, or
3 maintenance of natural gas distribution systems.

4 (b) DATE OF ELIGIBILITY.—Awards may be provided
5 under this section to offset rate increases described in sub-
6 section (a) occurring on or after the date of enactment
7 of this Act.

8 (c) PRIORITIZATION.—The Secretary shall collabo-
9 rate with States to prioritize the distribution of grants
10 made under this section. At a minimum, the Secretary
11 shall consider prioritizing the distribution of grants to
12 States which have—

13 (1) authorized or adopted enhanced infrastruc-
14 ture replacement programs or innovative rate recov-
15 ery mechanisms, such as infrastructure cost trackers
16 and riders, infrastructure base rate surcharges, de-
17 ferred regulatory asset programs, and earnings sta-
18 bility mechanisms; and

19 (2) a viable means for delivering financial as-
20 sistance to low-income households.

21 (d) AUDITING AND REPORTING REQUIREMENTS.—
22 The Secretary shall establish auditing and reporting re-
23 quirements for States with respect to the performance of
24 eligible projects funded pursuant to grants awarded under
25 this section.

1 (e) PREVAILING WAGES.—All laborers and mechanics
2 employed by contractors or subcontractors in the perform-
3 ance of construction, alteration, or repair work assisted,
4 in whole or in part, by a grant under this section shall
5 be paid wages at rates not less than those prevailing on
6 similar construction in the locality as determined by the
7 Secretary of Labor in accordance with subchapter IV of
8 chapter 31 of title 40. With respect to the labor standards
9 in this subsection, the Secretary of Labor shall have the
10 authority and functions set forth in Reorganization Plan
11 Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and
12 section 3145 of title 40.

13 (f) DEFINITIONS.—In this section:

14 (1) INNOVATIVE RATE RECOVERY MECHA-
15 NISMS.—The term “innovative rate recovery mecha-
16 nisms” means rate structures that allow State public
17 utility commissions to modify tariffs and recover
18 costs of investments in utility replacement incurred
19 between rate cases.

20 (2) LOW-INCOME HOUSEHOLD.—The term
21 “low-income household” means a household that is
22 eligible to receive payments under section 2605(b)(2)
23 of the Low-Income Home Energy Assistance Act of
24 1981 (42 U.S.C. 8624(b)(2)).

1 (g) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary to carry
3 out this section \$250,000,000 in each of fiscal years 2022
4 through 2031.

5 **SEC. 20305. CONSIDERATION OF ENERGY STORAGE SYS-**
6 **TEMS.**

7 (a) IN GENERAL.—Section 111(d) of the Public Util-
8 ity Regulatory Policies Act of 1978 (16 U.S.C. 2621(d))
9 is amended by adding at the end the following:

10 “(22) CONSIDERATION OF ENERGY STORAGE
11 SYSTEMS.—Each State shall consider requiring that,
12 as part of a supply side resource planning process,
13 an electric utility of the State demonstrate to the
14 State that the electric utility considered an invest-
15 ment in energy storage systems based on appro-
16 priate factors, including—

17 “(A) total costs and normalized life cycle
18 costs;

19 “(B) cost effectiveness;

20 “(C) improved reliability;

21 “(D) security; and

22 “(E) system performance and efficiency.”.

23 (b) TIME LIMITATIONS.—Section 112(b) of the Pub-
24 lic Utility Regulatory Policies Act of 1978 (16 U.S.C.
25 2622(b)) is amended by adding at the end the following:

1 “(9)(A) Not later than 1 year after the date of
2 enactment of this paragraph, each State regulatory
3 authority (with respect to each electric utility for
4 which the State regulatory authority has ratemaking
5 authority) and each nonregulated electric utility
6 shall commence the consideration referred to in sec-
7 tion 111, or set a hearing date for consideration,
8 with respect to the standard established by para-
9 graph (22) of section 111(d).

10 “(B) Not later than 2 years after the date of
11 enactment of this paragraph, each State regulatory
12 authority (with respect to each electric utility for
13 which the State regulatory authority has ratemaking
14 authority), and each nonregulated electric utility,
15 shall complete the consideration, and shall make the
16 determination, referred to in section 111 with re-
17 spect to the standard established by paragraph (22)
18 of section 111(d).”.

19 (c) FAILURE TO COMPLY.—Section 112(c) of the
20 Public Utility Regulatory Policies Act of 1978 (16 U.S.C.
21 2622(c)) is amended—

22 (1) by striking “subsection (b)(2)” and insert-
23 ing “subsection (b)”; and

24 (2) by adding at the end the following: “In the
25 case of the standard established by paragraph (22)

1 of section 111(d), the reference contained in this
2 subsection to the date of enactment of this Act shall
3 be deemed to be a reference to the date of enact-
4 ment of that paragraph.”.

5 (d) PRIOR STATE ACTIONS.—Section 112 of the Pub-
6 lic Utility Regulatory Policies Act of 1978 (16 U.S.C.
7 2622) is amended by adding at the end the following:

8 “(i) PRIOR STATE ACTIONS.—Subsections (b) and
9 (c) of this section shall not apply to the standard estab-
10 lished by paragraph (22) of section 111(d) in the case of
11 any electric utility in a State if, before the enactment of
12 this subsection—

13 “(1) the State has implemented for such utility
14 the standard concerned (or a comparable standard);

15 “(2) the State regulatory authority for such
16 State or relevant nonregulated electric utility has
17 conducted a proceeding to consider implementation
18 of the standard concerned (or a comparable stand-
19 ard) for such utility; or

20 “(3) the State legislature has voted on the im-
21 plementation of such standard (or a comparable
22 standard) for such utility.”.

23 (e) PRIOR AND PENDING PROCEEDINGS.—Section
24 124 of the Public Utility Regulatory Policies Act of 1978
25 (16 U.S.C. 2634) is amended by adding at the end the

1 following: “In the case of the standard established by
2 paragraph (22) of section 111(d), the reference contained
3 in this section to the date of the enactment of this Act
4 shall be deemed to be a reference to the date of enactment
5 of such paragraph (22).”.

6 **SEC. 20306. COORDINATION OF PROGRAMS.**

7 To the maximum extent practicable, the Secretary of
8 Energy shall ensure that the funding and administration
9 of the different offices within the Grid Modernization Ini-
10 tiative of the Department of Energy and other programs
11 conducting energy storage research are coordinated and
12 streamlined.

13 **SEC. 20307. STATE FLEX-TECH ENERGY PROGRAM.**

14 (a) IN GENERAL.—Part D of title III of the Energy
15 Policy and Conservation Act (42 U.S.C. 6321 et seq.) is
16 amended by adding at the end the following:

17 **“SEC. 367. FLEX-TECH ENERGY PROGRAM TO ENHANCE**
18 **MANUFACTURING COMPETITIVENESS.**

19 “(a) FINANCIAL ASSISTANCE.—Upon request from
20 the State energy agency of a State that has in effect an
21 approved State energy conservation plan under this part,
22 or an Indian Tribe, the Secretary shall provide financial
23 assistance to such State energy agency or Indian Tribe
24 to be used for the development, implementation, improve-
25 ment, or expansion of a flex-tech energy program de-

1 scribed in subsection (b) to enhance manufacturing com-
2 petitiveness.

3 “(b) FLEX-TECH ENERGY PROGRAM ELEMENTS.—

4 “(1) IN GENERAL.—A flex-tech energy program
5 may include—

6 “(A) provision of technical and administra-
7 tive assistance to manufacturers through quali-
8 fied engineering firms, as determined by the
9 State energy agency or Indian Tribe;

10 “(B) provision of financial assistance to
11 manufacturers—

12 “(i) for energy studies of manufac-
13 turing facilities that are conducted by
14 qualified engineering firms; and

15 “(ii) to support the implementation of
16 the measures and recommendations identi-
17 fied in energy studies conducted pursuant
18 to clause (i), including the design, acquisi-
19 tion, installation, testing, operation, main-
20 tenance, and repair of energy- and water-
21 using systems, resiliency-related measures,
22 emissions reduction-related measures, util-
23 ity cost savings measures, and measures
24 related to advanced manufacturing tech-
25 nologies and artificial intelligence; and

1 “(C) reporting on monitoring, tracking,
2 and success metrics of the program.

3 “(2) STUDIES.—An energy study of a manufac-
4 turing facility conducted pursuant to paragraph
5 (1)(B) may include—

6 “(A) an evaluation of the energy-using sys-
7 tems of the facility, including evaluation of the
8 performance of such systems relative to design
9 intent, operational needs of the facility and its
10 occupants, and operation and maintenance pro-
11 cedures;

12 “(B) an evaluation of emissions related to
13 the facility, including greenhouse gas emissions,
14 and recommendations on sustainability planning
15 and practices;

16 “(C) an evaluation of potential energy effi-
17 ciency, water efficiency, greenhouse gas emis-
18 sions mitigation, and load reduction measures
19 for the facility;

20 “(D) an evaluation of potential on-site en-
21 ergy measures, including grid-interactive effi-
22 ciency systems, combined heat and power, effi-
23 cient compressed air systems, energy storage,
24 energy management systems, renewable thermal

1 systems, and electrification or other forms of
2 fuel switching;

3 “(E) recommendations on the use of new
4 technologies by the applicable manufacturer;
5 and

6 “(F) detailed estimates of potential imple-
7 mentation costs, operating cost savings, energy
8 savings, emissions reductions, and simple pay-
9 back periods, for measures and recommenda-
10 tions identified in such study.

11 “(3) QUALIFIED ENGINEERING FIRMS.—A
12 State energy agency or Indian Tribe administering
13 a flex-tech energy program shall maintain and regu-
14 larly update a publicly available list of qualified engi-
15 neering firms that are approved by the State energy
16 agency or Indian Tribe to provide assistance to man-
17 ufacturers pursuant to this section.

18 “(c) FUNDING.—

19 “(1) ALLOCATION.—Except as provided in
20 paragraph (2), to the extent practicable, the Sec-
21 retary shall allocate funding made available to carry
22 out this section in accordance with the formula used
23 for distribution of Federal financial assistance pro-
24 vided pursuant to this part to States that have in ef-

1 fect an approved State energy conservation plan
2 under this part.

3 “(2) INDIAN TRIBES.—The Secretary shall set
4 aside and distribute not less than 5 percent of
5 amounts made available for each fiscal year to carry
6 out this section to provide financial assistance—

7 “(A) to Indian Tribes; or

8 “(B) directly to manufacturers located in
9 Indian Country or, in the case of Alaska, an
10 Alaska Native Village Statistical Area, as iden-
11 tified by the U.S. Census Bureau, for energy
12 studies and implementation of the measures
13 and recommendations identified in such energy
14 studies, as described in subsection (b)(1)(B).

15 “(3) USE OF FUNDS.—

16 “(A) ENERGY STUDIES; ADMINISTRATIVE
17 EXPENSES.—A State energy agency or Indian
18 Tribe that receives financial assistance pursu-
19 ant to this section for a fiscal year may not—

20 “(i) use more than 50 percent of such
21 financial assistance for energy studies;

22 “(ii) use more than 50 percent of such
23 financial assistance to support the imple-
24 mentation of recommendations from such
25 energy studies; and

1 “(iii) use more than 10 percent of
2 such financial assistance for administrative
3 expenses, including for outreach and tech-
4 nical assistance.

5 “(B) INDIVIDUAL MANUFACTURING FACIL-
6 ITY.—A State energy agency that receives fi-
7 nancial assistance pursuant to this section for
8 a fiscal year may not use more than 5 percent
9 of such financial assistance with respect to an
10 individual manufacturing facility.

11 “(4) SUPPLEMENT.—Financial assistance pro-
12 vided to a State energy agency or Indian Tribe pur-
13 suant to this section shall be used to supplement,
14 not supplant, any Federal, State, or other funds oth-
15 erwise made available to such State under this part.

16 “(5) FINANCING.—To the extent practicable, a
17 State energy agency or Indian Tribe shall implement
18 a flex-tech energy program described in subsection
19 (b) using funding provided under this Act, public fi-
20 nancing, private financing, or any other sources of
21 funds.

22 “(d) TECHNICAL ASSISTANCE.—

23 “(1) IN GENERAL.—Upon request of a State
24 energy agency or Indian Tribe, the Secretary shall
25 provide information and technical assistance in the

1 development, implementation, improvement, or ex-
2 pansion of a flex-tech energy program described in
3 subsection (b).

4 “(2) INCLUSIONS.—Technical assistance pro-
5 vided pursuant to paragraph (1) may include pro-
6 gram design options to, with respect to manufactur-
7 ers that employ fewer than 500 full-time equivalent
8 employees at a manufacturing facility—

9 “(A) meet the needs of such manufactur-
10 ers; and

11 “(B) encourage the use of advanced manu-
12 facturing processes by such manufacturers, in-
13 cluding use of additive manufacturing, ad-
14 vanced sensors and controls, techniques to re-
15 duce embedded emissions, and advanced com-
16 posite materials.

17 “(e) DEFINITIONS.—In this section:

18 “(1) INDIAN COUNTRY.—The term ‘Indian
19 Country’ means—

20 “(A) all land within the limits of any In-
21 dian reservation under the jurisdiction of the
22 United States Government, notwithstanding the
23 issuance of any patent, and, including rights-of-
24 way running through the reservation;

1 “(B) all dependent Indian communities
2 within the borders of the United States whether
3 within the original or subsequently acquired ter-
4 ritory thereof, and whether within or without
5 the limits of a State; and

6 “(C) all Indian allotments, the Indian ti-
7 tles to which have not been extinguished, in-
8 cluding rights-of-way running through the
9 same.

10 “(2) INDIAN TRIBE.—The term ‘Indian Tribe’
11 has the meaning given the term in section 4 of the
12 Indian Self-Determination and Education Assistance
13 Act (25 U.S.C. 5304).

14 “(3) STATE ENERGY AGENCY.—The term ‘State
15 energy agency’ has the meaning given such term in
16 section 391(10).”.

17 (b) CONFORMING AMENDMENT.—The table of con-
18 tents for the Energy Policy and Conservation Act is
19 amended by adding after the item related to section 366
20 the following:

 “Sec. 367. Flex-tech energy program to enhance manufacturing competitive-
 ness.”.

21 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
22 365(f) of the Energy Policy and Conservation Act (42
23 U.S.C. 6325(f)) is amended by adding at the end the fol-
24 lowing:

1 “(3) FLEX-TECH ENERGY PROGRAM TO EN-
 2 HANCE MANUFACTURING COMPETITIVENESS.—In
 3 addition to the authorization of appropriations under
 4 paragraph (1), for the purposes of carrying out sec-
 5 tion 367, there is authorized to be appropriated
 6 \$100,000,000 for each of fiscal years 2022 through
 7 2026.”.

8 **TITLE IV—MEDICAL PRODUCT**
 9 **SUPPLY CHAIN IMPROVEMENTS**
 10 **Subtitle A—Medical Product Inno-**
 11 **vation, Transparency, and Safe-**
 12 **ty**

13 **SEC. 20401. NATIONAL CENTERS OF EXCELLENCE IN AD-**
 14 **VANCED AND CONTINUOUS PHARMA-**
 15 **CEUTICAL MANUFACTURING.**

16 (a) IN GENERAL.—Section 3016 of the 21st Century
 17 Cures Act (21 U.S.C. 399h) is amended to read as follows:

18 **“SEC. 3016. NATIONAL CENTERS OF EXCELLENCE IN AD-**
 19 **VANCED AND CONTINUOUS PHARMA-**
 20 **CEUTICAL MANUFACTURING.**

21 “(a) IN GENERAL.—The Secretary of Health and
 22 Human Services, acting through the Commissioner of
 23 Food and Drugs—

24 “(1) shall solicit and, beginning not later than
 25 one year after the date of enactment of the America

1 COMPETES Act of 2022, receive requests from in-
2 stitutions of higher education, or consortia of insti-
3 tutions of higher education, to be designated as a
4 National Center of Excellence in Advanced and Con-
5 tinuous Pharmaceutical Manufacturing (in this sec-
6 tion referred to as a ‘National Center of Excellence’)
7 to support the advancement, development, and im-
8 plementation of advanced and continuous pharma-
9 ceutical manufacturing; and

10 “(2) shall so designate not more than 5 institu-
11 tions of higher education or consortia of such insti-
12 tutions that—

13 “(A) request such designation; and

14 “(B) meet the criteria specified in sub-
15 section (c).

16 “(b) REQUEST FOR DESIGNATION.—A request for
17 designation under subsection (a) shall be made to the Sec-
18 retary at such time, in such manner, and containing such
19 information as the Secretary may require. Any such re-
20 quest shall include a description of how the institution of
21 higher education, or consortium of institutions of higher
22 education, meets or plans to meet each of the criteria spec-
23 ified in subsection (c).

24 “(c) CRITERIA FOR DESIGNATION DESCRIBED.—The
25 criteria specified in this subsection with respect to an in-

1 stitution of higher education, or consortium of institutions
2 of higher education, are that the institution or consortium
3 has, as of the date of the submission of a request under
4 subsection (a) by such institution or consortium—

5 “(1) physical and technical capacity for re-
6 search, development, implementation, and dem-
7 onstration of advanced and continuous pharma-
8 ceutical manufacturing;

9 “(2) manufacturing knowledge-sharing net-
10 works with other institutions of higher education,
11 large and small pharmaceutical manufacturers, ge-
12 neric and nonprescription manufacturers, contract
13 manufacturers, and other relevant entities;

14 “(3) proven capacity to design, develop, imple-
15 ment, and demonstrate new, highly effective tech-
16 nologies for use in advanced and continuous phar-
17 maceutical manufacturing;

18 “(4) a track record for creating, preserving,
19 and transferring knowledge with respect to advanced
20 and continuous pharmaceutical manufacturing;

21 “(5) the proven ability to facilitate training of
22 an adequate future workforce for research on, and
23 implementation of, advanced and continuous phar-
24 maceutical manufacturing; and

1 “(6) experience in participating in and leading
2 advanced and continuous pharmaceutical manufac-
3 turing technology partnerships with other institu-
4 tions of higher education, large and small pharma-
5 ceutical manufacturers, generic and nonprescription
6 manufacturers, contract manufacturers, and other
7 relevant entities—

8 “(A) to support companies seeking to im-
9 plement advanced and continuous pharma-
10 ceutical manufacturing in the United States;

11 “(B) to support Federal agencies with
12 technical assistance and employee training,
13 which may include regulatory and quality met-
14 ric guidance as applicable, and hands-on train-
15 ing, for advanced and continuous pharma-
16 ceutical manufacturing;

17 “(C) with respect to advanced and contin-
18 uous pharmaceutical manufacturing, to orga-
19 nize and conduct research and development ac-
20 tivities needed to create new and more effective
21 technology, develop and share knowledge, create
22 intellectual property, and maintain technological
23 leadership;

1 “(D) to develop best practices for design-
2 ing and implementing advanced and continuous
3 pharmaceutical manufacturing processes; and

4 “(E) to assess and respond to the national
5 workforce needs for advanced and continuous
6 pharmaceutical manufacturing, including the
7 development and implementing of training pro-
8 grams.

9 “(d) TERMINATION OF DESIGNATION.—The Sec-
10 retary may terminate the designation of any National Cen-
11 ter of Excellence designated under this section if the Sec-
12 retary determines such National Center of Excellence no
13 longer meets the criteria specified in subsection (c). Not
14 later than 90 days before the effective date of such a ter-
15 mination, the Secretary shall provide written notice to the
16 National Center of Excellence, including the rationale for
17 such termination.

18 “(e) CONDITIONS FOR DESIGNATION.—As a condi-
19 tion of designation as a National Center of Excellence
20 under this section, the Secretary shall require that an in-
21 stitution of higher education or consortium of institutions
22 of higher education enter into an agreement with the Sec-
23 retary under which the institution or consortium agrees—

1 “(1) to collaborate directly with the Food and
2 Drug Administration to publish the reports required
3 by subsection (g);

4 “(2) to share data with the Food and Drug Ad-
5 ministration regarding best practices and research
6 generated through the funding under subsection (f);

7 “(3) to develop, along with industry partners
8 (which may include large and small biopharma-
9 ceutical manufacturers, generic and nonprescription
10 manufacturers, and contract research organizations
11 or contract manufacturers that carry out drug devel-
12 opment and manufacturing activities) and another
13 institution or consortium designated under this sec-
14 tion, if any, a roadmap for developing an advanced
15 and continuous pharmaceutical manufacturing work-
16 force;

17 “(4) to develop, along with industry partners
18 and other institutions or consortia of such institu-
19 tions designated under this section, a roadmap for
20 strengthening existing, and developing new, relation-
21 ships with other institutions of higher education or
22 consortia thereof; and

23 “(5) to provide an annual report to the Food
24 and Drug Administration regarding the institution’s
25 or consortium’s activities under this section, includ-

1 ing a description of how the institution or consor-
2 tium continues to meet and make progress on the
3 criteria specified in subsection (e).

4 “(f) FUNDING.—

5 “(1) IN GENERAL.—The Secretary shall award
6 funding, through grants, contracts, or cooperative
7 agreements, to the National Centers of Excellence
8 designated under this section for the purpose of
9 studying and recommending improvements to ad-
10 vanced and continuous pharmaceutical manufac-
11 turing, including such improvements as may enable
12 the Centers—

13 “(A) to continue to meet the conditions
14 specified in subsection (e);

15 “(B) to expand capacity for research on,
16 and development of, advanced and continuous
17 pharmaceutical manufacturing; and

18 “(C) to implement research infrastructure
19 in advanced and continuous pharmaceutical
20 manufacturing suitable for accelerating the de-
21 velopment of drug products needed to respond
22 to emerging medical threats, such as emerging
23 drug shortages, quality issues disrupting the
24 supply chain, epidemics and pandemics, and
25 other such situations requiring the rapid devel-

1 opment of new products or new manufacturing
2 processes.

3 “(2) CONSISTENCY WITH FDA MISSION.—As a
4 condition on receipt of funding under this sub-
5 section, a National Center of Excellence shall agree
6 to consider any input from the Secretary regarding
7 the use of funding that would—

8 “(A) help to further the advancement of
9 advanced and continuous pharmaceutical manu-
10 facturing through the National Center of Excel-
11 lence; and

12 “(B) be relevant to the mission of the
13 Food and Drug Administration.

14 “(3) RULE OF CONSTRUCTION.—Nothing in
15 this section shall be construed as precluding a Na-
16 tional Center for Excellence designated under this
17 section from receiving funds under any other provi-
18 sion of this Act or any other Federal law.

19 “(g) ANNUAL REVIEW AND REPORTS.—

20 “(1) ANNUAL REPORT.—Beginning not later
21 than one year after the date on which the first des-
22 ignation is made under subsection (a), and annually
23 thereafter, the Secretary shall—

24 “(A) submit to Congress a report describ-
25 ing the activities, partnerships and collabora-

1 tions, Federal policy recommendations, previous
2 and continuing funding, and findings of, and
3 any other applicable information from, the Na-
4 tional Centers of Excellence designated under
5 this section;

6 “(B) include in such report an accounting
7 of the Federal administrative expenses de-
8 scribed in subsection (i)(2) over the reporting
9 period; and

10 “(C) make such report available to the
11 public in an easily accessible electronic format
12 on the website of the Food and Drug Adminis-
13 tration.

14 “(2) REVIEW OF NATIONAL CENTERS OF EX-
15 CELLENCE AND POTENTIAL DESIGNEES.—The Sec-
16 retary shall periodically review the National Centers
17 of Excellence designated under this section to ensure
18 that such National Centers of Excellence continue to
19 meet the criteria for designation under this section.

20 “(3) REPORT ON LONG-TERM VISION OF FDA
21 ROLE.—Not later than 2 years after the date on
22 which the first designation is made under subsection
23 (a), the Secretary, in consultation with the National
24 Centers of Excellence designated under this section,
25 shall submit a report to the Congress on the long-

1 term vision of the Department of Health and
2 Human Services on the role of the Food and Drug
3 Administration in supporting advanced and contin-
4 uous pharmaceutical manufacturing, including—

5 “(A) a national framework of principles re-
6 lated to the implementation and regulation of
7 advanced and continuous pharmaceutical manu-
8 facturing;

9 “(B) a plan for the development of Federal
10 regulations and guidance for how advanced and
11 continuous pharmaceutical manufacturing can
12 be incorporated into the development of phar-
13 maceuticals and regulatory responsibilities of
14 the Food and Drug Administration;

15 “(C) a plan for development of Federal
16 regulations or guidance for how advanced and
17 continuous pharmaceutical manufacturing will
18 be reviewed by the Food and Drug Administra-
19 tion; and

20 “(D) appropriate feedback solicited from
21 the public, which may include other institutions
22 of higher education, large and small biopharma-
23 ceutical manufacturers, generic and non-
24 prescription manufacturers, and contract manu-
25 facturers.

1 “(h) DEFINITIONS.—In this section:

2 “(1) ADVANCED.—The term ‘advanced’, with
3 respect to pharmaceutical manufacturing, refers to
4 an approach that incorporates novel technology, or
5 uses an established technique or technology in a new
6 or innovative way, that enhances drug quality or im-
7 proves the performance of a manufacturing process.

8 “(2) CONTINUOUS.—The term ‘continuous’,
9 with respect to pharmaceutical manufacturing, re-
10 fers to a process—

11 “(A) where the input materials are con-
12 tinuously fed into and transformed within the
13 process, and the processed output materials are
14 continuously removed from the system; and

15 “(B) that consists of an integrated process
16 that consists of a series of two or more simulta-
17 neous unit operations.

18 “(3) INSTITUTION OF HIGHER EDUCATION.—
19 The term ‘institution of higher education’ has the
20 meaning given such term in section 101(a) of the
21 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

22 “(4) SECRETARY.—The term ‘Secretary’ means
23 the Secretary of Health and Human Services, acting
24 through the Commissioner of Food and Drugs.

25 “(i) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—There is authorized to be
2 appropriated to carry out this section \$100,000,000
3 for the period of fiscal years 2022 through 2026.

4 “(2) FEDERAL ADMINISTRATIVE EXPENSES.—
5 Of the amounts made available to carry out this sec-
6 tion for a fiscal year, the Secretary shall not use
7 more than eight percent for Federal administrative
8 expenses, including training, technical assistance, re-
9 porting, and evaluation.”.

10 (b) TRANSITION RULE.—Section 3016 of the 21st
11 Century Cures Act (21 U.S.C. 399h), as in effect on the
12 day before the date of the enactment of this section, shall
13 apply with respect to grants awarded under such section
14 before such date of enactment.

15 (c) CLERICAL AMENDMENT.—The item relating to
16 section 3016 in the table of contents in section 1(b) of
17 the 21st Century Cures Act (Public Law 114–255) is
18 amended to read as follows:

 “Sec. 3016. National Centers of Excellence in Advanced and Continuous Phar-
 maceutical Manufacturing.”.

19 **SEC. 20402. NOTIFICATION, NONDISTRIBUTION, AND RE-**
20 **CALL OF DRUGS.**

21 (a) ORDER TO CEASE DISTRIBUTION AND RECALL.—
22 Section 569D of the Federal Food, Drug, and Cosmetic
23 Act (21 U.S.C. 360bbb–8d) is amended—

1 (1) in the section heading, by striking “**CON-**
2 **TROLLED SUBSTANCES**” and inserting “**DRUGS**”;

3 (2) by striking “controlled substance” each
4 place such term appears and inserting “drug”;

5 (3) in subsection (b)—

6 (A) by striking “controlled substances”
7 and inserting “drugs”; and

8 (B) by inserting “of subsection (a)” after
9 “an order pursuant to paragraph (1) or an
10 amended order pursuant to subparagraph (B)
11 or (C) of paragraph (3)”;

12 (4) in subsection (c), by striking “or an official
13 senior to such Director” and inserting “or the Direc-
14 tor of the Center for Biologics Evaluation and Re-
15 search (or an official senior to either such Direc-
16 tor)”.

17 (b) **IMPORTS AND EXPORTS.**—Section 801(a) of the
18 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a))
19 is amended by striking “is a controlled substance subject
20 to an order under section 569D” and inserting “is a drug
21 subject to an order under section 569D”.

22 **SEC. 20403. REPORTING REQUIREMENT FOR DRUG MANU-**
23 **FACTURERS.**

24 (a) **ESTABLISHMENTS IN A FOREIGN COUNTRY.**—
25 Section 510(i) of the Federal Food, Drug, and Cosmetic

1 Act (21 U.S.C. 360(i)) is amended by inserting at the end
2 the following:

3 “(5) The requirements of paragraphs (1) and (2)
4 shall apply to establishments within a foreign country en-
5 gaged in the manufacture, preparation, propagation,
6 compounding, or processing of any drug, including the ac-
7 tive pharmaceutical ingredient, that is required to be listed
8 pursuant to subsection (j). Such requirements shall apply
9 regardless of whether the drug or active pharmaceutical
10 ingredient undergoes further manufacture, preparation,
11 propagation, compounding, or processing at a separate es-
12 tablishment or establishments outside the United States
13 prior to being imported or offered for import into the
14 United States.”.

15 (b) LISTING OF DRUGS.—Section 510(j)(1) of the
16 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
17 360(j)(1)) is amended—

18 (1) in subparagraph (D), by striking “and” at
19 the end;

20 (2) in subparagraph (E), by striking the period
21 at the end and inserting “; and”; and

22 (3) by adding at the end the following:

23 “(F) in the case of a drug contained in the ap-
24 plicable list, a certification that the registrant has—

1 “(i) identified every other establishment
2 where manufacturing is performed for the drug;
3 and

4 “(ii) notified each known foreign establish-
5 ment engaged in the manufacture, preparation,
6 propagation, compounding, or processing of the
7 drug, including the active pharmaceutical ingre-
8 dient, of the inclusion of the drug in the list
9 and the obligation to register.”.

10 (c) QUARTERLY REPORTING ON AMOUNT OF DRUGS
11 MANUFACTURED.—Section 510(j)(3)(A) of the Federal
12 Food, Drug, and Cosmetic Act (as added by section 3112
13 of the CARES Act (Public Law 116–136)) is amended
14 by striking “annually” and inserting “once during the
15 month of March of each year, once during the month of
16 June of each year, once during the month of September
17 of each year, and once during the month of December of
18 each year”.

19 **SEC. 20404. ENHANCED PENALTIES FOR FALSE INFORMA-**
20 **TION AND RECORDS DESTRUCTION.**

21 (a) PROHIBITION OF FALSE INFORMATION AND
22 RECORD DESTRUCTION.—Section 301 of the Federal
23 Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amend-
24 ed by adding at the end the following:

1 “(fff) The intentional material falsification, fabrica-
2 tion, destruction, omission, or removal of the whole or any
3 part of records or information that is—

4 “(1) required under this Act—

5 “(A) to be produced during the develop-
6 ment or manufacture of a drug; or

7 “(B) to be produced or maintained by the
8 sponsor of an application for the approval of a
9 drug under section 505 or the holder of an ap-
10 proved application for a drug under section
11 505; or

12 “(2) subject to inspection under this Act by the
13 Secretary.”.

14 (b) PENALTIES.—Section 303(f) of the Federal Food,
15 Drug, and Cosmetic Act (21 U.S.C. 333(f)) is amended—

16 (1) in subparagraphs (A) and (C) of paragraph
17 (5), by striking or “or (9)” each place it appears
18 and inserting “(9), or (10)”; and

19 (2) by adding at the end the following:

20 “(10) Notwithstanding subsection (a), any person
21 who violates section 301(fff) shall be subject to—

22 “(A) a civil monetary penalty not to exceed—

23 “(i) \$1,000,000 per violation; and

1 “(ii) \$10,000,000 for all violations (exclud-
2 ing those described in subparagraph (B)) adju-
3 dicated in a single proceeding; and

4 “(B) in the case of a violation that continues
5 after the Secretary provides written notice to such
6 person, if such person does not sufficiently remedy
7 the violation, including by producing corrected
8 records or information, additional civil penalties not
9 to exceed—

10 “(i) \$1,000,000 for the first 30-day period
11 (or any portion thereof) following such notice
12 during which such person continues to be in
13 violation;

14 “(ii) for each such 30-day period there-
15 after, the amount that is double the amount ac-
16 tually imposed for the preceding 30-day period,
17 not to exceed \$2,000,000 for any 30-day period;
18 and

19 “(iii) \$20,000,000 for all violations de-
20 scribed in this subparagraph adjudicated in a
21 single proceeding.”.

1 **Subtitle B—Strengthening Amer-**
2 **ica’s Strategic National Stock-**
3 **pile**

4 **SEC. 20411. REIMBURSABLE TRANSFERS.**

5 Section 319F–2(a) of the Public Health Service Act
6 (42 U.S.C. 247d–6b(a)) is amended by amending para-
7 graph (6) to read as follows:

8 “(6) TRANSFERS AND REIMBURSEMENTS.—

9 “(A) IN GENERAL.—Without regard to
10 chapter 5 of title 40, United States Code, the
11 Secretary may transfer to any Federal depart-
12 ment or agency, on a reimbursable basis, any
13 drugs, vaccines and other biological products,
14 medical devices, and other supplies in the stock-
15 pile if—

16 “(i) the transferred supplies are less
17 than one year from expiry;

18 “(ii) the stockpile is able to replenish
19 the supplies, as appropriate; and

20 “(iii) the Secretary decides the trans-
21 fer is in the best interest of the United
22 States Government.

23 “(B) USE OF REIMBURSEMENT.—Reim-
24 bursement derived from the transfer of supplies
25 pursuant to subparagraph (A) may, to the ex-

1 tent and in the amounts made available in ad-
2 vance in appropriations Acts, be used by the
3 Secretary to carry out this section. Funds made
4 available pursuant to the preceding sentence are
5 in addition to any other funds that may be
6 made available for such purpose.

7 “(C) RULE OF CONSTRUCTION.—This
8 paragraph shall not be construed to preclude
9 transfers of products in the stockpile under
10 other authorities.

11 “(D) REPORT.—Not later than September
12 30, 2023, the Secretary shall submit to the
13 Committee on Energy and Commerce of the
14 House of Representatives and the Committee
15 on Health, Education, Labor, and Pensions of
16 the Senate a report on each transfer made
17 under this paragraph and the amount received
18 by the Secretary in exchange for that transfer.

19 “(E) SUNSET.—The authority to make
20 transfers under this paragraph shall cease to be
21 effective on September 30, 2024.”.

22 **SEC. 20412. EQUIPMENT MAINTENANCE.**

23 Section 319F–2 of the Public Health Service Act (42
24 U.S.C. 247d–6b) is amended—

25 (1) in subsection (a)(3)—

1 (A) in subparagraph (I), by striking “;
2 and” and inserting a semicolon;

3 (B) in subparagraph (J), by striking the
4 period at the end and inserting a semicolon;
5 and

6 (C) by inserting the following new subpara-
7 graph at the end:

8 “(K) ensure contents of the stockpile re-
9 main in good working order and, as appro-
10 priate, conduct maintenance services on con-
11 tents of the stockpile; and”; and

12 (2) in subsection (c)(7)(B), by adding at the
13 end the following new clause:

14 “(ix) EQUIPMENT MAINTENANCE
15 SERVICE.—In carrying out this section, the
16 Secretary may enter into contracts for the
17 procurement of equipment maintenance
18 services.”.

19 **SEC. 20413. SUPPLY CHAIN FLEXIBILITY MANUFACTURING**
20 **PILOT.**

21 (a) IN GENERAL.—Section 319F–2(a)(3) of the Pub-
22 lic Health Service Act (42 U.S.C. 247d–6b(a)(3)), as
23 amended by section 20412, is further amended by adding
24 at the end the following new subparagraph:

1 “(L) enhance medical supply chain elas-
2 ticity and establish and maintain domestic re-
3 serves of critical medical supplies (including
4 personal protective equipment, ancillary medical
5 supplies, and other applicable supplies required
6 for the administration of drugs, vaccines and
7 other biological products, and other medical de-
8 vices (including diagnostic tests)) by—

9 “(i) increasing emergency stock of
10 critical medical supplies;

11 “(ii) geographically diversifying do-
12 mestic production of such medical supplies,
13 as appropriate;

14 “(iii) entering into cooperative agree-
15 ments or partnerships with respect to man-
16 ufacturing lines, facilities, and equipment
17 for the domestic production of such med-
18 ical supplies, taking into consideration en-
19 tering into such cooperative agreements or
20 partnerships with small and medium man-
21 ufacturers of such medical supplies; and

22 “(iv) managing, either directly or
23 through cooperative agreements with man-
24 ufacturers and distributors, domestic re-
25 serves established under this subparagraph

1 by refreshing and replenishing stock of
2 such medical supplies.”.

3 (b) REPORTING; SUNSET.—Section 319F–2(a) of the
4 Public Health Service Act (42 U.S.C. 247d–6b(a)), as
5 amended by section 20411, is further amended by adding
6 at the end the following:

7 “(7) REPORTING.—Not later than September
8 30, 2023, the Secretary shall submit to the Com-
9 mittee on Energy and Commerce of the House of
10 Representatives and the Committee on Health, Edu-
11 cation, Labor and Pensions of the Senate a report
12 on the details of each cooperative agreement or part-
13 nership entered into under paragraph (3)(L), includ-
14 ing the amount expended by the Secretary on each
15 such cooperative agreement or partnership.

16 “(8) SUNSET.—The authority to enter into co-
17 operative agreements or partnerships pursuant to
18 paragraph (3)(L) shall cease to be effective on Sep-
19 tember 30, 2024.”.

20 (c) FUNDING.—Section 319F–2(f) of the Public
21 Health Service Act (42 U.S.C. 247d–6b(f)) is amended by
22 adding at the end the following:

23 “(3) SUPPLY CHAIN ELASTICITY.—

24 “(A) IN GENERAL.—For the purpose of
25 carrying out subsection (a)(3)(L), there is au-

1 thorized to be appropriated \$500,000,000 for
2 each of fiscal years 2022 through 2024, to re-
3 main available until expended.

4 “(B) RELATION TO OTHER AMOUNTS.—
5 The amount authorized to be appropriated by
6 subparagraph (A) for the purpose of carrying
7 out subsection (a)(3)(L) is in addition to any
8 other amounts available for such purpose.”.

9 **SEC. 20414. GAO STUDY ON THE FEASIBILITY AND BENE-**
10 **FITS OF A USER FEE AGREEMENT.**

11 (a) IN GENERAL.—The Comptroller General of the
12 United States shall conduct a study to investigate the fea-
13 sibility of establishing user fees to offset certain Federal
14 costs attributable to the procurement of single-source ma-
15 terials for the Strategic National Stockpile under section
16 319F–2 of the Public Health Service Act (42 U.S.C.
17 247d–6b) and distributions of such materials from the
18 Stockpile. In conducting this study, the Comptroller Gen-
19 eral shall consider, to the extent information is available—

20 (1) whether entities receiving such distributions
21 generate profits from those distributions;

22 (2) any Federal costs attributable to such dis-
23 tributions;

24 (3) whether such user fees would provide the
25 Secretary with funding to potentially offset procure-

1 ment costs of such materials for the Strategic Na-
2 tional Stockpile; and

3 (4) any other issues the Comptroller General
4 identifies as relevant.

5 (b) REPORT.—Not later than February 1, 2024, the
6 Comptroller General of the United States shall submit to
7 the Congress a report on the findings and conclusions of
8 the study under subsection (a).

9 **SEC. 20415. GRANTS FOR STATE STRATEGIC STOCKPILES.**

10 Title III of the Public Health Service Act is amended
11 by inserting after section 319F–4 of such Act (42 U.S.C.
12 247d–6e) the following new section:

13 **“SEC. 319F-5. GRANTS FOR STATE STRATEGIC STOCKPILES.**

14 “(a) IN GENERAL.—The Secretary may establish a
15 pilot program consisting of awarding grants to States to
16 expand or maintain a strategic stockpile of commercially
17 available drugs, devices, personal protective equipment,
18 and other products deemed by the State to be essential
19 in the event of a public health emergency.

20 “(b) ALLOWABLE USE OF FUNDS.—

21 “(1) USES.—A State receiving a grant under
22 this section may use the grant funds to—

23 “(A) acquire commercially available prod-
24 ucts listed pursuant to paragraph (2) for inclu-
25 sion in the State’s strategic stockpile;

1 “(B) store, maintain, and distribute prod-
2 ucts in such stockpile; and

3 “(C) conduct planning in connection with
4 such activities.

5 “(2) LIST.—The Secretary shall develop and
6 publish a list of the products that are eligible, as de-
7 scribed in subsection (a), for inclusion in a State’s
8 strategic stockpile using funds received under this
9 section.

10 “(3) CONSULTATION.—In developing the list
11 under paragraph (2) and otherwise determining the
12 allowable uses of grant funds under this section, the
13 Secretary shall consult with States and relevant
14 stakeholders, including public health organizations.

15 “(c) FUNDING REQUIREMENT.—The Secretary may
16 not obligate or expend any funds to award grants or fund
17 any previously awarded grants under this section for a fis-
18 cal year unless the total amount made available to carry
19 out section 319F–2 for such fiscal year is equal to or
20 greater than the total amount of funds made available to
21 carry out section 319F–2 for fiscal year 2022.

22 “(d) MATCHING FUNDS.—

23 “(1) IN GENERAL.—With respect to the costs of
24 expanding and maintaining a strategic stockpile
25 through a grant under this section, as a condition on

1 receipt of the grant, a State shall make available (di-
2 rectly) non-Federal contributions in cash toward
3 such costs in an amount that is equal to not less
4 than the amount of Federal funds provided through
5 the grant.

6 “(2) WAIVER.—The Secretary may waive the
7 requirement of paragraph (1) with respect to a State
8 for the first two years of the State receiving a grant
9 under this section if the Secretary determines that
10 such waiver is needed for the State to establish a
11 strategic stockpile described in subsection (a).

12 “(e) TECHNICAL ASSISTANCE.—The Secretary shall
13 provide technical assistance to States in establishing, ex-
14 panding, and maintaining a stockpile described in sub-
15 section (a).

16 “(f) DEFINITION.—In this section, the term ‘drug’
17 has the meaning given to that term in section 201 of the
18 Federal Food, Drug, and Cosmetic Act.

19 “(g) AUTHORIZATION OF APPROPRIATIONS.—To
20 carry out this section, there is authorized to be appro-
21 priated \$3,500,000,000 for each of fiscal years 2022
22 through 2024, to remain available until expended.

23 “(h) SUNSET.—The authority vested by this section
24 terminates at the end of fiscal year 2024.”.

1 **SEC. 20416. ACTION REPORTING.**

2 (a) IN GENERAL.—The Secretary of Health and
3 Human Services or the Assistant Secretary for Prepared-
4 ness and Response, in consultation with the Administrator
5 of the Federal Emergency Management Agency, shall—

6 (1) not later than 30 days after the date of en-
7 actment of this Act, issue a report to the Committee
8 on Energy and Commerce of the House of Rep-
9 resentatives and the Committee on Health, Edu-
10 cation, Labor, and Pensions of the Senate regarding
11 all State, local, Tribal, and territorial requests for
12 supplies from the Strategic National Stockpile re-
13 lated to COVID–19; and

14 (2) not less than every 30 days thereafter
15 through the end of the emergency period (as such
16 term is defined in section 1135(g)(1)(B) of the So-
17 cial Security Act (42 U.S.C. 1320b–5(g)(1)(B))),
18 submit to such committees an updated version of
19 such report.

20 (b) REPORTING PERIOD.—

21 (1) INITIAL REPORT.—The initial report under
22 subsection (a) shall address all requests described in
23 such subsection made during the period—

24 (A) beginning on January 31, 2020; and

25 (B) ending on the date that is 30 days be-
26 fore the date of submission of the report.

1 (2) UPDATES.—Each update to the report
2 under subsection (a) shall address all requests de-
3 scribed in such subsection made during the period—

4 (A) beginning at the end of the previous
5 reporting period under this section; and

6 (B) ending on the date that is 30 days be-
7 fore the date of submission of the updated re-
8 port.

9 (c) CONTENTS OF REPORT.—The report under sub-
10 section (a) (and updates thereto) shall include—

11 (1) the details of each request described in such
12 subsection, including—

13 (A) the specific medical countermeasures,
14 devices, personal protective equipment, and
15 other materials requested; and

16 (B) the amount of such materials re-
17 quested; and

18 (2) the outcomes of each request described in
19 subsection (a), including—

20 (A) whether the request was wholly ful-
21 filled, partially fulfilled, or denied;

22 (B) if the request was wholly or partially
23 fulfilled, the fulfillment amount; and

24 (C) if the request was partially fulfilled or
25 denied, a rationale for such outcome.

1 **SEC. 20417. IMPROVED, TRANSPARENT PROCESSES.**

2 (a) IN GENERAL.—Not later than January 1, 2023,
3 the Secretary of Health and Human Services shall develop
4 and implement improved, transparent processes for the
5 use and distribution of drugs, vaccines and other biological
6 products, medical devices, and other supplies (including
7 personal protective equipment, ancillary medical supplies,
8 and other applicable supplies required for the administra-
9 tion of drugs, vaccines and other biological products, med-
10 ical devices, and diagnostic tests) in the Strategic National
11 Stockpile under section 319F–2 of the Public Health Serv-
12 ice Act (42 U.S.C. 247d–6b) (in this section referred to
13 as the “Stockpile”).

14 (b) PROCESSES.—The processes developed under
15 subsection (a) shall include—

16 (1) the form and manner in which States, local-
17 ities, Tribes, and territories are required to submit
18 requests for supplies from the Stockpile;

19 (2) the criteria used by the Secretary of Health
20 and Human Services in responding to such requests,
21 including the reasons for fulfilling or denying such
22 requests;

23 (3) what circumstances result in prioritization
24 of distribution of supplies from the Stockpile to
25 States, localities, Tribes, or territories;

1 (4) clear plans for future, urgent communica-
2 tion between the Secretary and States, localities,
3 Tribes, and territories regarding the outcome of
4 such requests; and

5 (5) any differences in the processes developed
6 under subsection (a) for geographically related emer-
7 gencies, such as weather events, and national emer-
8 gencies, such as pandemics.

9 (c) CLASSIFICATION.—The processes developed under
10 subsection (a) shall be unclassified to the greatest extent
11 possible consistent with national security. The Secretary
12 of Health and Human Services may classify portions of
13 such processes as necessary to protect national security.

14 (d) REPORT TO CONGRESS.—Not later than January
15 1, 2024, the Secretary of Health and Human Services
16 shall—

17 (1) submit a report to the Committee on En-
18 ergy and Commerce of the House of Representatives
19 and the Committee on Health, Education, Labor,
20 and Pensions of the Senate regarding the improved,
21 transparent processes developed under this section;

22 (2) include in such report recommendations for
23 opportunities for communication (by telebriefing,
24 phone calls, or in-person meetings) between the Sec-

1 retary and States, localities, Tribes, and territories
2 regarding such improved, transparent processes; and
3 (3) submit such report in unclassified form to
4 the greatest extent possible, except that the Sec-
5 retary may include a classified appendix if necessary
6 to protect national security.

7 **SEC. 20418. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 319F–2(f)(1) of the Public Health Service
9 Act (42 U.S.C. 247d–6b(f)(1)) is amended by striking
10 “\$610,000,000 for each of fiscal years 2019 through
11 2023” and inserting “\$705,000,000 for each of fiscal
12 years 2022 through 2024”.

13 **SEC. 20419. GAO REPORT ON AUTOMATED SUPPLY-CHAIN**
14 **TRACKING APPLICATION.**

15 Not later than 180 days after the date of the enact-
16 ment of this Act, the Comptroller General of the United
17 States shall report to Congress on the possibility of the
18 establishment of an automated supply-chain tracking ap-
19 plication that provides near real-time insight into the
20 amount of critical medical and health supplies available
21 in the stockpile under section 319F–2(a) of the Public
22 Health Service Act (42 U.S.C. 247d–6b(a)). Such report
23 shall contain an evaluation of—

- 24 (1) the feasibility of such an application; and
25 (2) the potential benefits of such an application.

1 **SEC. 20420. HIGH-QUALITY MASKS FOR CHILDREN.**

2 (a) INCLUSION IN STOCKPILE.—Section 319F–
3 2(a)(1) of the Public Health Service Act (42 U.S.C. 247d–
4 6b(a)(1)) is amended by inserting after “shall maintain
5 a stockpile or stockpiles of drugs, vaccines and other bio-
6 logical products, medical devices, and other supplies (in-
7 cluding personal protective equipment” the following:
8 “(which may include high-quality pediatric masks, a per-
9 centage of which may be small adult masks for pediatric
10 use)”.

11 (b) GUIDANCE FOR PEDIATRIC MASKS.—The Sec-
12 retary of Health and Human Services, in consultation with
13 the Director of the National Institute for Occupational
14 Safety and Health, pediatricians, child health care pro-
15 vider organizations, manufacturers, and other relevant
16 stakeholders, shall—

17 (1) develop guidelines for the use of respirators,
18 barrier face coverings, or masks for use in pediatric
19 populations, which may be made available through
20 the Strategic National Stockpile under section
21 319F–2 of the Public Health Service Act (42 U.S.C.
22 247d–6b) for public health emergencies declared
23 under section 319 of such Act (42 U.S.C. 247d);
24 and

25 (2) not later than 180 days after the date of
26 enactment of this Act, submit to the Committee on

1 Energy and Commerce of the House of Representa-
2 tives and the Committee on Health, Education,
3 Labor and Pensions of the Senate a report on pedi-
4 atric masks that includes the guidelines developed
5 under paragraph (1).

6 **DIVISION D—COMMITTEE ON**
7 **FOREIGN AFFAIRS**

8 **SEC. 30000. SHORT TITLE.**

9 (a) **SHORT TITLE.**—This division may be cited as the
10 “Ensuring American Global Leadership and Engagement
11 Act” or the “EAGLE Act”.

12 **SEC. 30001. DEFINITIONS.**

13 In this division:

14 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
15 **TEES.**—Unless otherwise defined, the term “appro-
16 priate congressional committees” means—

17 (A) the Committee on Foreign Affairs of
18 the House of Representatives; and

19 (B) the Committee on Foreign Relations of
20 the Senate.

21 (2) **CCP.**—The term “CCP” means the Chinese
22 Communist Party.

23 (3) **PEOPLE’S LIBERATION ARMY; PLA.**—The
24 terms “People’s Liberation Army” and “PLA” mean
25 the armed forces of the People’s Republic of China.

1 (4) PRC; CHINA.—The terms “PRC” and
2 “China” mean the People’s Republic of China.

3 **SEC. 30002. FINDINGS.**

4 Congress makes the following findings:

5 (1) The People’s Republic of China (PRC) is
6 leveraging its political, diplomatic, economic, mili-
7 tary, technological, and ideological power to become
8 a strategic, near-peer, global competitor of the
9 United States. The policies increasingly pursued by
10 the PRC in these domains are contrary to the inter-
11 ests and values of the United States, its partners,
12 and much of the rest of the world.

13 (2) A number of policies being pursued by the
14 PRC—

15 (A) threaten the future character of the
16 international order and are shaping the rules,
17 norms, and institutions that govern relations
18 among states;

19 (B) will put at risk the ability of the
20 United States to secure its national interests;
21 and

22 (C) will put at risk the future peace, pros-
23 perity, and freedom of the international commu-
24 nity in the coming decades.

1 (3) After normalizing diplomatic relations with
2 the PRC in 1979, the United States actively worked
3 to advance the PRC's economic and social develop-
4 ment to ensure that it participated in, and benefited
5 from, the free and open international order. The
6 United States pursued these goals and contributed
7 to the welfare of the Chinese people by—

8 (A) increasing the PRC's access to global
9 capital markets;

10 (B) promoting the PRC's accession to the
11 World Trade Organization;

12 (C) providing development finance and
13 technical assistance;

14 (D) promoting research collaboration;

15 (E) educating the PRC's top students;

16 (F) permitting transfers of cutting-edge
17 technologies and scientific knowledge; and

18 (G) providing intelligence and military as-
19 sistance.

20 (4) It is now clear that the PRC has chosen to
21 pursue state-led, mercantilist economic policies, an
22 increasingly authoritarian governance model at home
23 through increased restrictions on personal freedoms,
24 and an aggressive and assertive foreign policy. These
25 policies frequently and deliberately undermine

1 United States interests and are contrary to core
2 United States values and the values of other nations,
3 both in the Indo-Pacific and beyond. In response to
4 this strategic decision of the CCP, the United States
5 has been compelled to reexamine and revise its strat-
6 egy towards the PRC and reanimate its defense of
7 the international order.

8 (5) The General Secretary of the CCP and the
9 Chairman of the People’s Republic of China, Xi
10 Jinping, has elevated the “Great Rejuvenation of the
11 Chinese Nation” as central to the domestic and for-
12 eign policy of the PRC. His program demands—

13 (A) strong, centralized CCP leadership;

14 (B) concentration of military power;

15 (C) a dominant role for the CCP in the
16 state and the economy;

17 (D) an aggressive foreign policy seeking
18 control over broadly asserted territorial claims;

19 and

20 (E) the denial of any universal values and
21 individual rights that are deemed to threaten
22 the CCP.

23 (6) The PRC views its Leninist model of gov-
24 ernance as superior to, and at odds with, the con-
25 stitutional models of the United States and other de-

1 mocracies. This approach to governance is lauded by
2 the CCP as essential to securing the PRC’s status
3 as a global leader, and to shaping the future of the
4 world. In a 2013 speech, General Secretary Xi said,
5 “‘We firmly believe that as socialism with Chinese
6 characteristics develops further * * * it is * * * in-
7 evitable that the superiority of our socialist system
8 will be increasingly apparent * * * [and] our coun-
9 try’s road of development will have increasingly
10 greater influence on the world.’”.

11 (7) The PRC’s objectives are to first establish
12 regional hegemony over the Indo-Pacific and then to
13 use that dominant position to propel the PRC to be-
14 come the “leading world power”, shaping an inter-
15 national order that is conducive to its interests.
16 Achieving these objectives requires turning the PRC
17 into a wealthy nation under strict CCP rule by using
18 a strong military and advanced technological capa-
19 bility to pursue the PRC’s objectives, regardless of
20 other countries’ interests.

21 (8) The PRC is reshaping the current inter-
22 national order, which is built upon the rule of law
23 and free and open ideals and principles, by con-
24 ducting global information and influence operations,
25 seeking to redefine international laws and norms to

1 align with the objectives of the CCP, rejecting the
2 legitimacy of internationally recognized human
3 rights, and seeking to co-opt the leadership and
4 agenda of multinational organizations for the benefit
5 of the PRC and other authoritarian regimes at the
6 expense of the interests of the United States and the
7 international community.

8 (9) The PRC is encouraging other countries to
9 follow its model of development and governance.
10 During the 19th Party Congress in 2017, General
11 Secretary Xi said that the PRC could serve as a
12 model of development for other countries by utilizing
13 “Chinese wisdom” and a “Chinese approach to solv-
14 ing problems”.

15 (10) The PRC is promoting its governance
16 model and attempting to weaken other models of
17 governance by—

- 18 (A) undermining democratic institutions;
19 (B) subverting financial institutions;
20 (C) coercing businesses to accommodate
21 the policies of the PRC; and
22 (D) using disinformation to disguise the
23 nature of the actions described in subpara-
24 graphs (A) through (C).

1 (11) The PRC is progressing toward becoming
2 the global leader in science and technology. In May
3 2018, General Secretary Xi said that for the PRC
4 to reach “prosperity and rejuvenation”, it needs to
5 “endeavor to be a major world center for science and
6 innovation”. The PRC has invested the equivalent of
7 billions of dollars into education and research and
8 development and established joint scientific research
9 centers and science universities.

10 (12) The PRC’s drive to become a “manufac-
11 turing and technological superpower” and to pro-
12 mote “innovation with Chinese characteristics” is
13 coming at the expense of human rights and long-
14 standing international rules and norms with respect
15 to economic competition, and presents a challenge to
16 United States national security and the security of
17 allies and like-minded countries. In particular, the
18 PRC advances its illiberal political and social policies
19 through mass surveillance, social credit systems, and
20 a significant role of the state in internet governance.
21 Through these means, the PRC increases direct and
22 indirect government control over its citizens’ every-
23 day lives. Its national strategy of “civil-military fu-
24 sion” mandates that civil and commercial research,

1 which increasingly drives global innovation, is leveraged to develop new military capabilities.

3 (13) The PRC is using legal and illegal means
4 to achieve its objective of becoming a manufacturing
5 and technological superpower. The PRC uses state-
6 directed industrial policies in anticompetitive ways to
7 ensure the dominance of PRC companies. The CCP
8 engages in and encourages actions that actively un-
9 dermine a free and open international market, such
10 as intellectual property theft, forced technology
11 transfers, regulatory and financial subsidies, and
12 mandatory CCP access to proprietary data as part
13 of business and commercial agreements between Chi-
14 nese and foreign companies.

15 (14) The policies referred to in paragraph (13)
16 are designed to freeze United States and other for-
17 eign firms out of the PRC market, while eroding
18 competition in other important markets. The heavy
19 subsidization of Chinese companies includes poten-
20 tial violation of its World Trade Organization com-
21 mitments. In May 2018, General Secretary Xi said
22 that the PRC aims to keep the “initiatives of inno-
23 vation and development security * * * in [China’s]
24 own hands”.

1 (15) The PRC is advancing its global objectives
2 through a variety of avenues, including its signature
3 initiative, the Belt and Road Initiative (referred to
4 in this subsection as “BRI”), which is enshrined in
5 the Chinese Constitution and includes the Digital
6 Silk Road and Health Silk Road. The PRC describes
7 BRI as a straightforward and wholly beneficial plan
8 for all countries. Eventually, it seeks to create a web
9 of economic relations with the PRC at its center,
10 making it the most concrete geographical represen-
11 tation of the PRC’s global ambitions. BRI increases
12 the economic influence of state-owned PRC firms in
13 global markets, enhances the PRC’s political lever-
14 age with government leaders around the world, and
15 provides greater access to strategic nodes such as
16 ports and railways. Through BRI, the PRC seeks
17 political deference through economic dependence.

18 (16) The PRC is executing a plan to establish
19 regional hegemony over the Indo-Pacific and dis-
20 place the United States from the region. As a Pa-
21 cific power, the United States has built and sup-
22 ported enduring alliances and economic partnerships
23 that secure peace and prosperity and promote the
24 rule of law and political pluralism in a free and open
25 Indo-Pacific. In contrast, the PRC uses economic

1 and military coercion in the region to secure its own
2 interests.

3 (17) The PRC's military strategy seeks to keep
4 the United States military from operating in the
5 Western Pacific and erodes United States security
6 guarantees.

7 (18) The PRC is aggressively pursuing exclu-
8 sive control of critical land routes, sea lanes, and air
9 space in the Indo-Pacific in the hopes of eventually
10 exercising greater influence beyond the region. This
11 includes lanes crucial to commercial activity, energy
12 exploration, transport, and the exercise of security
13 operations in areas permitted under international
14 law.

15 (19) The PRC seeks so-called "reunification"
16 with Taiwan through whatever means may ulti-
17 mately be required. The CCP's insistence that so-
18 called "reunification" is Taiwan's only option makes
19 this goal inherently coercive. In January 2019, Gen-
20 eral Secretary Xi stated that the PRC "make[s] no
21 promise to renounce the use of force and reserve[s]
22 the option of taking all necessary means". Taiwan's
23 embodiment of democratic values and economic lib-
24 eralism challenges General Secretary Xi's goal of
25 achieving national rejuvenation. The PRC plans to

1 exploit Taiwan’s dominant strategic position in the
2 First Island Chain and to project power into the
3 Second Island Chain and beyond.

4 (20) In the South China Sea, the PRC has exe-
5 cuted an illegal island-building campaign that
6 threatens freedom of navigation and the free-flow of
7 commerce, damages the environment, bolsters the
8 PLA power projection capabilities, and coerces and
9 intimidates other regional claimants in an effort to
10 advance its unlawful claims and control the waters
11 around neighboring countries. Despite General Sec-
12 retary Xi’s September 2015 speech, in which he said
13 the PRC was not militarizing the South China Sea,
14 during the 2017 19th Party Congress, General Sec-
15 retary Xi announced that “construction on islands
16 and reefs in the South China Sea have seen steady
17 progress”.

18 (21) The PRC is rapidly modernizing the PLA
19 to attain a level of capacity and capability superior
20 to the United States in terms of equipment and con-
21 duct of modern military operations by shifting its
22 military doctrine from having a force “adequate
23 [for] China’s defensive needs” to having a force
24 “commensurate with China’s international status”.
25 Ultimately, this transformation could enable China

1 to impose its will in the Indo-Pacific region through
2 the threat of military force. In 2017, General Sec-
3 retary Xi established the following developmental
4 benchmarks for the advancement of the PLA:

5 (A) A mechanized force with increased
6 informatized and strategic capabilities by 2020.

7 (B) The complete modernization of China's
8 national defense by 2035.

9 (C) The full transformation of the PLA
10 into a world-class force by 2050.

11 (22) The PRC's strategy and supporting poli-
12 cies described in this subsection undermine United
13 States interests, such as—

14 (A) upholding a free and open inter-
15 national order;

16 (B) maintaining the integrity of inter-
17 national institutions with liberal norms and val-
18 ues;

19 (C) preserving a favorable balance of
20 power in the Indo-Pacific;

21 (D) ensuring the defense of its allies;

22 (E) preserving open sea and air lanes;

23 (F) fostering the free flow of commerce
24 through open and transparent markets; and

1 (G) promoting individual freedom and
2 human rights.

3 (23) The global COVID–19 pandemic has in-
4 tensified and accelerated these trends in the PRC’s
5 behavior and therefore increased the need for United
6 States global leadership and a competitive posture.
7 The PRC has capitalized on the world’s focus on the
8 COVID–19 pandemic by—

9 (A) moving rapidly to undermine Hong
10 Kong’s autonomy, including imposing a so-
11 called “national security law” on Hong Kong;

12 (B) aggressively imposing its will in the
13 East and South China Seas;

14 (C) increasing its territorial aggression in
15 South Asia, including against India; and

16 (D) engaging in a widespread and govern-
17 ment-directed disinformation campaign to ob-
18 scure the PRC Government’s efforts to cover up
19 the seriousness of COVID–19, sow confusion
20 about the origination of the outbreak, and dis-
21 credit the United States, its allies, and global
22 health efforts.

23 (24) The CCP’s disinformation campaign re-
24 ferred to in paragraph (23)(D) has included—

1 (A) concerted efforts, in the early days of
2 the pandemic, to downplay the nature and
3 scope of the outbreak in Wuhan in the PRC, as
4 well as cases of person-to-person transmission;

5 (B) claims that the virus originated in
6 United States biological defense research at
7 Fort Detrick, Maryland;

8 (C) Chinese state media reports insinu-
9 ating a possible link between the virus and
10 other United States biological facilities; and

11 (D) efforts to block access to qualified
12 international infectious disease experts who
13 might contradict the CCP's narrative.

14 (25) In response to the PRC's strategy and
15 policies, the United States must adopt a policy of
16 strategic competition with the PRC to protect and
17 promote our vital interests and values.

18 (26) The United States policy of strategic com-
19 petition with respect to the People's Republic of
20 China is part of a broader strategic approach to the
21 Indo-Pacific and the world that aligns with coopera-
22 tion with United States allies and partners to ad-
23 vance shared values and interests and to preserve
24 and enhance a free, open, democratic, inclusive,
25 rules-based, stable, and diverse region.

1 (27) The Asia Reassurance Initiative Act of
2 2018 (Public Law 115–409) contributed to a com-
3 prehensive framework for promoting United State
4 security interests, economic interests, and values in
5 the Indo-Pacific region, investing \$7,500,000,000
6 over 5 years—

7 (A) to support greater security and defense
8 cooperation between the United States and al-
9 lies and partners in the Indo-Pacific region;

10 (B) to advance democracy and the protec-
11 tion and promotion of human rights in the
12 Indo-Pacific region;

13 (C) to enhance cybersecurity cooperation
14 between the United States and partners in the
15 Indo-Pacific;

16 (D) to deepen people-to-people engagement
17 through programs such as the Young Southeast
18 Asian Leaders Initiative and the ASEAN Youth
19 Volunteers program; and

20 (E) to enhance energy cooperation and en-
21 ergy security in the Indo-Pacific region.

22 **SEC. 30003. STATEMENT OF POLICY.**

23 (a) OBJECTIVES.—It is the policy of the United
24 States to pursue the following objectives:

1 (1) The United States global leadership role is
2 sustained and its political system and major founda-
3 tions of national power are secured for the long-term
4 in the political, economic, technological, and military
5 domains.

6 (2) The United States position as an indispen-
7 sable power in the Indo-Pacific and globally is sus-
8 tained through diplomacy, multilateralism, and en-
9 gagement.

10 (3) The United States deters military con-
11 frontation with the PRC and both nations work to
12 reduce the risk of conflict.

13 (4) The United States and its allies maintain a
14 stable balance of power in the Indo-Pacific with
15 China. The United States and its allies maintain un-
16 fettered access to the region, including through free-
17 dom of navigation, consistent with international law
18 and practice.

19 (5) The allies and partners of the United
20 States—

21 (A) maintain confidence in United States
22 leadership and its commitment to the Indo-Pa-
23 cific region;

24 (B) can withstand and combat subversion
25 by the PRC; and

1 (C) work closely with the United States in
2 setting global rules, norms, and standards that
3 benefit the international community.

4 (6) The combined economic and military
5 strength of the United States and its allies and part-
6 ners demonstrates to the PRC that the risks of at-
7 tempts to dominate other states outweigh the poten-
8 tial benefits.

9 (7) The United States leads the free, open, and
10 rules-based international order, which comprises re-
11 siliant states and institutions that uphold and defend
12 principles, such as sovereignty, rule of law, indi-
13 vidual freedom, and human rights. The international
14 order is strong enough to withstand attempts at de-
15 stabilization by illiberal and authoritarian actors.

16 (8) The key rules, norms, and standards of
17 international engagement in the 21st century are
18 maintained, including—

19 (A) the protection of human rights, com-
20 mercial engagement and investment, and tech-
21 nology; and

22 (B) that such rules, norms, and standards
23 are in alignment with the values and interests
24 of the United States, its allies and partners,

1 and other stakeholders in the liberal inter-
2 national order.

3 (9) The United States counters attempts by the
4 PRC to—

5 (A) undermine open and democratic soci-
6 eties;

7 (B) distort global markets;

8 (C) coerce other nations via economic,
9 cyber, and military means; or

10 (D) use its technological advantages to un-
11 dermine individual freedoms or other states' na-
12 tional security interests.

13 (10) The United States deters military con-
14 frontation with the PRC and both nations work to
15 reduce the risk of conflict.

16 (b) POLICY.—It is the policy of the United States,
17 in pursuit of the objectives set forth in subsection (a)—

18 (1) to strengthen the United States domestic
19 foundation by reinvesting in market-based economic
20 growth, education, scientific and technological inno-
21 vation, democratic institutions, and other areas that
22 improve the ability of the United States to pursue
23 its vital economic, foreign policy, and national secu-
24 rity interests;

1 (2) to pursue a strategy of strategic competition
2 with the PRC in the political, diplomatic, economic,
3 development, security, informational, and techno-
4 logical realms to maximize the United States'
5 strengths and increase the costs for the PRC of
6 harming the interests and values of the United
7 States and its partners and allies;

8 (3) to lead a free, open, and secure inter-
9 national system characterized by the rule of law,
10 open markets and the free flow of commerce, and a
11 shared commitment to security and peaceful resolu-
12 tion of disputes, human rights, good and transparent
13 governance, freedom from coercion, and a unified re-
14 sponse to the threat of climate change;

15 (4) to strengthen and deepen United States alli-
16 ances and partnerships by pursuing greater bilateral
17 and multilateral cooperative initiatives that advance
18 shared interests and values and bolster partner
19 countries' confidence that the United States is and
20 will remain a strong, committed, and reliable partner
21 that respects the views and interests of its allies and
22 friends;

23 (5) to encourage and collaborate with United
24 States allies and partners in boosting their own ca-
25 pabilities and resiliency to pursue, defend, and pro-

1 tect shared interests and values, free from coercion
2 and external pressure;

3 (6) to pursue fair, reciprocal treatment and
4 healthy, constructive competition in United States-
5 China economic relations by improving United
6 States laws and regulations as necessary to prevent
7 any PRC attempts to harm United States economic
8 competitiveness;

9 (7) to demonstrate the value of private sector-
10 led growth in emerging markets around the world,
11 including through the use of United States Govern-
12 ment tools that—

13 (A) support greater private sector invest-
14 ment and advance capacity-building initiatives
15 that are grounded in the rule of law;

16 (B) promote open markets;

17 (C) establish clear policy and regulatory
18 frameworks;

19 (D) improve the management of key eco-
20 nomic sectors;

21 (E) combat corruption;

22 (F) foster and support greater collabora-
23 tion with and among partner countries and the
24 United States private sector to develop secure
25 and sustainable infrastructure; and

1 (G) support American workers and create
2 American jobs;

3 (8) to conduct vigorous commercial diplomacy
4 in support of United States companies and busi-
5 nesses in partner countries that seek fair competi-
6 tion;

7 (9) to ensure that the United States is second
8 to none in the innovation of critical and emerging
9 technologies, such as next-generation telecommuni-
10 cations, artificial intelligence, quantum computing,
11 semiconductors, and biotechnology, by—

12 (A) providing necessary investment and
13 concrete incentives for the private sector to ac-
14 celerate development of such technologies;

15 (B) modernizing export controls and in-
16 vestment screening regimes and associated poli-
17 cies and regulations;

18 (C) enhancing the role of the United
19 States in technical standards-setting bodies;

20 (D) reducing United States barriers and
21 increasing incentives for collaboration with al-
22 lies and partners on the research and co-devel-
23 opment of critical technologies;

24 (E) collaborating with allies and partners
25 to protect critical technologies by—

- 1 (i) coordinating and aligning export
2 control measures;
- 3 (ii) building capacity for defense tech-
4 nology security;
- 5 (iii) safeguarding chokepoints in stra-
6 tegically critical supply chains; and
- 7 (iv) ensuring diversification; and
- 8 (F) designing major defense capabilities
9 for export to vetted allies and partners;
- 10 (10) to collaborate with like-minded democ-
11 racies and other willing partners to promote ideals
12 and principles that—
- 13 (A) advance a free and open international
14 order;
- 15 (B) strengthen democratic institutions;
- 16 (C) protect and promote human rights;
- 17 and
- 18 (D) uphold a free press and fact-based re-
19 porting;
- 20 (11) to develop comprehensive strategies and
21 policies to counter PRC disinformation campaigns;
- 22 (12) to demonstrate effective leadership at the
23 United Nations, its associated agencies, and other
24 multilateral organizations and ensure the integrity

1 and effectiveness of these organizations in facili-
2 tating solutions to global challenges;

3 (13) to advocate for the defense of fundamental
4 freedoms and human rights in the United States re-
5 lationship with the PRC;

6 (14) to cooperate with allies, partners, and mul-
7 tilateral organizations that sustain and strengthen a
8 free and open order and address regional and global
9 challenges posed by the Government of the PRC re-
10 garding—

11 (A) violations and abuses of human rights;

12 (B) restrictions on religious practices; and

13 (C) the undermining and abrogation of
14 treaties, other international agreements, and
15 other international norms related to human
16 rights;

17 (15) to expose the PRC's use of corruption, re-
18 pression, and coercion to attain unfair economic ad-
19 vantages or compel other nations to defer to its po-
20 litical and strategic objectives in ways that threaten
21 the United States or its allies and partners;

22 (16) to maintain United States access to the
23 Western Pacific, including through necessary invest-
24 ments in United States military capabilities, policies,
25 and concepts in the Indo-Pacific, as well as robust

1 cooperation, exercises, and interoperability with al-
2 lies and partners;

3 (17) to deter the PRC from—

4 (A) initiating armed conflict;

5 (B) coercing nations; or

6 (C) using grey-zone tactics below the level
7 of armed conflict;

8 (18) to strengthen United States-PRC military-
9 to-military communication and improve both military
10 and civilian crisis avoidance and management proce-
11 dures to de-conflict operations and reduce the risk of
12 unwanted conflict, including through high-level visits
13 and recurrent exchanges between civilian and mili-
14 tary officials and other measures, in alignment with
15 United States interests; and

16 (19) to strengthen stability and reduce sus-
17 picions, cooperate with the PRC when interests
18 align, including through bilateral or multilateral
19 means and at the United Nations, as appropriate,
20 and especially in the following areas—

21 (A) global fight against climate change;

22 (B) nuclear security; and

23 (C) global financial stability.

1 **SEC. 30004. SENSE OF CONGRESS.**

2 (a) IN GENERAL.—It is the sense of Congress that
3 the execution of the policy described in section 30003(b)
4 requires the following actions:

5 (1) Revitalizing American leadership globally
6 and in the Indo-Pacific will require the United
7 States—

8 (A) to marshal sustained political will to
9 protect its vital interests, promote its values,
10 and advance its economic and national security
11 objectives; and

12 (B) to achieve this sustained political will,
13 persuade the American people and United
14 States allies and partners of—

15 (i) the current challenges facing the
16 international rules based order; and

17 (ii) the need for long-term invest-
18 ments and engagement to defend shared
19 interests and values.

20 (2) The United States must coordinate closely
21 with allies and partners to compete effectively with
22 the PRC, including to encourage allies and partners
23 to assume, as appropriate, greater roles in balancing
24 and checking aggressive PRC behavior.

25 (3) Effective United States strategy toward
26 China requires—

1 (A) bipartisan cooperation within Con-
2 gress; and

3 (B) frequent, sustained, and meaningful
4 collaboration and consultation between the execu-
5 tive branch and Congress.

6 (4) The United States must ensure close inte-
7 gration among economic and foreign policymakers
8 and provide support to the private sector, civil soci-
9 ety, universities and academic institutions, and other
10 relevant actors in free and open societies to enable
11 such actors—

12 (A) to collaborate to advance common in-
13 terests; and

14 (B) to identify appropriate policies—

15 (i) to strengthen the United States
16 and its allies; and

17 (ii) to promote a compelling vision of
18 a free and open order.

19 (5) The United States must ensure that all
20 Federal departments, agencies, and overseas mis-
21 sions are organized and resourced to effectively de-
22 fend and advance United States interests, by—

23 (A) dedicating more personnel in the Indo-
24 Pacific region, at posts around the world, and
25 in Washington, DC;

1 (B) placing greater numbers of foreign
2 service officers, international development pro-
3 fessionals, members of the foreign commercial
4 service, intelligence professionals, and other
5 United States Government personnel in the
6 Indo-Pacific region; and

7 (C) ensuring that this workforce has the
8 training, demonstrated proficiency in language
9 and culture, technical skills, and other com-
10 petencies required to advance a successful strat-
11 egy in relation to the PRC.

12 (6) The United States must place renewed pri-
13 ority and emphasis on strengthening the nonmilitary
14 instruments of national power, including diplomacy,
15 information, technology, economics, foreign assist-
16 ance and development finance, commerce, intel-
17 ligence, and law enforcement, which are crucial for
18 addressing the challenges posed by the PRC.

19 (7) The United States must sustain military ca-
20 pabilities necessary to achieve United States political
21 objectives in the Indo-Pacific, including—

22 (A) promoting regional security in the
23 Indo-Pacific;

24 (B) reassuring allies and partners while
25 protecting them from coercion; and

1 (C) deterring PRC aggression and pre-
2 venting unwanted conflict.

3 (8) Competition with the PRC requires skillful
4 adaptation to the information environment of the
5 21st century. United States public diplomacy and
6 messaging efforts must effectively—

7 (A) promote the value of partnership with
8 the United States; and

9 (B) counter CCP propaganda and
10 disinformation that threatens United States in-
11 terests.

12 (9) The United States must ensure key environ-
13 mental, energy management, labor, and social re-
14 sponsibility standards are maintained across the
15 technology supply chain, including—

16 (A) prohibitions on human trafficking and
17 fundamental rights outlined in the International
18 Labor Organization (ILO) Declaration on the
19 Fundamental Principles and Rights at Work
20 and as defined by the ILO Conventions; and

21 (B) that such rules, norms, and standards
22 are in alignment with the values and interests
23 of the United States, its allies and partners,
24 and other stakeholders in the liberal inter-
25 national order.

1 (b) FURTHER SENSE.—It is further the sense of Con-
2 gress that—

3 (1) it is in the national interest for the United
4 States to become a formal signatory of the United
5 Nations Convention on the Law of the Sea
6 (UNCLOS), done at Montego Bay, Jamaica, Decem-
7 ber 10, 1982; and

8 (2) the ratification of the UNCLOS remains a
9 top priority of the United States Navy and the
10 United States Coast Guard, the importance of which
11 was most recently underscored by the strategic chal-
12 lenges the United States faces in the Asia-Pacific,
13 the Arctic, and the Black Sea regions.

14 **SEC. 30005. RULES OF CONSTRUCTION.**

15 (a) APPLICABILITY OF EXISTING RESTRICTIONS ON
16 ASSISTANCE TO FOREIGN SECURITY FORCES.—Nothing
17 in this division shall be construed to diminish, supplant,
18 supersede, or otherwise restrict or prevent responsibilities
19 of the United States Government under section 620M of
20 the Foreign Assistance Act of 1961 (22 U.S.C. 2378d)
21 or section 362 of title 10, United States Code.

22 (b) NO AUTHORIZATION FOR THE USE OF MILITARY
23 FORCE.—Nothing in this division may be construed as au-
24 thorizing the use of military force.

1 **TITLE I—INVESTING IN**
2 **AMERICAN COMPETITIVENESS**
3 **Subtitle A—Science and**
4 **Technology**

5 **SEC. 30101. AUTHORIZATION TO ASSIST UNITED STATES**
6 **COMPANIES WITH GLOBAL SUPPLY CHAIN DI-**
7 **VERSIFICATION AND MANAGEMENT.**

8 (a) **AUTHORIZATION TO CONTRACT SERVICES.**—The
9 Secretary of State, in coordination with the Secretary of
10 Commerce, is authorized to establish a program to facili-
11 tate the contracting by the Department of State for the
12 professional services of qualified experts, on a reimburs-
13 able fee for service basis, to assist interested United States
14 persons and business entities with supply chain manage-
15 ment issues related to the People’s Republic of China
16 (PRC), including—

17 (1) exiting from the PRC market or relocating
18 certain production facilities to locations outside the
19 PRC;

20 (2) diversifying sources of inputs, and other ef-
21 forts to diversify supply chains to locations outside
22 of the PRC;

23 (3) navigating legal, regulatory, or other chal-
24 lenges in the course of the activities described in
25 paragraphs (1) and (2); and

1 (4) identifying alternative markets for produc-
2 tion or sourcing outside of the PRC, including
3 through providing market intelligence, facilitating
4 contact with reliable local partners as appropriate,
5 and other services.

6 (b) CHIEF OF MISSION OVERSIGHT.—The persons
7 contracted to perform the services described in subsection
8 (a) shall—

9 (1) be under the authority of the United States
10 Chief of Mission in the country in which they are
11 hired, in accordance with existing United States
12 laws;

13 (2) coordinate with Department of State and
14 Department of Commerce officers; and

15 (3) coordinate with United States missions and
16 relevant local partners in other countries as needed
17 to carry out the services described in subsection (a).

18 (c) PRIORITIZATION OF MICRO-, SMALL-, AND ME-
19 DIUM-SIZED ENTERPRISES.—The services described in
20 subsection (a) shall be prioritized for assisting micro-,
21 small-, and medium-sized enterprises with regard to the
22 matters described in subsection (a).

23 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated \$15,000,000 for each of fis-

1 cal years 2022 through 2026 for the purposes of carrying
2 out this section.

3 (e) PROHIBITION ON ACCESS TO ASSISTANCE BY
4 FOREIGN ADVERSARIES.—None of the funds appropriated
5 pursuant to this section may be provided to an entity—

6 (1) under the foreign ownership, control, or in-
7 fluence of the Government of the PRC or the CCP,
8 or other foreign adversary;

9 (2) determined to have beneficial ownership
10 from foreign individuals subject to the jurisdiction,
11 direction, or influence of foreign adversaries; and

12 (3) that has any contract in effect at the time
13 of the receipt of such funds, or has had a contract
14 within the previous one year that is no longer in ef-
15 fect, with—

16 (A) the Government of the PRC;

17 (B) the CCP;

18 (C) the PLA;

19 (D) an entity majority-owned, majority-
20 controlled, or majority-financed by the Govern-
21 ment of the PRC, the CCP, or the PLA; or

22 (E) a parent, subsidiary, or affiliate of an
23 entity described in subparagraph (D).

24 (f) DEFINITIONS.—The terms “foreign ownership,
25 control, or influence” and “FOCI” have the meanings

1 given to those terms in part 117 of title 32, Code of Fed-
2 eral Regulations, or a successor document.

3 **SEC. 30102. REPORT ON NATIONAL TECHNOLOGY AND IN-**
4 **DUSTRIAL BASE.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) a more streamlined, shared, and coordinated
8 approach, which leverages economies of scale with
9 major allies, is necessary for the United States to re-
10 tain its lead in defense technology;

11 (2) allowing for the export, re-export, or trans-
12 fer of defense-related technologies and services to
13 members of the national technology and industrial
14 base (as defined in section 2500 of title 10, United
15 States Code) would advance United States security
16 interests by helping to leverage the defense-related
17 technologies and skilled workforces of trusted allies
18 to reduce the dependence on other countries, includ-
19 ing countries that pose challenges to United States
20 interests around the world, for defense-related inno-
21 vation and investment; and

22 (3) it is in the interest of the United States to
23 continue to increase cooperation with Australia,
24 Canada, and the United Kingdom of Great Britain
25 and Northern Ireland to protect critical defense-re-

1 lated technology and services and leverage the in-
2 vestments of like-minded, major ally nations in order
3 to maximize the strategic edge afforded by defense
4 technology innovation.

5 (b) REPORT.—

6 (1) IN GENERAL.—Not later than 90 days after
7 the date of the enactment of this Act, the Secretary
8 of State shall submit a report to the Committee on
9 Foreign Relations of the Senate and the Committee
10 on Foreign Affairs of the House of Representatives,
11 the Committees on Armed Services of the Senate
12 and the House of Representatives, the Permanent
13 Select Committee on Intelligence of the House of
14 Representatives and the Select Committee on Intel-
15 ligence of the Senate, and any other appropriate
16 congressional committees that—

17 (A) describes the Department of State’s ef-
18 forts to facilitate access among the national
19 technology and industrial base to defense arti-
20 cles and services subject to the United States
21 Munitions List under section 38(a)(1) of the
22 Arms Export Control Act (22 U.S.C.
23 2778(a)(1)); and

24 (B) identifies foreign legal, regulatory, for-
25 eign policy, or other challenges or consider-

1 ations that prevent or frustrate these efforts, to
2 include any gaps in the respective export con-
3 trol regimes implemented by United Kingdom
4 of Great Britain and Northern Ireland, Aus-
5 tralia, or Canada.

6 (2) FORM.—This report required under para-
7 graph (1) shall be unclassified, but may include a
8 classified annex.

9 **Subtitle B—Global Infrastructure**
10 **and Energy Development**

11 **SEC. 30111. APPROPRIATE COMMITTEES OF CONGRESS DE-**
12 **FINED.**

13 In this subtitle, the term “appropriate committees of
14 Congress” means—

15 (1) the Committee on Foreign Relations and
16 the Committee on Appropriations of the Senate; and

17 (2) the Committee on Foreign Affairs and the
18 Committee on Appropriations of the House of Rep-
19 resentatives.

20 **SEC. 30112. SENSE OF CONGRESS ON INTERNATIONAL**
21 **QUALITY INFRASTRUCTURE INVESTMENT**
22 **STANDARDS.**

23 (a) SENSE OF CONGRESS ON COLLABORATIVE
24 STANDARDS.—It is the sense of Congress that the United
25 States should initiate collaboration among governments,

1 the private sector, and civil society to encourage the adop-
2 tion of the standards for quality global infrastructure de-
3 velopment advanced by the G20 at Osaka in 2018, includ-
4 ing with respect to the following issues:

5 (1) Respect for the sovereignty of countries in
6 which infrastructure investments are made.

7 (2) Anti-corruption.

8 (3) Rule of law.

9 (4) Human rights and labor rights.

10 (5) Fiscal and debt sustainability.

11 (6) Social and governance safeguards.

12 (7) Transparency.

13 (8) Environmental and energy standards.

14 (b) SENSE OF CONGRESS ON COMMITMENT TO CO-
15 OPERATION.—It is the sense of Congress that the United
16 States should launch a series of fora around the world
17 showcasing the commitment of the United States and
18 partners of the United States to high-quality development
19 cooperation, including with respect to the issues described
20 in subsection (a).

21 **SEC. 30113. SUPPORTING ECONOMIC INDEPENDENCE FROM**
22 **THE PEOPLE'S REPUBLIC OF CHINA.**

23 (a) FINDING.—It is in the national interest of the
24 United States to establish a coordinated interagency strat-
25 egy to marshal the resources of the United States Govern-

1 ment to provide foreign countries with financing that
2 strengthens independent economic capacity and therefore
3 reduces a foreign government's need to enter into agree-
4 ments with the People's Republic of China (PRC), includ-
5 ing to obtain support from its Belt and Road Initiative.

6 (b) STRATEGY.—

7 (1) AUTHORITY.—Not later than 180 days
8 after the date of the enactment of this Act, the
9 President shall develop and submit a strategy to the
10 relevant congressional committees to use the re-
11 sources of Federal agencies to counteract offers of
12 assistance and financing from the PRC to foreign
13 governments that are of strategic importance to the
14 United States.

15 (2) COMPONENTS OF STRATEGY.—The strategy
16 shall—

17 (A) identify primary sectors where the
18 United States could provide a competitive ad-
19 vantage to increase a country's economic inde-
20 pendence;

21 (B) select countries with corresponding
22 economic needs, with priority given to those
23 who are vulnerable to Chinese economic influ-
24 ence;

1 (C) identify any corresponding existing fi-
2 nancing available from United States Govern-
3 ment entities to prioritize and devise specific fi-
4 nancing tailored to the needs of such foreign
5 governments if none are currently available;

6 (D) identify any cooperative and com-
7 plementary assistance and financing from
8 friendly foreign governments, including coordi-
9 nated assistance and co-financing;

10 (E) create a streamlined decision-making
11 process, directed by the National Security
12 Council, to devise financing and make agency
13 decisions and commitments on a timely basis to
14 support United States competitive offers;

15 (F) establish a formal G7+European Com-
16 mission Working Group to develop a com-
17 prehensive strategy to develop alternatives to
18 the PRC's Belt and Road Initiative for develop-
19 ment finance; and

20 (G) integrate existing efforts into the
21 strategy, including efforts to address the Gov-
22 ernment of the PRC's use of the United Na-
23 tions to advance the Belt and Road Initiative,
24 including the proliferation of memoranda of un-
25 derstanding between the PRC and United Na-

1 tions funds and programs regarding the imple-
2 mentation of the Belt and Road Initiative.

3 (3) PARTICIPATING AGENCIES.—Participating
4 Federal agencies should include the Department of
5 State, Department of the Treasury, United States
6 Agency for International Development (USAID),
7 United States International Development Finance
8 Corporation, Millennium Challenge Corporation,
9 United States Trade and Development Agency, De-
10 partment of Commerce, the Office of the Director of
11 National Intelligence, and other Federal depart-
12 ments and agencies as appropriate.

13 (4) EXECUTION OF STRATEGY.—The President
14 should issue an Executive order to implement the
15 strategy and make such changes in agency regula-
16 tions and procedures as are necessary to put the
17 strategy into effect.

18 (5) RELEVANT CONGRESSIONAL COMMIT-
19 TEES.—In this section, the term “relevant congress-
20 sional committees” means—

21 (A) the Committee on Appropriations, the
22 Committee on Foreign Affairs, the Committee
23 on Financial Services, and the Permanent Se-
24 lect Committee on Intelligence of the House of
25 Representatives; and

1 (B) the Committee on Appropriations, the
2 Committee on Foreign Relations, the Com-
3 mittee on Banking, Housing, and Urban Af-
4 fairs, and the Select Committee on Intelligence
5 of the Senate.

6 (c) AUTHORITY.—The Secretary of State, in coordi-
7 nation with the Administrator of the USAID, is author-
8 ized to establish or continue an initiative, to be known as
9 the “Infrastructure Transaction and Assistance Net-
10 work”, under which the Secretary of State, in consultation
11 with other relevant Federal agencies, including those rep-
12 resented on the Global Infrastructure Coordinating Com-
13 mittee, may carry out various programs to advance the
14 development of sustainable, transparent, and high-quality
15 infrastructure worldwide in the Indo-Pacific region by—

16 (1) strengthening capacity-building programs to
17 improve project evaluation processes, regulatory and
18 procurement environments, and project preparation
19 capacity of countries that are partners of the United
20 States in such development;

21 (2) providing transaction advisory services and
22 project preparation assistance to support sustainable
23 infrastructure; and

24 (3) coordinating the provision of United States
25 assistance for the development of infrastructure, in-

1 including infrastructure that uses United States man-
2 ufactured goods and services, and catalyzing invest-
3 ment led by the private sector.

4 (d) TRANSACTION ADVISORY FUND.—As part of the
5 “Infrastructure Transaction and Assistance Network” de-
6 scribed under subsection (c), the Secretary of State is au-
7 thorized to provide support, including through the Trans-
8 action Advisory Fund, for advisory services to help boost
9 the capacity of partner countries to evaluate contracts and
10 assess the financial and environmental impacts of poten-
11 tial infrastructure projects, including through providing
12 services such as—

- 13 (1) legal services;
- 14 (2) project preparation and feasibility studies;
- 15 (3) debt sustainability analyses;
- 16 (4) bid or proposal evaluation; and
- 17 (5) other services relevant to advancing the de-
18 velopment of sustainable, transparent, and high-
19 quality infrastructure.

20 (e) STRATEGIC INFRASTRUCTURE FUND.—

21 (1) IN GENERAL.—As part of the “Infrastruc-
22 ture Transaction and Assistance Network” described
23 under subsection (c), the Secretary of State is au-
24 thorized to provide support, including through the
25 Strategic Infrastructure Fund, for technical assist-

1 ance, project preparation, pipeline development, and
2 other infrastructure project support.

3 (2) JOINT STRATEGIC INFRASTRUCTURE
4 PROJECTS.—Funds authorized for the Strategic In-
5 frastructure Fund should be used in coordination
6 with the Department of Defense, the International
7 Development Finance Corporation, like-minded
8 donor partners, and multilateral banks, as appro-
9 priate, to support joint infrastructure projects that
10 are in the national security interest of the United
11 States and vulnerable to strategic competitors.

12 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated, for each of fiscal years
14 2022 to 2026, \$75,000,000 to the Infrastructure Trans-
15 action and Assistance Network, of which \$20,000,000
16 should be made available for the Transaction Advisory
17 Fund.

18 **SEC. 30114. STRATEGY FOR ADVANCED AND RELIABLE EN-**
19 **ERGY INFRASTRUCTURE.**

20 (a) IN GENERAL.—The President shall direct a com-
21 prehensive, multi-year, whole of government effort, in con-
22 sultation with the private sector, to counter predatory
23 lending and financing, including in the form of providing
24 support to companies incorporated in the People’s Repub-
25 lic of China (PRC) that engage in such activities, by the

1 Government of the PRC in the energy sectors of devel-
2 oping countries.

3 (b) POLICY.—It is the policy of the United States
4 to—

5 (1) regularly evaluate current and forecasted
6 energy needs and capacities of developing countries,
7 and analyze the presence and involvement of PRC
8 state-owned industries and other companies incor-
9 porated in the PRC, Chinese nationals providing
10 labor, and financing of energy projects, including di-
11 rect financing by the PRC government, PRC finan-
12 cial institutions, or direct state support to state-
13 owned enterprises and other companies incorporated
14 in the PRC;

15 (2) pursue strategic support and investment op-
16 portunities, and diplomatic engagement on power
17 sector reforms, to expand the development and de-
18 ployment of advanced energy technologies in devel-
19 oping countries;

20 (3) offer financing, loan guarantees, grants,
21 and other financial products on terms that advance
22 domestic economic and local employment opportuni-
23 ties, utilize advanced energy technologies, encourage
24 private sector growth, and, when appropriate United
25 States equity and sovereign lending products as al-

1 alternatives to the predatory lending tools offered by
2 Chinese financial institutions;

3 (4) pursue partnerships with likeminded inter-
4 national financial and multilateral institutions to le-
5 verage investment in advanced energy technologies
6 in developing countries; and

7 (5) pursue bilateral partnerships focused on the
8 cooperative development of advanced energy tech-
9 nologies with countries of strategic significance, par-
10 ticularly in the Indo-Pacific region, to address the
11 effects of energy engagement by the PRC through
12 predatory lending or other actions that negatively
13 impact other countries.

14 (c) **ADVANCED ENERGY TECHNOLOGIES EXPORTS.**—

15 Not later than 180 days after the date of the enactment
16 of this Act, and annually thereafter for 5 years, the Sec-
17 retary of State, in consultation with the Secretary of En-
18 ergy, shall submit to the appropriate committees of Con-
19 gress a United States Government strategy to increase
20 United States exports of advanced energy technologies
21 to—

22 (1) improve energy security in allied and devel-
23 oping countries;

24 (2) create open, efficient, rules-based, and
25 transparent energy markets;

1 (3) improve free, fair, and reciprocal energy
2 trading relationships; and

3 (4) expand access to affordable, reliable energy.

4 **SEC. 30115. REPORT ON THE PEOPLE'S REPUBLIC OF CHI-**
5 **NA'S INVESTMENTS IN FOREIGN ENERGY DE-**
6 **VELOPMENT.**

7 (a) IN GENERAL.—No later than 180 days after the
8 date of the enactment of this Act, and annually thereafter
9 for 5 years, the Secretary of State shall submit to the ap-
10 propriate committees of Congress (including the Perma-
11 nent Select Committee on Intelligence of the House of
12 Representatives and the Select Committee on Intelligence
13 of the Senate) a report that—

14 (1) identifies priority countries for deepening
15 United States engagement on energy matters, in ac-
16 cordance with the economic and national security in-
17 terests of the United States and where deeper en-
18 ergy partnerships are most achievable;

19 (2) describes the involvement of the Govern-
20 ment of the People's Republic of China (PRC) and
21 companies incorporated in the PRC in the develop-
22 ment, operation, financing, or ownership of energy
23 generation facilities, transmission infrastructure, or
24 energy resources in the countries identified in para-
25 graph (1);

1 (3) evaluates strategic or security concerns and
2 implications for United States national interests and
3 the interests of the countries identified in paragraph
4 (1), with respect to the PRC's involvement and in-
5 fluence in developing country energy production or
6 transmission; and

7 (4) outlines current and planned efforts by the
8 United States to partner with the countries identi-
9 fied in paragraph (1) on energy matters that sup-
10 port shared interests between the United States and
11 such countries.

12 (b) PUBLICATION.—The assessment required in sub-
13 section (a) shall be published on the Department of State's
14 website.

15 **SEC. 30116. REPORT ON FOREIGN INVESTMENT IN THE AG-**
16 **RICULTURE SECTOR OF THE UNITED STATES.**

17 (a) IN GENERAL.—Not later than 90 days after the
18 date of the enactment of this Act, and annually thereafter
19 for 10 years, the Secretary of State, in consultation with
20 the Secretary of Agriculture, shall submit to Congress a
21 report on foreign investment in the agriculture sector of
22 the United States and the impact of such investment on
23 the national security of the United States.

24 (b) PRIORITY.—In preparing the report required by
25 subsection (a), the Secretaries shall prioritize investment

1 by the People’s Republic of China in the agriculture sector
2 of the United States.

3 **Subtitle C—Economic Diplomacy**
4 **and Leadership**

5 **SEC. 30121. FINDINGS ON REGIONAL ECONOMIC ORDER.**

6 Congress makes the following findings:

7 (1) The United States played a leadership role
8 in constructing the architecture, rules, and norms
9 governing the international economic order following
10 the Second World War, yielding decades of domestic
11 economic and geopolitical prosperity and stability.

12 (2) It is in the United States’ vital interest to
13 upgrade its economic engagement and leadership in
14 the Indo-Pacific and develop concrete steps to
15 strengthen its commercial diplomacy to fully par-
16 ticipate in the region’s economic dynamism.

17 **SEC. 30122. REPORT ON ENTRENCHING AMERICAN ECO-**
18 **NOMIC DIPLOMACY IN THE INDO-PACIFIC.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that United States national interests and the pri-
21 macy of United States power in the Indo-Pacific are inti-
22 mately tied to the following economic objectives:

23 (1) Confirming American leadership and par-
24 ticipation in global regional economic organizations
25 and fora, including the Asia-Pacific Economic Co-

1 operation (APEC) and the World Trade Organiza-
2 tion (WTO).

3 (2) Building secure and resilient supply chains
4 for industries critical for United States national in-
5 terest, including semiconductors, vaccines, and per-
6 sonal protective equipment.

7 (3) Showcasing the benefits and appeal of a
8 market-based economic model.

9 (b) REPORTING.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary of State,
11 in coordination with the United States Trade Representa-
12 tive and the Secretary of Commerce, shall submit a report
13 to the appropriate committees of Congress that presents
14 the steps the United States is taking and plans to take
15 to achieve the objectives outlined in subsection (a) and in-
16 cludes specific action plans for the following:

17 (1) Reenergizing APEC as a critical component
18 of the region's economic architecture.

19 (2) Working with allies and partners to build
20 resilient and trusted supply chains especially for
21 critical and emerging technologies, including semi-
22 conductors, and products and components critical
23 for national health, including vaccines and related
24 materials and personal protective equipment.

1 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
2 FINED.—In this section, the term “appropriate commit-
3 tees of Congress” means—

4 (1) the Committee on Foreign Relations, the
5 Committee on Banking, Housing and Urban Affairs,
6 and the Committee on Finance of the Senate; and

7 (2) the Committee on Foreign Affairs, the
8 Committee on Energy and Commerce, and the Com-
9 mittee on Ways and Means of the House of Rep-
10 resentatives.

11 **SEC. 30123. SENSE OF CONGRESS ON THE NEED TO BOL-**
12 **STER AMERICAN LEADERSHIP IN THE ASIA**
13 **PACIFIC ECONOMIC COOPERATION.**

14 It is the sense of Congress that—

15 (1) the United States has benefitted from the
16 regional economic integration agenda of the Asia Pa-
17 cific Economic Cooperation (APEC) forum since its
18 inception in 1989;

19 (2) APEC is a hub of commerce for 21 member
20 economies that, as of 2018, accounted for 60 percent
21 of global GDP and 48 percent of global trade;

22 (3) APEC has contributed to the economic
23 growth in the region and enhanced access to global
24 value chains, while raising the profile of critical top-

1 ics such as fair trade, sustainability, gender parity,
2 and inclusive growth;

3 (4) it is in the United States interest to engage
4 and lead at APEC to push for an open and inclusive
5 regional economy that benefits United States work-
6 ers, consumers, and businesses and better integrates
7 the United States economy with others in the region;

8 (5) when the United States last hosted APEC
9 in 2011, it was able to promote United States inter-
10 ests, while reassuring allies and partners about its
11 strong commitment to the region in the economic
12 arena;

13 (6) today, APEC can again be used as a forum
14 to make progress on several United States priorities,
15 that are shared by United States allies and partners,
16 including—

17 (A) making regional commerce more inclu-
18 sive;

19 (B) fostering innovation and digitization;
20 and

21 (C) addressing climate change and environ-
22 mental protection;

23 (7) hosting APEC would provide a tremendous
24 opportunity to leverage American leadership to
25 shape the regional economic agenda;

1 (8) hosting APEC would allow the United
2 States to advance several of its own priorities in the
3 region, including to—

4 (A) expand the participation of APEC
5 stakeholders to include labor groups, environ-
6 mental advocates, and other part of civil soci-
7 ety;

8 (B) upgrade APEC’s work to empower and
9 promote small and medium enterprises;

10 (C) spotlight best practices and plans to
11 upgrade skills for the next-generation of tech-
12 nology jobs;

13 (D) advance a climate and sustainable
14 trade and development agenda with a focus on
15 green technologies, infrastructure and finance;
16 and

17 (E) advance work on digital issues; and

18 (9) with no host confirmed for 2023, the United
19 States should immediately announce its interest to
20 host APEC in 2023 and work with the APEC Secre-
21 tariat and like-minded APEC members to build sup-
22 port.

1 **SEC. 30124. TASK FORCE TO COUNTER CHINA'S ECONOMIC**
2 **COERCION.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the People's Republic of China's (PRC) in-
6 creasing use of economic coercion against foreign
7 governments, companies, organizations, other enti-
8 ties, and individuals requires that the United States
9 better understand these measures in order to devise
10 a comprehensive, effective, and multilateral response;

11 (2) the private sector is a crucial partner in
12 helping the United States Government understand
13 the PRC's coercive economic measures and hold the
14 PRC accountable, and that additional business
15 transparency would help the United States Govern-
16 ment and private sector stakeholders conduct early
17 assessments of potential pressure points and
18 vulnerabilities; and

19 (3) PRC coercive economic measures create
20 pressures for the private sector to behave in ways
21 antithetical to United States national interests and
22 competitiveness.

23 (b) ESTABLISHMENT OF TASK FORCE.—Not later
24 than 180 days after the date of the enactment of this Act,
25 the President shall establish an interagency task force to

1 be known as the “Countering Economic Coercion Task
2 Force” (referred to in this section as the “Task Force”).

3 (c) DUTIES.—

4 (1) IN GENERAL.—The Task Force shall—

5 (A) oversee the development and imple-
6 mentation of an integrated United States Gov-
7 ernment strategy to respond to People’s Repub-
8 lic of China (PRC) coercive economic measures,
9 which shall include—

10 (i) systematically monitoring and eval-
11 uating—

12 (I) the costs of such measures on
13 United States businesses and overall
14 United States economic performance;

15 (II) instances in which such
16 measures taken against a non-PRC
17 entity has benefitted other parties;
18 and

19 (III) the impacts such measures
20 have had on United States national
21 interests; and

22 (ii) facilitating coordination among
23 Federal departments and agencies when
24 responding to such measures as well as
25 proactively deterring such economic coer-

1 cion; including by clarifying the roles for
2 departments and agencies identified in
3 subsection (d) in implementing the strat-
4 egy;

5 (B) consult with United States allies and
6 partners on the feasibility and desirability of
7 collectively identifying, assessing, and respond-
8 ing to PRC coercive economic measures, as well
9 as actions that could be taken to expand coordi-
10 nation with the goal of ensuring a consistent,
11 coherent, and collective response to such meas-
12 ures and establishing long-term deterrence to
13 such measures;

14 (C) effectively engage the United States
15 private sector, particularly sectors, groups, or
16 other entities that are susceptible to such PRC
17 coercive economic measures, on concerns related
18 to such measures; and

19 (D) develop and implement a process for
20 regularly sharing relevant information, includ-
21 ing classified information to the extent appro-
22 priate and practicable, on such PRC coercive
23 economic measures with United States allies,
24 partners, and the private sector.

1 (2) CONSULTATION.—In carrying out its duties
2 under this subsection, the Task Force should regu-
3 larly consult, to the extent necessary and appro-
4 priate, with the following:

5 (A) Relevant stakeholders in the private
6 sector.

7 (B) Federal departments and agencies that
8 are not represented on the Task Force.

9 (C) United States allies and partners.

10 (d) MEMBERSHIP.—The President shall—

11 (1) appoint the chair of the Task Force from
12 among the staff of the National Security Council;

13 (2) appoint the vice chair of the Task Force
14 from among the staff of the National Economic
15 Council; and

16 (3) direct the head of each of the following Fed-
17 eral departments and agencies to appoint personnel
18 at the level of Assistant Secretary or above to par-
19 ticipate in the Task Force:

20 (A) The Department of State.

21 (B) The Department of Commerce.

22 (C) The Department of the Treasury.

23 (D) The Department of Justice.

24 (E) The Office of the United States Trade
25 Representative.

1 (F) The Department of Agriculture.

2 (G) The Office of the Director of National
3 Intelligence and other appropriate elements of
4 the intelligence community (as defined in sec-
5 tion 3 of the National Security Act of 1947 (50
6 U.S.C. 3003)).

7 (H) The Securities and Exchange Commis-
8 sion.

9 (I) The United States International Devel-
10 opment Finance Corporation.

11 (J) Any other department or agency des-
12 ignated by the President.

13 (e) REPORTS.—

14 (1) INITIAL REPORT.—Not later than one year
15 after the date of the enactment of this Act, the Task
16 Force shall submit to the appropriate congressional
17 committees a report that includes the following ele-
18 ments:

19 (A) A comprehensive review of the array of
20 economic tools the Government of the People's
21 Republic of China (PRC) employs or could em-
22 ploy in the future to coerce other governments,
23 non-PRC companies (including United States
24 companies), and multilateral institutions and
25 organizations, including the Government of the

1 PRC's continued efforts to codify informal
2 practices into its domestic law.

3 (B) The strategy required by subsection
4 (c)(1)(A).

5 (C) An interagency definition of PRC coer-
6 cive economic measures that captures both—

7 (i) the use of informal or extralegal
8 PRC coercive economic measures; and

9 (ii) the illegitimate use of formal eco-
10 nomic tools.

11 (D) A comprehensive review of the array of
12 economic and diplomatic tools the United
13 States Government employs or could employ to
14 respond to economic coercion against the
15 United States and United States allies and
16 partners.

17 (E) A list of unilateral or multilateral—

18 (i) proactive measures to defend or
19 deter against PRC coercive economic meas-
20 ures; and

21 (ii) actions taken in response to the
22 Government of the PRC's general use of
23 coercive economic measures, including the
24 imposition of reputational costs on the
25 PRC.

1 (F) An assessment of areas in which
2 United States allies and partners are vulnerable
3 to PRC coercive economic measures.

4 (G) A description of gaps in existing re-
5 sources or capabilities for United States Gov-
6 ernment departments and agencies to respond
7 effectively to PRC coercive economic measures
8 directed at United States entities and assist
9 United States allies and partners in their re-
10 sponses to PRC coercive economic measures.

11 (H) An analysis of the circumstances
12 under which the PRC employs different types of
13 economic coercion and against what kinds of
14 targets.

15 (I) An assessment, as appropriate, of inter-
16 national norms and regulations as well as any
17 treaty obligations the PRC has stretched, cir-
18 cumvented, or broken through its economically
19 coercive practices.

20 (2) INTERIM REPORTS.—

21 (A) FIRST INTERIM REPORT.—Not later
22 than one year after the date on which the re-
23 port required by paragraph (1) is submitted to
24 the appropriate congressional committees, the
25 Task Force shall submit to the appropriate con-

1 gressional committees a report that includes the
2 following elements:

3 (i) Updates to information required by
4 subparagraphs (A) through (G) of para-
5 graph (1).

6 (ii) A description of activities con-
7 ducted by the Task Force to implement
8 the strategy required by subsection
9 (c)(1)(A).

10 (iii) An assessment of the implemen-
11 tation and effectiveness of the strategy,
12 lessons learned from the past year and
13 planned changes to the strategy.

14 (B) SECOND INTERIM REPORT.—Not later
15 than one year after the date on which the re-
16 port required by subparagraph (A) is submitted
17 to the appropriate congressional committees,
18 the Task Force shall submit to the appropriate
19 congressional committees a report that includes
20 an update to the elements required under the
21 report required by subparagraph (A).

22 (3) FINAL REPORT.—Not later than 30 days
23 after the date on which the report required by para-
24 graph (2)(B) is submitted to the appropriate con-
25 gressional committees, the Task Force shall submit

1 to the appropriate congressional committees and also
2 make available to the public on the website of the
3 Executive Office of the President a final report that
4 includes the following elements:

5 (A) An analysis of PRC coercive economic
6 measures and the cost of such coercive meas-
7 ures to United States businesses.

8 (B) A description of areas of possible vul-
9 nerability for United States businesses and
10 businesses of United States partners and allies.

11 (C) Recommendations on how to continue
12 the effort to counter PRC coercive economic
13 measures, including through further coordina-
14 tion with United States allies and partners.

15 (D) A list of cases made public under sub-
16 section (f).

17 (4) FORM.—

18 (A) INITIAL AND INTERIM REPORTS.—The
19 reports required by paragraphs (1), (2)(A), and
20 (2)(B) shall be submitted in unclassified form,
21 but may include a classified annex.

22 (B) FINAL REPORT.—The report required
23 by paragraph (3) shall be submitted in unclassi-
24 fied form, but may include a classified annex.

25 (f) PUBLICLY AVAILABLE LIST.—

1 (1) IN GENERAL.—Not later than 120 days
2 after the date of the enactment of this Act, the Task
3 Force shall to the extent practicable make available
4 to the public on the website of the Executive Office
5 of the President a list of cases in the past six
6 months in which open source reporting indicates
7 that the PRC has directed coercive economic meas-
8 ures against a non-PRC entity.

9 (2) UPDATES.—The list required by paragraph
10 (1) should be updated every 180 days, and shall be
11 managed by the Department of State after the ter-
12 mination of the Task Force under subsection (g).

13 (g) SUNSET.—

14 (1) IN GENERAL.—The Task Force shall termi-
15 nate at the end of the 60-day period beginning on
16 the date on which the final report required by sub-
17 section (e)(3) is submitted to the appropriate con-
18 gressional committees and made publicly available.

19 (2) ADDITIONAL ACTIONS.—The Task force
20 may use the 60-day period referred to in paragraph
21 (1) for the purposes of concluding its activities, in-
22 cluding providing testimony to Congress concerning
23 the final report required by subsection (e)(3).

24 (h) DEFINITIONS.—In this section:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Affairs of
5 the House of Representatives; and

6 (B) the Committee on Foreign Relations of
7 the Senate.

8 (2) COERCIVE ECONOMIC MEASURES.—The
9 term “coercive economic measures” includes formal
10 or informal restrictions or conditions, such as on
11 trade, investment, development aid, and financial
12 flows, intended to impose economic costs on a non-
13 People’s Republic of China target in order to achieve
14 strategic political objectives, including influence over
15 the policy decisions of a foreign government, com-
16 pany, organization, or individual.

17 **SEC. 30125. SENSE OF CONGRESS ON DIGITAL TECH-**
18 **NOLOGY ISSUES.**

19 (a) LEADERSHIP IN INTERNATIONAL STANDARDS
20 SETTING.—It is the sense of Congress that the United
21 States must lead in international bodies that set the gov-
22 ernance norms and rules for critical digitally enabled tech-
23 nologies in order to ensure that these technologies operate
24 within a free, secure, interoperable, and stable digital do-
25 main.

1 (b) COUNTERING DIGITAL AUTHORITARIANISM.—It
2 is the sense of Congress that the United States, along with
3 allies and partners, should lead an international effort to
4 combat the expanding use of information and communica-
5 tions technology products and services to surveil, repress,
6 and manipulate populations (also known as “digital
7 authoritarianism”).

8 (c) FREEDOM OF INFORMATION IN THE DIGITAL
9 AGE.—It is the sense of Congress that the United States
10 should lead a global effort to ensure that freedom of infor-
11 mation, including the ability to safely consume or publish
12 information without fear of undue reprisals, is maintained
13 as the digital domain becomes an increasingly integral
14 mechanism for communication.

15 (d) EFFORTS TO ENSURE TECHNOLOGICAL DEVEL-
16 OPMENT DOES NOT THREATEN DEMOCRATIC GOVERN-
17 ANCE OR HUMAN RIGHTS.—It is the sense of Congress
18 that the United States should lead a global effort to de-
19 velop and adopt a set of common principles and standards
20 for critical technologies to ensure that the use of such
21 technologies cannot be abused by malign actors, whether
22 they are governments or other entities, and that they do
23 not threaten democratic governance or human rights.

24 **SEC. 30126. DIGITAL DIALOGUE AND COOPERATION.**

25 It is the sense of Congress that—

1 (1) as the COVID–19 pandemic accelerated
2 United States dependence on digital tools, inter-
3 national rules around digital rules have remained
4 largely piecemeal; and

5 (2) the People’s Republic of China is operating
6 under and advancing a set of digital rules that are
7 contrary to United States values and interests, and
8 those of United States allies and partners.

9 **SEC. 30127. DIGITAL CONNECTIVITY AND CYBERSECURITY**
10 **PARTNERSHIP.**

11 (a) **DIGITAL CONNECTIVITY AND CYBERSECURITY**
12 **PARTNERSHIP.**—The President is authorized to establish
13 a program, to be known as the “Digital Connectivity and
14 Cybersecurity Partnership” to help foreign countries—

15 (1) expand and increase secure Internet access
16 and digital infrastructure;

17 (2) promote and protect human rights and
18 counter corruption and predatory behavior through-
19 out communications and cybersecurity policy and im-
20 plementation;

21 (3) guard against privacy abuses, cybercrime,
22 disinformation and misinformation, and the use of
23 digital technology and services to carry out criminal
24 activity or human rights violations;

1 (4) bolster the role of civil society in informing
2 ICT policy and regulations;

3 (5) promote exports of United States ICT
4 goods and services and increase United States com-
5 pany market share in target markets;

6 (6) promote the innovation and diversification
7 of ICT goods and supply chain services to be less re-
8 liant on imports from the People's Republic of
9 China;

10 (7) build cybersecurity capacity, expand inter-
11 operability, and promote best practices for a national
12 approach to cybersecurity; and

13 (8) enhance the security of their digital infra-
14 structure to facilitate better information sharing
15 with the United States and United States allies and
16 partners, as appropriate.

17 (b) IMPLEMENTATION PLAN.—Not later than 180
18 days after the date of the enactment of this Act, the Sec-
19 retary of State and the Administrator of the United States
20 Agency for International Development, in consultation
21 with the United States Trade Representative and the Na-
22 tional Cyber Director, shall jointly submit to the appro-
23 priate congressional committees an implementation plan
24 for the 3-year period beginning on the date of the submis-
25 sion of the plan to advance the goals identified in sub-

1 section (a). The implementation plan shall also include a
2 description of interagency responsibilities to carry out im-
3 plementation, a description of any barriers to successful
4 implementation, and a description of any additional re-
5 sources or authorities needed for successful implementa-
6 tion.

7 (c) CONSULTATION.—In developing the implementa-
8 tion plan required by subsection (b), the Secretary of State
9 and the Administrator of the United States Agency for
10 International Development shall consult with—

- 11 (1) the appropriate congressional committees;
- 12 (2) the Committee on Ways and Means, the
13 Committee on Oversight and Reform, and the Per-
14 manent Select Committee on Intelligence of the
15 House of Representatives;
- 16 (3) the Committee on Finance, the Committee
17 on Homeland Security and Governmental Affairs,
18 and the Select Committee on Intelligence of the Sen-
19 ate;
- 20 (4) leaders of the United States industry;
- 21 (5) civil society leaders with expertise in tech-
22 nology, telecommunications, cybersecurity, economic
23 development and competitiveness, and human rights,
24 including from the Open Technology Fund;

1 (6) representatives from relevant United States
2 Government agencies; and

3 (7) representatives from like-minded allies and
4 partners.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated such sums as necessary for
7 each of fiscal years 2022 through 2026 to carry out this
8 section.

9 **SEC. 30128. SENSE OF CONGRESS ON IDEOLOGICAL COM-**
10 **PETITION.**

11 It is the sense of Congress that National Security Ad-
12 visor Jake Sullivan correctly observed that the United
13 States and likeminded democracies are in an ideological
14 competition with the People’s Republic of China, under
15 the direction and control of the Chinese Communist Party,
16 when he stated, “China is essentially making the case that
17 the Chinese model is better than the American model *
18 * * * This is not any longer some kind of implied contrast.
19 It is an explicit statement that there is an alternative
20 model to the democratic market economy model that the
21 United States has been advancing over the course of dec-
22 ades.”.

1 **SEC. 30129. REPORT ON COOPERATION BETWEEN CHINA**
2 **AND UNITED ARAB EMIRATES.**

3 (a) REQUIREMENT.—Not later than 60 days after the
4 date of the enactment of this Act, the Director of National
5 Intelligence, in consultation with the heads of elements of
6 the intelligence community that the Director determines
7 appropriate, shall submit to the congressional intelligence
8 committees a report containing the following:

9 (1) Details on the cooperation between China
10 and the United Arab Emirates regarding defense,
11 security, technology, and other strategically sensitive
12 matters that implicate the national security interests
13 of the United States.

14 (2) The most recent, as of the date of the re-
15 port, quarterly assessment by the intelligence com-
16 munity of measures that the United Arab Emirates
17 has implemented to safeguard technology of the
18 United States and the reliability of any assurances
19 by the United Arab Emirates (with respect to both
20 current assurances and assurances being considered
21 as of the date of the report).

22 (3) A certification by the Director regarding
23 whether such assurances described in paragraph (2)
24 are viable and sufficient to protect technology of the
25 United States from being transferred to China or
26 other third parties.

1 (b) FORM.—The report under subsection (a) may be
2 submitted in classified form, but if so submitted shall in-
3 clude an unclassified executive summary.

4 (c) DEFINITIONS.—In this section, the terms “intel-
5 ligence community” and “congressional intelligence com-
6 mittees” have the meanings given such terms in section
7 3 of the National Security Act of 1947 (50 U.S.C. 3003).

8 **SEC. 30129A. AUTHORIZATION TO HIRE ADDITIONAL STAFF**
9 **FOR THE OFFICE OF FOREIGN ASSET CON-**
10 **TROL OF THE DEPARTMENT OF THE TREAS-**
11 **URY.**

12 The Secretary of the Treasury, acting through the
13 Director of the Office of Foreign Assets Control, is au-
14 thorized to hire an additional 10 full-time employees to
15 carry out activities of the Office associated with the Peo-
16 ple’s Republic of China.

17 **Subtitle D—Financial Diplomacy**
18 **and Leadership**

19 **SEC. 30131. FINDINGS ON CHINESE FINANCIAL INDUSTRIAL**
20 **POLICY.**

21 Congress makes the following findings:

22 (1) The People’s Republic of China operates a
23 system of state-owned financial institutions including
24 retail banks, investment banks, asset managers, and
25 insurers which are given favorable treatment under

1 Chinese law while foreign financial institutions have
2 strict restrictions on their ability to operate in the
3 PRC.

4 (2) In order to join the World Trade Organiza-
5 tion (WTO) in 2001, the PRC Government com-
6 mitted to opening the credit card payment business
7 to foreign firms by 2006.

8 (3) The PRC continues to maintain aggressive
9 capital controls, limiting access to the Chinese mar-
10 ket to foreign investors while hamstringing its own
11 citizens ability to control their money.

12 (4) On November 5, 2018, Chinese President
13 Xi Jinping announced that the PRC would launch a
14 technology innovation stock exchange. The Shanghai
15 Stock Exchange STAR Market launched on July 22,
16 2019.

17 (5) On October 24, 2020, Chinese billionaire
18 Jack Ma referred to “pawnshop mentality” of state-
19 owned banks. Shortly thereafter, the initial public
20 offering of his firm Ant Financial was canceled by
21 Chinese regulators.

22 (6) The PRC Government is pioneering the use
23 of a fully digitized yuan, which is set to be the
24 world’s first central bank backed digital currency,
25 and the People’s Bank of China and the Hong Kong

1 Monetary Authority have already begun testing the
2 cross-border functionality of the digital currency.

3 **SEC. 30132. REPORT ON IMPORTANCE OF AMERICAN FINAN-**
4 **CIAL STRENGTH FOR GLOBAL LEADERSHIP.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) the dominance of the dollar as the global re-
8 serve currency has yielded significant benefits to the
9 United States and the American people by allowing
10 the United States to maintain economic independ-
11 ence, better control its monetary policy, and finance
12 government outlays;

13 (2) American global leadership has benefited
14 from the United States monetary stability, credit-
15 worthiness, deep capital markets, and financial tech-
16 nology innovations;

17 (3) effective diplomacy and safeguarding of
18 American national security rely on the United States
19 role as the global financial leader, hub of global
20 trade, and source of economic opportunity;

21 (4) by cracking down on dissent in the key fi-
22 nancial center of Hong Kong, driving the creation of
23 a technology focused stock exchange, and pushing
24 forward a Central Bank digital currency, the Peo-

1 ple’s Republic of China is attempting to become the
2 leading hub of finance in the world; and

3 (5) the United States must maintain its posi-
4 tion as a global financial leader to continue its
5 broader global leadership role around the world.

6 (b) REPORT.—Not later than 180 days after the date
7 of the enactment of this Act, the Secretary of State, in
8 coordination with the Secretary of the Treasury, shall sub-
9 mit to the appropriate committees of Congress a report
10 that—

11 (1) lists and examines the benefits to American
12 foreign policy that derive from the United States fi-
13 nancial leadership and the dollar’s status as the
14 world’s global reserve currency;

15 (2) describes the actions taken by the People’s
16 Republic of China that could cement China’s role as
17 the world’s leading financial center;

18 (3) analyzes the possible impact on American
19 national security and foreign policy were the yuan to
20 supplant the dollar as the world’s leading reserve
21 currency;

22 (4) outlines how the United States can work
23 diplomatically with allies, partners, and other na-
24 tions to preserve a financial system that is free,
25 open, and fair; and

1 (5) identifies steps the United States can take
2 to preserve its status as the world’s leading financial
3 center and maintain the dollar’s position as the glob-
4 al reserve currency.

5 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
6 FINED.—In this section, the term “appropriate commit-
7 tees of Congress” means—

8 (1) the Committee on Foreign Affairs, the
9 Committee on Financial Services, the Committee on
10 Ways and Means, and the Permanent Select Com-
11 mittee on Intelligence of the House of Representa-
12 tives; and

13 (2) the Committee on Foreign Relations, the
14 Committee on Banking, Housing, and Urban Af-
15 fairs, the Committee on Finance, and the Select
16 Committee on Intelligence of the Senate.

17 **SEC. 30133. REVIEW OF CHINESE COMPANIES ON UNITED**
18 **STATES CAPITAL MARKETS.**

19 (a) REPORT.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Sec-
22 retary of the Treasury, in consultation with the Sec-
23 retary of State and in consultation with and with
24 support from the Securities and Exchange Commis-
25 sion, shall submit a report to the Committees on Fi-

1 nancial Services, Foreign Affairs, and the Perma-
2 nent Select Committee on Intelligence of the House
3 of Representatives and the Committees on Banking,
4 Housing, and Urban Affairs, Foreign Relations, and
5 the Select Committee on Intelligence of the Senate
6 that describes the capital raising activities in the
7 United States of companies incorporated in the PRC
8 and companies incorporated outside PRC that pre-
9 dominantly invest in companies incorporated in the
10 PRC. The report should discuss risks to the United
11 States national security posed by the capital raising
12 activities of these companies.

13 (2) MATTERS TO BE INCLUDED.—The report
14 shall—

15 (A) identify companies that—

16 (i) are incorporated in the PRC that
17 issue registered securities or are listed or
18 traded on one or several stock exchanges
19 within the United States, including
20 through the use of American depository re-
21 cepts, variable interest entity structures,
22 over-the-counter market, or “A Shares”, or
23 are otherwise added to indexes and ex-
24 change-traded funds out of mainland ex-
25 changes in the PRC;

1 (ii) are incorporated in the PRC that
2 issue unregistered securities within the
3 United States;

4 (iii) are incorporated outside of PRC
5 but predominantly invest in companies in-
6 corporated within the PRC, including com-
7 panies that raise capital through the var-
8 ious exemptions available under the securi-
9 ties laws of the United States; or

10 (iv) based on the factors for consider-
11 ation described in paragraph (3), have
12 knowingly and materially contributed to—

13 (I) activities that undermine
14 United States national security;

15 (II) serious abuses of internation-
16 ally recognized human rights; or

17 (III) a substantially increased fi-
18 nancial risk exposure for United
19 States-based investors;

20 (B) describe the activities of the companies
21 identified pursuant to subparagraph (A), and
22 their implications for the United States; and

23 (C) develop policy recommendations for the
24 United States Government and State govern-

1 ments to address the risks posed by companies
2 identified pursuant to subparagraph (A).

3 (3) FACTORS FOR INCLUSION OF A COMPANY.—

4 In completing the report under paragraph (1), the
5 Secretary shall consider whether a company identi-
6 fied pursuant to paragraph (2)(A)—

7 (A) has materially contributed to the devel-
8 opment or manufacture, or sold or facilitated
9 procurement by the People’s Liberation Army,
10 of lethal military equipment or component parts
11 of such equipment;

12 (B) has contributed to the construction
13 and militarization of features in the South
14 China Sea;

15 (C) has been sanctioned by the United
16 States or has been determined to have con-
17 ducted business with sanctioned entities;

18 (D) has engaged in an act or a series of
19 acts of intellectual property theft;

20 (E) has engaged in corporate or economic
21 espionage;

22 (F) has contributed to the proliferation of
23 nuclear or missile technology in violation of
24 United Nations Security Council resolutions or
25 United States sanctions;

1 (G) has contributed to the repression of re-
2 ligious and ethnic minorities within the PRC,
3 including in the Xinjiang Uyghur Autonomous
4 Region or the Tibet Autonomous Region;

5 (H) has contributed to the development of
6 technologies that enable censorship directed or
7 directly supported by the Government of the
8 PRC; and

9 (I) has contributed to other activities or
10 behavior determined to be relevant by the Presi-
11 dent.

12 (b) REPORT FORM.—The report required under this
13 section shall be submitted in unclassified form.

14 (c) PUBLICATION.—The unclassified portion of the
15 report required under this section shall be made accessible
16 to the public online through relevant United States Gov-
17 ernment websites.

18 **SEC. 30134. REPORT ON THE IMPLICATIONS OF CHANGES**
19 **TO CROSS-BORDER PAYMENT AND FINAN-**
20 **CIAL MESSAGING SYSTEMS.**

21 (a) REPORT.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of the Treasury, in coordination with the Sec-
25 retary of State, shall submit a report to the Commit-

1 tees on Financial Services and Foreign Affairs of
2 the House of Representatives and the Committees
3 on Banking, Housing, and Urban Affairs and For-
4 eign Relations of the Senate on the implications of
5 cross-border payment systems.

6 (2) MATTERS TO BE INCLUDED.—The report
7 shall—

8 (A) examine the benefits and concerns re-
9 lated to the use of the current cross-border pay-
10 ments system, including the messaging systems;

11 (B) review and analyze ways in which the
12 Cross Border Interbank Payment Systems
13 (CIPS), cryptocurrencies, and foreign central
14 bank digital currencies could erode this system;
15 and

16 (C) analyze how changes to global cross-
17 border payment systems could undermine
18 United States national security interests includ-
19 ing impacts on the efficacy of sanctions, the
20 countering of terrorist finance, and the enforce-
21 ment of anti-money laundering provisions.

22 (b) REPORT FORM.—The report required under sub-
23 section (a)(1) shall be submitted in classified form.

1 **SEC. 30135. REPORT ON LINKS BETWEEN PRIVATE SECTOR**
2 **CHINESE TECHNOLOGY AND SOCIAL MEDIA**
3 **COMPANIES AND THE PEOPLE'S LIBERATION**
4 **ARMY, CHINESE INTELLIGENCE, AND THE**
5 **CHINESE COMMUNIST PARTY.**

6 (a) IN GENERAL.—The President shall prepare and
7 submit to Congress a report on links between private sec-
8 tor Chinese technology and social media companies and
9 the People's Liberation Army, Chinese intelligence, and
10 the Chinese Communist Party.

11 (b) MATTERS TO BE INCLUDED.—The report re-
12 quired by subsection (a) shall include a discussion and
13 analysis of—

14 (1) national security risks from illicit or coer-
15 cive technology transfer;

16 (2) Chinese investment in private sector United
17 States and allied nation technology companies in
18 fields such as artificial intelligence, biotechnology,
19 next-generation energy technology and other areas
20 determined to be vital to the national security of the
21 United States by Secretaries of Commerce, Energy,
22 and Defense; and

23 (3) key technology focus areas (as such term is
24 defined in section 20209(16) of this Act).

1 (c) FORM.—The report required by subsection (a)
2 shall be submitted in unclassified form and made available
3 to the public, but may contain a classified annex.

4 **TITLE II—INVESTING IN**
5 **ALLIANCES AND PARTNERSHIPS**
6 **Subtitle A—Strategic and**
7 **Diplomatic Matters**

8 **SEC. 30201. APPROPRIATE COMMITTEES OF CONGRESS DE-**
9 **FINED.**

10 In this subtitle, the term “appropriate committees of
11 Congress” means—

12 (1) the Committee on Foreign Relations, the
13 Committee on Armed Services, the Committee on
14 Appropriations, and the Select Committee on Intel-
15 ligence of the Senate; and

16 (2) the Committee on Foreign Affairs, the
17 Committee on Armed Services, the Committee on
18 Appropriations, and the Permanent Select Com-
19 mittee on Intelligence of the House of Representa-
20 tives.

21 **SEC. 30202. UNITED STATES COMMITMENT AND SUPPORT**
22 **FOR ALLIES AND PARTNERS IN THE INDO-PA-**
23 **CIFIC.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that—

1 (1) the United States treaty alliances in the
2 Indo-Pacific provide a unique strategic advantage to
3 the United States and are among the Nation's most
4 precious assets, enabling the United States to ad-
5 vance its vital national interests, defend its territory,
6 establish enduring cooperation with allies while seek-
7 ing to establish new partnerships, prevent the domi-
8 nation of the Indo-Pacific and its surrounding mari-
9 time and air lanes by a hostile power or powers, and
10 deter potential aggressors;

11 (2) the Governments of the United States,
12 Japan, South Korea, Australia, the Philippines, and
13 Thailand are critical allies in advancing a free and
14 open order in the Indo-Pacific region and tackling
15 challenges with unity of purpose, and have collabo-
16 rated to advance specific efforts of shared interest in
17 areas such as defense and security, infrastructure
18 connectivity, and fundamental freedoms;

19 (3) the United States greatly values other part-
20 nerships in the Indo-Pacific region, including with
21 India, Singapore, Indonesia, Taiwan, New Zealand,
22 and Vietnam, as well as its trilateral and quadrilat-
23 eral dialogues, and regional architecture such as the
24 Association of Southeast Asian Nations (ASEAN),

1 and the Asia-Pacific Economic Cooperation, which
2 are essential to further shared interests;

3 (4) the security environment in the Indo-Pacific
4 demands consistent United States and allied com-
5 mitment to strengthening and advancing alliances so
6 that they are postured to meet these challenges, and
7 will require sustained political will, concrete partner-
8 ships, economic, commercial, technological, and secu-
9 rity cooperation, consistent and tangible commit-
10 ments, high-level and extensive consultations on
11 matters of mutual interest, mutual and shared co-
12 operation in the acquisition of key capabilities im-
13 portant to allied defenses, and unified mutual sup-
14 port in the face of political, economic, or military co-
15 ercion;

16 (5) fissures in the United States alliance rela-
17 tionships and partnerships benefit United States ad-
18 versaries and weaken the collective ability to advance
19 shared interests;

20 (6) the United States must work with allies to
21 prioritize human rights throughout the Indo-Pacific
22 region;

23 (7) as the report released in August 2020 by
24 the Expert Group of the International Military
25 Council on Climate and Security (IMCCS), entitled

1 “Climate and Security in the Indo-Asia Pacific”
2 noted, the Indo-Pacific region is one of the regions
3 most vulnerable to climate impacts, and as former
4 Deputy Under Secretary of Defense for Installations
5 and Environment Sherri Goodman, Secretary Gen-
6 eral of IMCCS, noted, climate shocks act as a threat
7 multiplier in the Indo-Pacific region, increasing hu-
8 manitarian response costs and impacting security
9 throughout the region as sea levels rise, fishing pat-
10 terns shift, food insecurity rises, and storms grow
11 stronger and more frequent;

12 (8) the United State should continue to engage
13 on and deepen cooperation with allies and partners
14 of the United States in the Indo-Pacific region, as
15 laid out in the Asia Reassurance Initiative Act (Pub-
16 lic Law 115–409), in the areas of—

17 (A) forecasting environmental challenges;

18 (B) assisting with transnational coopera-
19 tion on sustainable uses of forest and water re-
20 sources with the goal of preserving biodiversity
21 and access to safe drinking water;

22 (C) fisheries and marine resource conserva-
23 tion; and

24 (D) meeting environmental challenges and
25 developing resilience;

1 (9) the Secretary of State, in coordination with
2 the Secretary of Defense and the Administrator of
3 the United States Agency for International Develop-
4 ment, should facilitate a robust interagency Indo-Pa-
5 cific climate resiliency and adaptation strategy fo-
6 cusing on internal and external actions needed—

7 (A) to facilitate regional early recovery,
8 risk reduction, and resilience to weather-related
9 impacts on strategic interests of the United
10 States and partners and allies of the United
11 States in the region; and

12 (B) to address humanitarian and food se-
13 curity impacts of weather-related changes in the
14 region; and

15 (10) ASEAN centrality and ASEAN-led mecha-
16 nisms remain essential to the evolving institutional
17 architecture of the Indo-Pacific region.

18 (b) STATEMENT OF POLICY.—It shall be the policy
19 of the United States—

20 (1) to deepen diplomatic, economic, and secu-
21 rity cooperation with and among United States allies
22 in the Indo-Pacific, as appropriate, including
23 through diplomatic engagement, regional develop-
24 ment, energy security and development, scientific
25 and health partnerships, educational and cultural ex-

1 changes, intelligence-sharing, and other diplomatic
2 and defense-related initiatives;

3 (2) to uphold the United States multilateral
4 and bilateral treaty obligations, including—

5 (A) defending Japan consistent with the
6 Treaty of Mutual Cooperation and Security Be-
7 tween the United States of America and Japan,
8 done at Washington, January 19, 1960, and all
9 related and subsequent bilateral security agree-
10 ments and arrangements concluded on or before
11 the date of enactment of this Act;

12 (B) defending the Republic of Korea con-
13 sistent with the Mutual Defense Treaty Be-
14 tween the United States and the Republic of
15 Korea, done at Washington, October 1, 1953,
16 and all related and subsequent bilateral security
17 agreements and arrangements concluded on or
18 before the date of enactment of this Act;

19 (C) defending the Philippines consistent
20 with article IV of the Mutual Defense Treaty
21 Between the United States and the Republic of
22 the Philippines, done at Washington, August
23 30, 1951, and all related and subsequent bilat-
24 eral security agreements and arrangements con-

1 cluded on or before the date of enactment of
2 this Act;

3 (D) defending Thailand consistent with the
4 Southeast Asia Collective Defense Treaty (“Ma-
5 nila Pact”), done at Manila, September 8,
6 1954, understanding thereto the Thanat-Rusk
7 communique of 1962, and all related and subse-
8 quent bilateral security agreements and ar-
9 rangements concluded on or before the date of
10 enactment of this Act; and

11 (E) defending Australia consistent with the
12 Security Treaty Between Australia and the
13 United States of America, done at San Fran-
14 cisco, September 1, 1951, and all related and
15 subsequent bilateral security agreements and
16 arrangements concluded on or before the date
17 of enactment of this Act;

18 (3) to strengthen and deepen the United States’
19 bilateral and regional partnerships, including with
20 India, Taiwan, ASEAN, and New Zealand;

21 (4) to cooperate with allies and partners to pro-
22 mote human rights across the Indo-Pacific region bi-
23 laterally and through regional and multilateral fora
24 and pacts;

1 (5) to strengthen and advance diplomatic, eco-
2 nomic, and security cooperation with regional part-
3 ners, such as Taiwan, Vietnam, Malaysia, Singapore,
4 Indonesia, and India; and

5 (6) to collaborate and cooperate on the sustain-
6 able development of the Mekong River Basin, includ-
7 ing by providing support for environmental conserva-
8 tion and protection initiatives in the Mekong sub-re-
9 gion and through assistance to Cambodia, Laos,
10 Thailand, and Vietnam, whose governments com-
11 prise the Mekong River Commission (MRC). United
12 States efforts should focus on increasing MRC mem-
13 ber countries' capacity in the sustainable conserva-
14 tion and management of natural resources.

15 **SEC. 30203. BOOSTING QUAD COOPERATION.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) as a Pacific power, the United States should
19 continue to strengthen its cooperation with Aus-
20 tralia, India, and Japan, (commonly referred to as
21 the Quadrilateral Security Dialogue or “Quad”) to
22 enhance and implement a shared vision to meet re-
23 gional challenges and to promote a free, open, inclu-
24 sive, resilient, and healthy Indo-Pacific, character-
25 ized by respect for democratic norms, rule of law,

1 and market-driven economic growth, and that is free
2 from undue influence and coercion;

3 (2) the United States should expand dialogue
4 and cooperation through the Quad with a range of
5 partners to support the rule of law, freedom of navi-
6 gation and overflight, peaceful resolution of disputes,
7 democratic values, and territorial integrity, and to
8 uphold peace and prosperity and strengthen demo-
9 cratic resilience in the Indo-Pacific;

10 (3) the recent pledge from the first-ever Quad
11 leaders meeting on March 12, 2021, to respond to
12 the economic and health impacts of COVID–19, in-
13 cluding expanding safe, affordable, and effective vac-
14 cine production and equitable access, and to address
15 shared challenges, including in cyberspace, critical
16 technologies, counterterrorism, quality infrastructure
17 investment, and humanitarian assistance and dis-
18 aster relief, as well as maritime domains, further ad-
19 vances the important cooperation among Quad na-
20 tions that is so critical to the Indo-Pacific region;

21 (4) building upon their announced commitment
22 to finance 1,000,000,000 or more COVID–19 vac-
23 cines by the end of 2022 for use in the Indo-Pacific
24 region, the United States International Development
25 Finance Corporation, the Japan International Co-

1 operation Agency, and the Japan Bank for Inter-
2 national Cooperation, including through partnerships
3 other multilateral development banks, should also
4 venture to finance development and infrastructure
5 projects in the Indo-Pacific region that are competi-
6 tive, transparent, and sustainable;

7 (5) the United States should participate in the
8 Resilient Supply Chain Initiative launched by Aus-
9 tralia, Japan, and India in 2020, along with similar
10 initiatives that relocate supply chains in the health,
11 economic, and national security sectors to the
12 United States, its Quad partners, and other like-
13 minded countries; and

14 (6) the formation of a Quad Intra-Parliamen-
15 tary Working Group could—

16 (A) sustain and deepen engagement be-
17 tween senior officials of the Quad countries on
18 a full spectrum of issues; and

19 (B) be modeled on the successful and long-
20 standing bilateral intra-parliamentary groups
21 between the United States and Mexico, Canada,
22 and the United Kingdom, as well as other for-
23 mal and informal parliamentary exchanges.

24 (b) REPORTING REQUIREMENT.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of State shall submit to the appropriate con-
4 gressional committees (including the Permanent Se-
5 lect Committee on Intelligence of the House of Rep-
6 resentatives and the Select Committee on Intel-
7 ligence of the Senate) a strategy for bolstering en-
8 gagement and cooperation with the Quad.

9 (2) MATTERS TO BE INCLUDED.—The strategy
10 required by paragraph (1) shall include the fol-
11 lowing:

12 (A) A description of how the United States
13 intends to demonstrate democratic leadership in
14 the Indo-Pacific through quadrilateral engage-
15 ment with India, Japan, and Australia on
16 shared interests and common challenges.

17 (B) A summary of—

18 (i) current and past Quad initiatives
19 across the whole of the United States Gov-
20 ernment, including to promote broad based
21 and inclusive economic growth and invest-
22 ment, and to advance technology coopera-
23 tion, energy innovation, climate mitigation
24 and adaptation, physical and digital infra-

1 structure development, education, disaster
2 management, and global health security;

3 (ii) proposals shared among Quad
4 countries to deepen existing security co-
5 operation, intelligence sharing, economic
6 partnerships, and multilateral coordination;
7 and

8 (iii) initiatives and agreements under-
9 taken jointly with Quad countries, in addi-
10 tion to other like-minded partners in the
11 Indo-Pacific, on areas of shared interest.

12 (C) A description of efforts to jointly—

13 (i) expand ongoing COVID–19 co-
14 operation to prepare for the next pandemic
15 by focusing on medium-term vaccine and
16 medical supply production and building a
17 broader dialogue on global public health;

18 (ii) combat economic coercion, deepen
19 regional economic engagement and integra-
20 tion, and strengthen regional rules and
21 standards around investment;

22 (iii) strengthen climate actions on
23 mitigation, adaptation, resilience, tech-
24 nology, capacity-building, and climate fi-
25 nance;

1 (iv) facilitate the development of qual-
2 ity infrastructure in the Indo-Pacific
3 through joint financing, investment, tech-
4 nical assistance, and standards setting;

5 (v) enhance joint maritime security
6 and maritime domain awareness initiatives
7 to protect the maritime commons and sup-
8 port international law and freedom of navi-
9 gation in the Indo-Pacific; and

10 (vi) develop international technology
11 standards and share or co-develop new in-
12 novative technologies of the future.

13 **SEC. 30204. ESTABLISHMENT OF QUAD INTRA-PARLIAMEN-**
14 **TARY WORKING GROUP.**

15 (a) ESTABLISHMENT.—Not later than 30 days after
16 the date of the enactment of this Act, the Secretary of
17 State shall seek to enter into negotiations with the govern-
18 ments of Japan, Australia, and India (collectively, with the
19 United States, known as the “Quad”) with the goal of
20 reaching a written agreement to establish a Quad Intra-
21 Parliamentary Working Group to facilitate closer coopera-
22 tion on shared interests and values.

23 (b) UNITED STATES GROUP.—

24 (1) IN GENERAL.—At such time as the govern-
25 ments of the Quad countries enter into a written

1 agreement described in subsection (a) to establish a
2 Quad Intra-Parliamentary Working Group, there
3 shall be established a United States Group, which
4 shall represent the United States at the Quad Intra-
5 Parliamentary Working Group.

6 (2) MEMBERSHIP.—

7 (A) IN GENERAL.—The United States
8 Group shall be comprised of not more than 24
9 Members of Congress.

10 (B) APPOINTMENT.—Of the Members of
11 Congress appointed to the United States Group
12 under subparagraph (A)—

13 (i) half shall be appointed by the
14 Speaker of the House of Representatives
15 from among Members of the House, not
16 fewer than four of whom shall be members
17 of the Committee on Foreign Affairs; and

18 (ii) half shall be appointed by the
19 President Pro Tempore of the Senate,
20 based on recommendations of the majority
21 leader and minority leader of the Senate,
22 from among Members of the Senate, not
23 fewer than four of whom shall be members
24 of the Committee on Foreign Relations

1 (unless the majority leader and minority
2 leader determine otherwise).

3 (3) MEETINGS.—

4 (A) IN GENERAL.—The United States
5 Group shall seek to meet not less frequently
6 than annually with representatives and appro-
7 priate staff of the legislatures of Japan, Aus-
8 tralia, and India, and any other country invited
9 by mutual agreement of the Quad countries.

10 (B) LIMITATION.—A meeting described in
11 subparagraph (A) may be held—

12 (i) in the United States;

13 (ii) in another Quad country during
14 periods when Congress is not in session; or

15 (iii) virtually.

16 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

17 (A) HOUSE DELEGATION.—The Speaker of
18 the House of Representatives shall designate
19 the chairperson or vice chairperson of the dele-
20 gation of the United States Group from the
21 House from among members of the Committee
22 on Foreign Affairs.

23 (B) SENATE DELEGATION.—The President
24 Pro Tempore of the Senate shall designate the
25 chairperson or vice chairperson of the delega-

1 tion of the United States Group from the Sen-
2 ate from among members of the Committee on
3 Foreign Relations.

4 (5) AUTHORIZATION OF APPROPRIATIONS.—

5 (A) IN GENERAL.—There is authorized to
6 be appropriated \$1,000,000 for each fiscal
7 years 2022 through 2025 for the United States
8 Group.

9 (B) DISTRIBUTION OF APPROPRIATIONS.—

10 (i) IN GENERAL.—For each fiscal year
11 for which an appropriation is made for the
12 United States Group, half of the amount
13 appropriated shall be available to the dele-
14 gation from the House of Representatives
15 and half of the amount appropriated shall
16 be available to the delegation from the
17 Senate.

18 (ii) METHOD OF DISTRIBUTION.—The
19 amounts available to the delegations of the
20 House of Representatives and the Senate
21 under clause (i) shall be disbursed on
22 vouchers to be approved by the chairperson
23 of the delegation from the House of Rep-
24 resentatives and the chairperson of the del-
25 egation from the Senate, respectively.

1 (6) PRIVATE SOURCES.—The United States
2 Group may accept gifts or donations of services or
3 property, subject to the review and approval, as ap-
4 propriate, of the Committee on Ethics of the House
5 of Representatives and the Committee on Ethics of
6 the Senate.

7 (7) CERTIFICATION OF EXPENDITURES.—The
8 certificate of the chairperson of the delegation from
9 the House of Representatives or the delegation of
10 the Senate of the United States Group shall be final
11 and conclusive upon the accounting officers in the
12 auditing of the accounts of the United States Group.

13 (8) ANNUAL REPORT.—The United States
14 Group shall submit to the Committee on Foreign Af-
15 fairs of the House of Representatives and the Com-
16 mittee on Foreign Relations of the Senate a report
17 for each fiscal year for which an appropriation is
18 made for the United States Group, including a de-
19 scription of its expenditures under such appropria-
20 tion.

21 **SEC. 30205. STATEMENT OF POLICY ON COOPERATION**
22 **WITH ASEAN.**

23 It is the policy of the United States to—

24 (1) stand with the nations of the Association of
25 Southeast Asian Nations (ASEAN) as they respond

1 to COVID–19 and support greater cooperation in
2 building capacity to prepare for and respond to
3 pandemics and other public health challenges;

4 (2) support high-level United States participa-
5 tion in the annual ASEAN Summit held each year;

6 (3) reaffirm the importance of United States-
7 ASEAN economic engagement and support the
8 ASEAN Economic Community’s (AEC) goals, in-
9 cluding strong, inclusive, and sustainable long-term
10 economic growth and cooperation with the United
11 States that focuses on innovation and capacity-build-
12 ing efforts in technology, education, disaster man-
13 agement, food security, and human rights, particu-
14 larly for ASEAN’s poorest countries;

15 (4) urge ASEAN to continue its efforts to fos-
16 ter greater integration and unity within the ASEAN
17 community, as well as to foster greater integration
18 and unity with non-ASEAN economic, political, and
19 security partners, including Japan, the Republic of
20 Korea, Australia, the European Union, and India;

21 (5) recognize the value of strategic economic
22 initiatives such as United States-ASEAN Connect,
23 which demonstrates a commitment to ASEAN and
24 the AEC and builds upon economic relationships in
25 the region;

1 (6) support ASEAN nations in addressing mar-
2 itime and territorial disputes in a constructive man-
3 ner and in pursuing claims through peaceful, diplo-
4 matic, and, as necessary, legitimate regional and
5 international arbitration mechanisms, consistent
6 with international law, including through the adop-
7 tion of a code of conduct in the South China Sea
8 that represents the interests of all parties and pro-
9 motes peace and stability in the region;

10 (7) urge all parties involved in the maritime
11 and territorial disputes in the Indo-Pacific region,
12 including the Government of the People’s Republic
13 of China—

14 (A) to cease any current activities, and
15 avoid undertaking any actions in the future,
16 that undermine stability, or complicate or esca-
17 late disputes through the use of coercion, in-
18 timidation, or military force;

19 (B) to demilitarize islands, reefs, shoals,
20 and other features, and refrain from new ef-
21 forts to militarize, including the construction of
22 new garrisons and facilities and the relocation
23 of additional military personnel, material, or
24 equipment;

1 (C) to oppose actions by any country that
2 prevent other countries from exercising their
3 sovereign rights to the resources in their exclu-
4 sive economic zones and continental shelves by
5 enforcing claims to those areas in the South
6 China Sea that lack support in international
7 law; and

8 (D) to oppose unilateral declarations of ad-
9 ministrative and military districts in contested
10 areas in the South China Sea;

11 (8) urge parties to refrain from unilateral ac-
12 tions that cause permanent physical damage to the
13 marine environment and support the efforts of the
14 National Oceanic and Atmospheric Administration
15 and ASEAN to implement guidelines to address the
16 illegal, unreported, and unregulated fishing in the
17 region;

18 (9) urge ASEAN nations to develop a common
19 approach to encourage China and the Philippines to
20 comply with the decision of the Permanent Court of
21 Arbitration's 2016 ruling in favor of the Republic of
22 the Philippines in the case against the People's Re-
23 public of China's excessive maritime claims;

24 (10) reaffirm the commitment of the United
25 States to continue joint efforts with ASEAN to halt

1 human smuggling and trafficking in persons and
2 urge ASEAN to create and strengthen regional
3 mechanisms to provide assistance and support to
4 refugees and migrants;

5 (11) support the Mekong-United States Part-
6 nership;

7 (12) support newly created initiatives with
8 ASEAN nations, including the United States-
9 ASEAN Smart Cities Partnership, the ASEAN Pol-
10 icy Implementation Project, the United States-
11 ASEAN Innovation Circle, and the United States-
12 ASEAN Health Futures;

13 (13) encourage the President to communicate
14 to ASEAN leaders the importance of promoting the
15 rule of law and open and transparent government,
16 strengthening civil society, and protecting human
17 rights, including releasing political prisoners, ceasing
18 politically motivated prosecutions and arbitrary
19 killings, and safeguarding freedom of the press, free-
20 dom of assembly, freedom of religion, and freedom
21 of speech and expression;

22 (14) support efforts by organizations in
23 ASEAN that address corruption in the public and
24 private sectors, enhance anti-bribery compliance, en-
25 force bribery criminalization in the private sector,

1 and build beneficial ownership transparency through
2 the ASEAN–USAID PROSPECT project partnered
3 with the South East Asia Parties Against Corrup-
4 tion (SEA–PAC);

5 (15) support the Young Southeast Asian Lead-
6 ers Initiative as an example of a people-to-people
7 partnership that provides skills, networks, and lead-
8 ership training to a new generation that will create
9 and fill jobs, foster cross-border cooperation and
10 partnerships, and rise to address the regional and
11 global challenges of the future;

12 (16) support the creation of initiatives similar
13 to the Young Southeast Asian Leaders Initiative for
14 other parts of the Indo-Pacific to foster people-to-
15 people partnerships with an emphasis on civil society
16 leaders;

17 (17) acknowledge those ASEAN governments
18 that have fully upheld and implemented all United
19 Nations Security Council resolutions and inter-
20 national agreements with respect to the Democratic
21 People’s Republic of Korea’s nuclear and ballistic
22 missile programs and encourage all other ASEAN
23 governments to do the same; and

24 (18) allocate appropriate resources across the
25 United States Government to articulate and imple-

1 ment an Indo-Pacific strategy that respects and sup-
2 ports the crucial role of ASEAN and supports
3 ASEAN as a source of well-functioning and prob-
4 lem-solving regional architecture in the Indo-Pacific
5 community.

6 **SEC. 30206. YOUNG SOUTHEAST ASIAN LEADERS INITIA-**
7 **TIVE.**

8 (a) **SHORT TITLE.**—This section may be cited as the
9 “Young Southeast Asian Leaders Initiative Act” or the
10 “YSEALI Act”.

11 (b) **YOUNG SOUTHEAST ASIAN LEADERS INITIA-**
12 **TIVE.**—

13 (1) **ESTABLISHMENT.**—There is established in
14 the Department of State the Young Southeast Asian
15 Leaders Initiative (“YSEALI”) program.

16 (2) **GOALS.**—The YSEALI program shall seek
17 to build to capacity of young leaders in Southeast
18 Asia to—

19 (A) support young leaders from Southeast
20 Asia by offering professional development and a
21 global network to share expertise, including in
22 the areas of civic engagement, economic em-
23 powerment and social entrepreneurship, edu-
24 cation and environmental issues; and

1 (B) further strengthen the enduring part-
2 nership between the United States and South-
3 east Asia and connect United States experts
4 with YSEALI participants.

5 (3) YSEALI PROGRAMS.—

6 (A) YSEALI ACADEMIC FELLOWS PRO-
7 GRAM.—There is established the YSEALI Aca-
8 demic Fellows Program to bring students from
9 YSEALI partner countries to the United States
10 for the purposes of building practical expertise,
11 leadership skills, and professional networks re-
12 lating to one or more of the YSEALI themes.
13 The Secretary of State may award fellowships
14 under the Academic Fellows Program to eligible
15 individuals based on the following:

16 (i) Citizenship and residency in a
17 YSEALI partner country.

18 (ii) Status as a full-time under-
19 graduate student, or recent graduate of
20 college, university, or other institutions of
21 higher learning.

22 (iii) Other criteria determined appro-
23 priate by the Secretary.

24 (B) YSEALI PROFESSIONAL FELLOWS
25 PROGRAM.—There is established the YSEALI

1 Professional Fellows Program to bring profes-
2 sionals from YSEALI partner countries to the
3 United States for the purposes of building prac-
4 tical expertise, leadership skills, and profes-
5 sional networks relating to one or more of the
6 YSEALI themes. The Secretary of State may
7 award fellowships under the Professional Fel-
8 lows Program to eligible individuals based on
9 the following:

10 (i) Citizenship and residency in a
11 YSEALI partner country.

12 (ii) Status as an emerging leader in
13 government, civil society, or the private
14 sector, and demonstrated expertise relating
15 to one or more of the YSEALI themes.

16 (iii) Current employment, and two or
17 more years of professional work experience
18 relevant to one or more YSEALI themes.

19 (iv) Other criteria determined appro-
20 priate by the Secretary.

21 (C) OTHER INITIATIVES.—The Secretary
22 of State may designate other initiatives as
23 YSEALI initiatives under this section if they
24 advance the goals of the YSEALI program as
25 described in paragraph (2).

1 (4) ACTIVITIES.—

2 (A) UNITED STATES-BASED ACTIVITIES.—

3 The Secretary of State shall oversee all United
4 States-based activities carried out under the
5 YSEALI program, including the participation
6 of YSEALI Academic Fellows in a program at
7 a United States university or college, and the
8 participation of YSEALI Professional Fellows
9 at United States private and public sector orga-
10 nizations for individually-tailored work place-
11 ments. Both fellowships may include site visits,
12 professional networking opportunities, leader-
13 ship training, community service, and organized
14 cultural activities, as appropriate.

15 (B) SOUTHEAST ASIA-BASED ACTIVI-
16 TIES.—The Secretary of State should continue
17 to support overseas initiatives of the program,
18 including the following:

19 (i) Quality leadership training, profes-
20 sional development, and networking oppor-
21 tunities for YSEALI alumni.

22 (ii) Reciprocal exchanges for YSEALI
23 Professional Fellows Program's United
24 States professional hosts and interlocutors
25 to support post-United States exchange ac-

1 tion plans and other related public diplo-
2 macy goals, as appropriate.

3 (iii) Opportunities for networking with
4 YSEALI alumni and professionals and ex-
5 perts who are American and Southeast
6 Asian.

7 (iv) The YSEALI Regional Workshop
8 program, offering networking, mentoring,
9 hands-on training, and the tools necessary
10 to lead communities in addressing eco-
11 nomic, environmental, educational, and
12 civic engagement issues.

13 (v) The YSEALI Seeds for the Fu-
14 ture program, providing small, competitive
15 grants to young leaders in Southeast Asia
16 to improve their communities, countries,
17 and the region towards one or more of the
18 themes of civic engagement, economic em-
19 powerment and social entrepreneurship,
20 education, or environmental issues.

21 (vi) The YSEALI Academy at Ful-
22 bright University Vietnam, offering execu-
23 tive-level seminars for entry to mid-level
24 professionals around the themes of tech-

1 nology and innovation, public policy, and
2 entrepreneurship.

3 (vii) The YSEALI Women’s Leader-
4 ship Academy Program, enhancing people-
5 to-people ties and engagement with young
6 and emerging leaders by promoting gender
7 equality and advancing the status of
8 women and girls, such as in the public
9 health sector.

10 (C) ALUMNI PLATFORM.—The Secretary of
11 State is authorized to convene current YSEALI
12 participants and YSEALI alumni through a
13 platform to promote networking opportunities
14 within the YSEALI community.

15 (D) IMPLEMENTATION.—To carry out this
16 paragraph, United States diplomatic and con-
17 sular posts, the Secretary of State, and agency
18 external partners managing and implementing
19 the YSEALI program—

20 (i) shall promote United States policy
21 goals in Southeast Asia by providing tools
22 and resources to help young Southeast
23 Asian leaders develop important skills and
24 connections, including through online cam-
25 paigns and public diplomacy initiatives;

1 (ii) shall establish a system for moni-
2 toring, evaluating, and improving the
3 YSEALI program; and

4 (iii) may accept financial contribu-
5 tions from foundations, corporations, pri-
6 vate donors, program partners, and imple-
7 menting agency external partners intended
8 to foster the goals of the YSEALI pro-
9 gram.

10 (5) REPORTS.—

11 (A) STRATEGY.—The Secretary of State
12 shall submit to the appropriate congressional
13 committees a strategy for implementing the
14 YSEALI program, including the following:

15 (i) YSEALI program goals, targets,
16 and planned outcomes for each year and,
17 separately, for the YSEALI program gen-
18 erally during the duration of its implemen-
19 tation.

20 (ii) The continuation of YSEALI pro-
21 gram monitoring and evaluation plan, in-
22 cluding metrics for measuring YSEALI
23 program progress identification of annual
24 YSEALI program goals, and targets.

1 (B) ANNUAL REPORTS.—Not later than 1
2 year after the date of the enactment of this sec-
3 tion, and annually thereafter for 4 years, the
4 Secretary of State shall submit to the appro-
5 priate congressional committees and publish on
6 a publicly available website of the Department
7 a report on—

8 (i) YSEALI program progress and an
9 assessment of the metrics, goals, targets,
10 and outcomes described in subparagraph
11 (A)(i), including information relating to
12 YSEALI program implementation and out-
13 come activities during the year covered by
14 each report; and

15 (ii) recommendations for improve-
16 ments or amendments to the YSEALI pro-
17 gram and strategy, if any, that would im-
18 prove their effectiveness during subsequent
19 years of YSEALI program implementation.

20 (C) FINAL REPORT.—Not later than the
21 date of the submission of the last report re-
22 quired under subparagraph (B), the Secretary
23 of State shall submit to the appropriate con-
24 gressional committees a final assessment report
25 that evaluates YSEALI program implementa-

1 tion and outcomes during the entire duration of
2 YSEALI program operation, including rec-
3 ommendations regarding whether the YSEALI
4 program should be reauthorized and any
5 changes that would improve its effectiveness.

6 (6) DEFINITIONS.—In this section:

7 (A) APPROPRIATE CONGRESSIONAL COM-
8 MITTEES.—The term “appropriate congres-
9 sional committees” means—

10 (i) the Committee on Foreign Affairs
11 of the House of Representatives;

12 (ii) the Committee on Appropriations
13 of the House of Representatives;

14 (iii) the Committee on Foreign Rela-
15 tions of the Senate; and

16 (iv) the Committee on Appropriations
17 of the Senate.

18 (B) IMPLEMENTING AGENCY EXTERNAL
19 PARTNERS.—The term “implementing agency
20 external partners” means any external partner
21 that is not a United States Government agency,
22 and may include one or more of the following
23 entities:

24 (i) Local or multinational corpora-
25 tions.

1 (ii) Nongovernmental organizations.

2 (iii) Universities.

3 (iv) Regional institutions.

4 (C) YSEALI THEME.—The term
5 “YSEALI theme” means—

6 (i) civic engagement;

7 (ii) economic empowerment and social
8 entrepreneurship;

9 (iii) education;

10 (iv) environmental issues; or

11 (v) any other theme included by the
12 Secretary of State.

13 (D) YSEALI PARTNER COUNTRIES.—The
14 term “YSEALI partner countries” includes
15 each member country of the Association of
16 Southeast Asian Nations and each other coun-
17 try or political entity the Secretary of State de-
18 termines appropriate to include in the programs
19 established under this section.

20 **SEC. 30207. SENSE OF CONGRESS ON ENGAGEMENT WITH**
21 **G7 AND G20 COUNTRIES.**

22 It is the sense of Congress that the President, acting
23 through the Secretary of State, should initiate an agenda
24 with G7 and G20 countries on matters relevant to eco-

1 nomic and democratic freedoms, including relating to the
2 following:

3 (1) Building support for international infra-
4 structure standards, including standards agreed to
5 at the G20 summit in Osaka in 2018.

6 (2) The erosion of democracy and human
7 rights.

8 (3) The security of 5G telecommunications.

9 (4) Anti-competitive behavior, such as intellec-
10 tual property theft, massive subsidization of compa-
11 nies, and other policies and practices.

12 (5) Predatory international sovereign lending
13 that is inconsistent with Organisation for Economic
14 Cooperation and Development and Paris Club prin-
15 ciples.

16 (6) International influence campaigns.

17 (7) Environmental standards.

18 (8) Coordination with like-minded regional part-
19 ners that are not in the G7 and G20.

20 **SEC. 30208. ENHANCING THE UNITED STATES-TAIWAN**
21 **PARTNERSHIP.**

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

24 (1) to support the close economic, political, and
25 security relationship between Taiwan and the United

1 States and recognize Taiwan as a vital part of the
2 approach to the United States Indo-Pacific;

3 (2) to advance the security of Taiwan and its
4 democracy a vital national security interest of the
5 United States;

6 (3) to reinforce all existing United States Gov-
7 ernment commitments to Taiwan, consistent with
8 the Taiwan Relations Act (Public Law 96–8) and
9 the “Six Assurances”;

10 (4) to support Taiwan’s implementation of its
11 asymmetric defense strategy, including the priorities
12 identified in Taiwan’s Overall Defense Concept;

13 (5) to urge Taiwan to increase its defense
14 spending in order to fully resource its defense strat-
15 egy;

16 (6) to conduct regular transfers of defense arti-
17 cles to Taiwan in order to enhance Taiwan’s self-de-
18 fense capabilities, particularly its efforts to develop
19 and integrate asymmetric capabilities, such as anti-
20 ship, coastal defense, anti-armor, air defense, ad-
21 vanced command, control, communications, com-
22 puters, intelligence, surveillance, and reconnaissance,
23 and resilient command and control capabilities, into
24 its military forces;

1 (7) to advocate and actively advance Taiwan's
2 meaningful participation in international organiza-
3 tions, including the World Health Assembly, the
4 International Civil Aviation Organization, the Inter-
5 national Criminal Police Organization, and other
6 international bodies as appropriate;

7 (8) to advocate for information sharing with
8 Taiwan in the International Agency for Research on
9 Cancer;

10 (9) to promote meaningful cooperation among
11 the United States, Taiwan, and other like-minded
12 partners;

13 (10) to enhance bilateral trade, through re-
14 sumption of talks under the Trade and Investment
15 Framework Agreement;

16 (11) to expand bilateral economic and techno-
17 logical cooperation, including improving supply chain
18 security;

19 (12) to support United States educational and
20 exchange programs with Taiwan, including by pro-
21 moting the study of Chinese language, culture, his-
22 tory, and politics in Taiwan; and

23 (13) to expand people-to-people exchanges be-
24 tween the United States and Taiwan.

1 (b) SUPPORTING UNITED STATES EDUCATIONAL
2 AND EXCHANGE PROGRAMS WITH TAIWAN.—

3 (1) ESTABLISHMENT OF THE UNITED STATES-
4 TAIWAN CULTURAL EXCHANGE FOUNDATION.—The
5 Secretary of State should consider establishing an
6 independent nonprofit entity that—

7 (A) is dedicated to deepening ties between
8 the future leaders of Taiwan and the United
9 States; and

10 (B) works with State and local school dis-
11 tricts and educational institutions in the United
12 States to send high school and university stu-
13 dents to Taiwan to study the Chinese language,
14 culture, history, politics, and other relevant sub-
15 jects.

16 (2) PARTNER.—State and local school districts
17 and educational institutions, including public univer-
18 sities, in the United States are encouraged to part-
19 ner with the Taipei Economic and Cultural Rep-
20 resentative Office in the United States to establish
21 programs to promote an increase in educational and
22 cultural exchanges.

23 **SEC. 30209. TAIWAN DIPLOMATIC REVIEW.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) Pursuant to the Taiwan Relations Act (22
2 U.S.C. 3301(b)(1)), it is the policy of the United
3 States to “promote extensive, close, and friendly
4 commercial, cultural, and other relations between
5 the people of the United States and the people of
6 Taiwan”.

7 (2) In May 2019, the Taiwanese counterpart to
8 the American Institute in Taiwan, the Coordination
9 Council for North American Affairs, was renamed
10 the “Taiwan Council for U.S. Affairs”.

11 (3) It is the policy of the United States to refer
12 to Taiwan as “Taiwan”, not “Taipei” or “Chinese
13 Taipei”.

14 (4) The Taipei Economic and Cultural Rep-
15 resentative Office is inaptly named as it works to
16 cultivate the extensive, close, and friendly commer-
17 cial, cultural, and other relations between the people
18 of the United States and the people, organizations,
19 and enterprises of Taiwan, not merely those in Tai-
20 pei.

21 (b) NEGOTIATIONS TO RENAME TECRO.—Reflective
22 of the substantively deepening ties between Taiwan and
23 the United States, the Secretary of State shall seek to
24 enter into negotiations with appropriate officials of the
25 Taipei Economic and Cultural Representative Office in the

1 United States with the objective of renaming its office in
2 Washington, DC, the Taiwan Representative Office in the
3 United States, and its subsidiary offices in the United
4 States, accordingly.

5 **SEC. 30210. TAIWAN PEACE AND STABILITY ACT.**

6 (a) **SHORT TITLE.**—This section may be cited as the
7 “Taiwan Peace and Stability Act”.

8 (b) **DEFINITIONS.**—In this section:

9 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
10 **TEES.**—The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on Foreign Affairs of
13 the House of Representatives; and

14 (B) the Committee on Foreign Relations of
15 the Senate.

16 (2) **INTERNATIONAL ORGANIZATION.**—The term
17 “international organization” includes United Na-
18 tions funds, programs, specialized agencies, entities,
19 and bodies, as well as other organizations outside of
20 the United Nations system that the Secretary of
21 State determines appropriate, in consultation with
22 other relevant Federal departments and agencies.

23 (3) **ONE-CHINA PRINCIPLE.**—The term “One-
24 China Principle” means only the PRC’s policy to-
25 ward Taiwan.

1 (4) CIVIL SOCIETY ORGANIZATIONS.—The term
2 “civil society organizations” means international
3 civil society organizations that are critical to main-
4 taining Taiwan’s international space and enabling
5 Taiwan to play a positive and constructive role in
6 the global community.

7 (5) POTENTIAL PLA CAMPAIGNS.—The term
8 “potential PLA campaigns” means—

9 (A) a naval blockade of Taiwan;

10 (B) an amphibious assault and ground in-
11 vasion of Taiwan, especially such invasion de-
12 signed to accomplish a fiat accompli before
13 intervention is possible; or

14 (C) a seizure of one or more of Taiwan’s
15 outlying islands.

16 (c) FINDINGS.—Congress makes the following find-
17 ings:

18 (1) The United States has consistently sought
19 to advance peace and stability in East Asia as a cen-
20 tral element of United States foreign policy toward
21 the region.

22 (2) The Government of the People’s Republic of
23 China (PRC), especially since the election of Tsai
24 Ing-Wen in 2016, has conducted a coordinated cam-
25 paign to weaken Taiwan diplomatically, economi-

1 cally, and militarily in a manner that threatens to
2 erode United States policy and create a fait accompli
3 on questions surrounding Taiwan's future.

4 (3) In order to ensure the longevity of United
5 States policy and preserve the ability of the people
6 of Taiwan to determine their future independently,
7 it is necessary to reinforce Taiwan's diplomatic, eco-
8 nomic, and physical space.

9 (4) Taiwan has provided monetary, humani-
10 tarian, and medical assistance to combat diseases
11 such as AIDS, tuberculosis, Ebola, and dengue fever
12 in countries around the world. During the COVID-
13 19 pandemic, Taiwan donated millions of pieces of
14 personal protective equipment and COVID-19 tests
15 to countries in need.

16 (5) Since 2016, the Gambia, São Tomé and
17 Príncipe, Panama, the Dominican Republic, Burkina
18 Faso, El Salvador, the Solomon Islands, and
19 Kiribati have severed diplomatic relations with Tai-
20 wan in favor of diplomatic relations with China.

21 (6) Taiwan was invited to participate in the
22 World Health Assembly (WHA), the decision-making
23 body of the World Health Organization, as an ob-
24 server annually between 2009 and 2016. Since the
25 2016 election of President Tsai, the PRC has in-

1 creasingly resisted Taiwan’s participation in the
2 WHA. Taiwan was not invited to attend the WHA
3 in 2017, 2018, 2019, 2020, or 2021.

4 (7) The Taipei Flight Information Region re-
5 portedly served 1,750,000 flights and 68,900,000
6 passengers in 2018 and is home to Taiwan Taoyuan
7 International Airport, the 11th busiest airport in the
8 world. Taiwan has been excluded from participating
9 at the International Civil Aviation Organization
10 since 2013.

11 (8) United Nations General Assembly Resolu-
12 tion 2758 (1971) does not address the issue of rep-
13 resentation of Taiwan and its people at the United
14 Nations, nor does it give the PRC the right to rep-
15 resent the people on Taiwan.

16 (d) STATEMENT OF POLICY.—It is the policy of the
17 United States to—

18 (1) maintain the position that peace and sta-
19 bility in the Western Pacific are in the political, se-
20 curity, and economic interests of the United States,
21 and are matters of international concern; and

22 (2) work with allies and partners to promote
23 peace and stability in the Indo-Pacific and deter
24 military acts or other forms of coercive behavior that
25 would undermine regional stability.

1 (e) SENSE OF CONGRESS ON TAIWAN'S MEANINGFUL
2 PARTICIPATION IN THE INTERNATIONAL COMMUNITY.—

3 It is the sense of Congress that—

4 (1) Taiwan is free, democratic, and prosperous,
5 is home to 23,500,000 people, and is an important
6 contributor to the global community;

7 (2) multiple United States Government Admin-
8 istrations have taken important steps to advance
9 Taiwan's meaningful participation in international
10 organizations and to enhance cooperation with Tai-
11 wan to provide global public goods, including
12 through development assistance, humanitarian as-
13 sistance, and disaster relief in trilateral and multi-
14 lateral fora;

15 (3) nonetheless, significant structural, policy,
16 and legal barriers remain to advancing Taiwan's
17 meaningful participation in the international com-
18 munity; and

19 (4) efforts to share Taiwan's expertise with
20 other parts of the global community could be further
21 enhanced through a systematic approach, along with
22 greater attention from Congress and the American
23 public to such efforts.

24 (f) STRATEGY TO SUPPORT TAIWAN'S MEANINGFUL
25 PARTICIPATION IN INTERNATIONAL ORGANIZATIONS.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this section, the
3 Secretary of State, in consultation with other Fed-
4 eral departments and agencies as appropriate, shall
5 submit to the appropriate congressional committees
6 a strategy—

7 (A) to advance Taiwan’s meaningful par-
8 ticipation in a prioritized set of international
9 organizations; and

10 (B) that responds to growing pressure
11 from the PRC on foreign governments, inter-
12 national organizations, commercial actors, and
13 civil society organizations to comply with its
14 “One-China Principle” with respect to Taiwan.

15 (2) MATTERS TO BE INCLUDED.—The strategy
16 required under paragraph (1) shall include—

17 (A) an assessment of the methods the PRC
18 uses to coerce actors to into adhering to its
19 “One-China Principle”, including those em-
20 ployed against governments, international orga-
21 nizations, and civil society organizations and
22 pressure on commercial actors, to the extent
23 relevant in the context of Taiwan’s meaningful
24 participation international organizations;

1 (B) an assessment of the policies of foreign
2 governments toward the PRC and Taiwan, to
3 identify likeminded allies and partners who
4 might become public or private partners in the
5 strategy;

6 (C) a systematic analysis of all inter-
7 national organizations, as practicable, to iden-
8 tify those that best lend themselves to advanc-
9 ing Taiwan's participation, including—

10 (i) the organization's policy on the re-
11 quirements to obtain membership and ob-
12 server status, as well as the foundational
13 documents defining membership require-
14 ments and observer status within the orga-
15 nization;

16 (ii) the organization's participation
17 rules;

18 (iii) the processes for developing mem-
19 bership requirements and participation
20 rules;

21 (iv) the policies of current members
22 regarding Taiwan's political status; and

23 (v) the organization's relative reliance
24 on contributions from the PRC and how it
25 may affect internal decision-making;

1 (D) an evaluation of the feasibility and ad-
2 visability of expanding economic, security, and
3 diplomatic engagement with countries that have
4 demonstrably strengthened, enhanced, or up-
5 graded relations with Taiwan, where it aligns
6 with United States interests;

7 (E) a survey of international organizations
8 that have allowed Taiwan's meaningful partici-
9 pation, including an assessment of whether any
10 erosion in Taiwan's engagement has occurred
11 within those organizations and how Taiwan's
12 participation has positively strengthened the ca-
13 pacity and activity of these organizations, pro-
14 viding positive models for Taiwan's inclusion in
15 other similar forums;

16 (F) a list of not more than 20 inter-
17 national organizations at which the United
18 States Government will prioritize using its
19 voice, vote, and influence to advance Taiwan's
20 meaningful participation over the three-year pe-
21 riod following the date of enactment of this Act,
22 to be derived from the organizations identified
23 pursuant to subparagraph (C); and

24 (G) a description of the diplomatic strate-
25 gies and the coalitions the United States Gov-

1 ernment plans to develop to implement subpara-
2 graph (F).

3 (3) FORM.—The strategy required under para-
4 graph (1) shall be submitted in classified form but
5 may include an unclassified summary.

6 (4) CONSULTATION.—The Secretary of State
7 and the heads of other Federal departments and
8 agencies as appropriate shall consult with the appro-
9 priate congressional committees and the Committee
10 on Ways and Means of the House of Representatives
11 and the Committee on Finance of the Senate—

12 (A) not later than 90 days after the date
13 of enactment of this Act, with respect to the
14 international organizations identified pursuant
15 to paragraph (2)(C); and

16 (B) not later than 180 days after the date
17 of the submission of the strategy required
18 under paragraph (1), and every 180 days there-
19 after for 2 years, regarding the development
20 and implementation of the strategy required.

21 (g) EXPANDING UNITED STATES-TAIWAN DEVELOP-
22 MENT COOPERATION.—

23 (1) IN GENERAL.—No later than 120 days after
24 the date of the enactment of this Act, the Adminis-
25 trator of the United States Agency for International

1 Development (USAID), in consultation with the
2 United States International Development Finance
3 Corporation (DFC), shall submit to the appropriate
4 congressional committees a report on cooperation
5 with Taiwan on trilateral and multilateral develop-
6 ment initiatives, through the American Institute in
7 Taiwan as appropriate.

8 (2) MATTERS TO BE INCLUDED.—The report
9 required in paragraph (1) shall include the following:

10 (A) A comprehensive review of existing co-
11 operation mechanisms and initiatives between
12 USAID or DFC and relevant departments and
13 agencies in Taiwan, including, but not limited
14 to Taiwan’s International Cooperation and De-
15 velopment Fund (ICDF).

16 (B) An assessment of how USAID and
17 DFC development cooperation with relevant de-
18 partments and agencies in Taiwan compares to
19 comparable cooperation with partners of similar
20 economic size and foreign assistance capacity.

21 (C) An analysis of the opportunities and
22 challenges the cooperation described in subpara-
23 graph (A) has offered to date, including—

24 (i) opportunities collaboration has of-
25 fered to expand USAID’s and DFC’s abil-

1 ity to deliver assistance into a wider range
2 communities;

3 (ii) sectors where USAID, DFC,
4 ICDF, other relevant agencies and depart-
5 ments in Taiwan, or the organizations' im-
6 plementing partners, have a comparative
7 advantage in providing assistance; and

8 (iii) opportunities to transition virtual
9 capacity building events relevant depart-
10 ments and agencies in Taiwan, through the
11 Global Cooperation and Training Frame-
12 work and other forums, into in-person, en-
13 during forms of development cooperation.

14 (D) An assessment of any legal, policy,
15 logistical, financial, or administrative barriers
16 to expanding cooperation in trilateral or multi-
17 lateral development, including—

18 (i) availability of personnel at the
19 American Institute in Taiwan responsible
20 for coordinating development assistance co-
21 operation;

22 (ii) volume of current cooperation ini-
23 tiatives and barriers to expanding it;

24 (iii) diplomatic, policy, or legal bar-
25 riers facing the United States or other

1 partners to including Taiwan in formal
2 and informal multilateral development co-
3 operation mechanisms;

4 (iv) resource or capacity barriers to
5 expanding cooperation facing the United
6 States or Taiwan; and

7 (v) geopolitical barriers that com-
8 plicate United States-Taiwan cooperation
9 in third countries.

10 (E) Recommendations to address the chal-
11 lenges identified in subparagraph (D).

12 (F) A description of any additional re-
13 sources or authorities that expanding coopera-
14 tion might require.

15 (3) FORM.—The strategy required in paragraph
16 (1) shall be submitted in unclassified form but may
17 include a classified annex.

18 (h) SENSE OF CONGRESS ON EXPANDING UNITED
19 STATES ECONOMIC RELATIONS WITH TAIWAN.—It is the
20 sense of the Congress that—

21 (1) expanding United States economic relations
22 with Taiwan has benefited the people of both the
23 United States and Taiwan; and

1 (2) the United States should explore opportuni-
2 ties to deepen, and where possible expand, economic
3 ties between Taiwan and the United States.

4 (i) SENSE OF CONGRESS ON PEACE AND STABILITY
5 IN THE TAIWAN STRAIT.—It is the sense of Congress
6 that—

7 (1) PRC attempts to intimidate Taiwan, includ-
8 ing through high rates of PRC sorties into air space
9 near Taiwan, and PRC amphibious assault exercises
10 near Taiwan, jeopardizes the long-standing United
11 States position that differences in cross-Strait rela-
12 tions must be resolved peacefully;

13 (2) given the potential for a cross-Strait conflict
14 to be highly destructive and destabilizing, any in-
15 crease in the risk of conflict demands attention and
16 obligates leaders to reinforce deterrence, as the most
17 viable means to prevent war;

18 (3) Taiwan should continue to implement its
19 asymmetric defense strategy, including investing in
20 cost-effective and resilient capabilities, while also
21 strengthening recruitment and training of its reserve
22 and civil defense forces, and those capabilities in-
23 clude, but are not limited to, coastal defense cruise
24 missiles; and

1 (4) while enhancing deterrence, it is also essen-
2 tial to maintain open and effective crisis communica-
3 tion and risk reduction mechanisms, as a means to
4 reduce the risk of misunderstanding and ultimately,
5 conflict.

6 (j) STRATEGY TO ENHANCE DETERRENCE OVER A
7 CROSS-STRAIT CONFLICT.—

8 (1) IN GENERAL.—No later than 90 days after
9 the date of enactment of this Act, the President
10 shall submit to the appropriate congressional com-
11 mittees a whole-of-government strategy to enhance
12 deterrence over a cross-Strait military conflict be-
13 tween the PRC and Taiwan.

14 (2) MATTERS TO BE INCLUDED.—The strategy
15 shall include the following:

16 (A) A comprehensive review of existing
17 diplomatic, economic, and military tools to es-
18 tablish deterrence over a cross-Strait conflict
19 and an assessment of their efficacy.

20 (B) An examination of the present and fu-
21 ture capabilities of the United States and Tai-
22 wan to respond to the potential PLA campaigns
23 against Taiwan in 5, 10, and 15 years. The
24 analysis shall include an assessment of the
25 progress Taiwan has made in developing the

1 cost-effective and resilient capabilities needed to
2 respond to its strategic environment, as well as
3 any additional personnel, procurement, or train-
4 ing reforms required.

5 (C) An evaluation of the feasibility of ex-
6 panding coordination with United States allies
7 and partners to enhance deterrence over a
8 cross-Strait conflict. The review shall include a
9 review of the following matters:

10 (i) Expanding coordination of public
11 or private messaging on deterrence vis-à-
12 vis Taiwan.

13 (ii) Coordinating use of economic tools
14 to raise the costs of PRC military action
15 that could precipitate a cross-Strait con-
16 flict.

17 (iii) Enhancing codevelopment and co-
18 deployment of military capabilities related
19 to deterrence over a cross-Strait conflict,
20 or enhancing coordination on training of
21 Taiwan's military forces.

22 (D) Recommendations on significant addi-
23 tional diplomatic, economic, and military steps
24 available to the United States Government, uni-
25 laterally and in concert with United States al-

1 lies and partners, to enhance the clarity and
2 credibility of deterrence over a cross-Strait con-
3 flict.

4 (E) A description of any additional re-
5 sources or authorities needed to implement the
6 recommendations identified in subparagraph
7 (D).

8 (3) FORM.—The strategy required in paragraph
9 (1) shall be submitted classified form but may in-
10 clude an unclassified annex.

11 (4) CONSULTATION.—Not later than 90 days
12 after the date of enactment of this Act, and not less
13 frequently than every 180 days thereafter for 7
14 years, the President (or a designee), as well as rep-
15 resentatives from the agencies and departments in-
16 volved in developing the strategy required in para-
17 graph (1), shall consult with the appropriate con-
18 gressional committees regarding the development
19 and implementation of the strategy required in this
20 subsection. The representatives from the relevant
21 agencies and departments shall be at the Under Sec-
22 retary level or above.

23 (k) STRENGTHENING TAIWAN'S CIVILIAN DEFENSE
24 PROFESSIONALS.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of State, in consultation with the Secretary of
4 Defense, shall present to the appropriate congress-
5 sional committees a plan for strengthening the com-
6 munity of civilian defense professionals in Taiwan,
7 facilitated through the American Institute in Taiwan
8 as appropriate.

9 (2) MATTERS TO BE INCLUDED.—The plan re-
10 quired by paragraph (1) shall include the following:

11 (A) A comprehensive review of existing
12 United States Government and non-United
13 States Government programmatic and funding
14 modalities to support Taiwan’s civilian defense
15 professionals in pursuing professional develop-
16 ment, educational, and cultural exchanges in
17 the United States, including—

18 (i) opportunities through Department
19 of State-supported programs, such as the
20 International Visitor Leaders Program;
21 and

22 (ii) opportunities offered through non-
23 governmental institutions, such as think
24 tanks, to the extent the review can prac-
25 tically make such an assessment.

1 (B) A description of the frequency that ci-
2 vilian defense professionals from Taiwan pursue
3 or are selected for the programs reviewed pur-
4 suant to subparagraph (A).

5 (C) An analysis of any funding, policy, ad-
6 ministrative, or other barriers preventing great-
7 er participation from Taiwan's civilian defense
8 professionals in the opportunities identified pur-
9 suant to subparagraph (A).

10 (D) An evaluation of the value expanding
11 the opportunities reviewed pursuant to subpara-
12 graph (A) would offer for strengthening Tai-
13 wan's existing civilian defense community, and
14 for increasing the perceived value of the field
15 for young professionals in Taiwan.

16 (E) An assessment of options the United
17 States Government could take individually, with
18 partners in Taiwan, or with foreign govern-
19 ments, or nongovernmental partners, to expand
20 the opportunities reviewed pursuant to subpara-
21 graph (A).

22 (F) A description of additional resources
23 and authorities required by the options assessed
24 pursuant to subparagraph (E).

1 (3) FORM.—The plan required by paragraph
2 (1) shall be submitted in unclassified form but may
3 include a classified annex.

4 **SEC. 30211. TAIWAN INTERNATIONAL SOLIDARITY ACT.**

5 (a) SHORT TITLE.—This section may be cited as the
6 “Taiwan International Solidarity Act”.

7 (b) CLARIFICATION REGARDING UNITED NATIONS
8 GENERAL ASSEMBLY RESOLUTION 2758.—Subsection (a)
9 of section 2 of the Taiwan Allies International Protection
10 and Enhancement Initiative (TAIPEI) Act of 2019 (Pub-
11 lic Law 116–135) (relating to diplomatic relations with
12 Taiwan) is amended by adding at the end the following
13 new paragraphs:

14 “(10) United Nations General Assembly Reso-
15 lution 2758 (1971) established the representatives of
16 the Government of the People’s Republic of China as
17 the only lawful representatives of China to the
18 United Nations. The resolution did not address the
19 issue of representation of Taiwan and its people in
20 the United Nations or any related organizations, nor
21 did the resolution take a position on the relationship
22 between the People’s Republic of China and Taiwan
23 or include any statement pertaining to Taiwan’s sov-
24 ereignty.

1 “(11) The United States opposes any initiative
2 that seeks to change Taiwan’s status without the
3 consent of the people.”.

4 (c) UNITED STATES ADVOCACY FOR INTERNATIONAL
5 ORGANIZATIONS TO RESIST THE PEOPLE’S REPUBLIC OF
6 CHINA’S EFFORTS TO DISTORT THE “ONE CHINA” POSI-
7 TION.—Section 4 of the Taiwan Allies International Pro-
8 tection and Enhancement Initiative (TAIPEI) Act of 2019
9 (relating to the policy of the United States regarding Tai-
10 wan’s participation in international organizations) is
11 amended—

12 (1) in paragraph (2), by striking “and” after
13 the semicolon at the end;

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

16 (3) by adding at the end the following new
17 paragraph:

18 “(4) to instruct, as appropriate, representatives
19 of the United States Government in all organizations
20 described in paragraph (1) to use the voice, vote,
21 and influence of the United States to advocate such
22 organizations to resist the People’s Republic of Chi-
23 na’s efforts to distort the decisions, language, poli-
24 cies, or procedures of such organizations regarding
25 Taiwan.”.

1 (d) OPPOSING THE PEOPLE’S REPUBLIC OF CHINA’S
2 EFFORTS TO UNDERMINE TAIWAN’S TIES AND PARTNER-
3 SHIPS INTERNATIONALLY.—Subsection (a) of section 5 of
4 the Taiwan Allies International Protection and Enhance-
5 ment Initiative (TAIPEI) Act of 2019 (relating to
6 strengthening ties with Taiwan) is amended—

7 (1) in paragraph (2), by striking “and” after
8 the semicolon at the end;

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

11 (3) by adding at the end the following new
12 paragraph:

13 “(4) encourage, as appropriate, United States
14 allies and partners to oppose the People’s Republic
15 of China’s efforts to undermine Taiwan’s official
16 diplomatic relationships and its partnerships with
17 countries with which it does not maintain diplomatic
18 relations.”.

19 (e) REPORT ON THE PEOPLE’S REPUBLIC OF
20 CHINA’S ATTEMPTS TO PROMOTE ITS “ONE CHINA” PO-
21 SITION.—

22 (1) IN GENERAL.—Subsection (b) of section 5
23 of the Taiwan Allies International Protection and
24 Enhancement Initiative (TAIPEI) Act of 2019 (re-
25 lating to strengthening ties with Taiwan) is amended

1 by inserting before the period at the end the fol-
2 lowing: “, as well as information relating to any
3 prior or ongoing attempts by the People’s Republic
4 of China to undermine Taiwan’s membership or ob-
5 server status in all organizations described in section
6 (4)(1) and Taiwan’s ties and relationships with
7 other countries in accordance with subsection (a) of
8 this section”.

9 (2) EFFECTIVE DATE.—The amendment made
10 by paragraph (1) shall take effect on the date of the
11 enactment of this Act and apply beginning with the
12 first report required under subsection (b) of section
13 5 of the Taiwan Allies International Protection and
14 Enhancement Initiative (TAIPEI) Act of 2019, as
15 amended by paragraph (1), that is required after
16 such date.

17 **SEC. 30212. TAIWAN FELLOWSHIP PROGRAM.**

18 (a) SHORT TITLE.—This section may be cited as the
19 “Taiwan Fellowship Act”.

20 (b) FINDINGS; PURPOSES.—

21 (1) FINDINGS.—Congress finds the following:

22 (A) The Taiwan Relations Act (Public Law
23 96–8; 22 U.S.C. 3301 et seq.) affirmed United
24 States policy “to preserve and promote exten-
25 sive, close, and friendly commercial, cultural,

1 and other relations between the people of the
2 United States and the people on Taiwan, as
3 well as the people on the China mainland and
4 all other peoples of the Western Pacific area”.

5 (B) Consistent with the Asia Reassurance
6 Initiative Act of 2018 (Public Law 115–409),
7 the United States has grown its strategic part-
8 nership with Taiwan’s vibrant democracy of
9 23,000,000 people.

10 (C) Despite a concerted campaign by the
11 People’s Republic of China to isolate Taiwan
12 from its diplomatic partners and from inter-
13 national organizations, including the World
14 Health Organization, Taiwan has emerged as a
15 global leader in the coronavirus global pandemic
16 response, including by donating more than
17 2,000,000 surgical masks and other medical
18 equipment to the United States.

19 (D) The creation of a United States fellow-
20 ship program with Taiwan would support—

21 (i) a key priority of expanding people-
22 to-people exchanges, which was outlined in
23 President Donald J. Trump’s 2017 Na-
24 tional Security Strategy;

1 (ii) President Joseph R. Biden’s com-
2 mitment to Taiwan, “a leading democracy
3 and a critical economic and security part-
4 ner”, as expressed in his March 2021 In-
5 terim National Security Strategic Guid-
6 ance; and

7 (iii) April 2021 guidance from the De-
8 partment of State based on a review re-
9 quired under the Taiwan Assurance Act of
10 2020 (subtitle B of title III of division FF
11 of Public Law 116–260) to “encourage
12 U.S. government engagement with Taiwan
13 that reflects our deepening unofficial rela-
14 tionship”.

15 (2) PURPOSES.—The purposes of this section
16 are—

17 (A) to further strengthen the United
18 States-Taiwan strategic relationship and broad-
19 en understanding of the Indo-Pacific region by
20 temporarily assigning officials of agencies of the
21 United States Government to Taiwan for inten-
22 sive study in Mandarin Chinese and placement
23 as Fellows with the governing authorities on
24 Taiwan or a Taiwanese civic institution;

1 (B) to expand United States Government
2 expertise in Mandarin Chinese language skills
3 and understanding of the politics, history, and
4 culture of Taiwan and the Indo-Pacific region
5 by providing eligible United States personnel
6 the opportunity to acquire such skills and un-
7 derstanding through the Taiwan Fellowship
8 Program established under subsection (c); and

9 (C) to better position the United States to
10 advance its economic, security, and human
11 rights interests and values in the Indo-Pacific
12 region.

13 (c) TAIWAN FELLOWSHIP PROGRAM.—

14 (1) DEFINITIONS.—In this section:

15 (A) AGENCY HEAD.—The term “agency
16 head” means, in the case of the executive
17 branch of United States Government, or in the
18 case of a legislative branch agency specified in
19 subparagraph (B), the head of the respective
20 agency.

21 (B) AGENCY OF THE UNITED STATES GOV-
22 ERNMENT.—The term “agency of the United
23 States Government” includes the Government
24 Accountability Office, the Congressional Budget
25 Office, the Congressional Research Service, and

1 the United States-China Economic and Security
2 Review Commission of the legislative branch, as
3 well as any agency of the executive branch.

4 (C) APPROPRIATE CONGRESSIONAL COM-
5 MITTEES.—The term “appropriate congres-
6 sional committees” means—

7 (i) the Committee on Appropriations,
8 the Committee on Foreign Affairs, and the
9 Committee on Armed Services of the
10 House of Representatives; and

11 (ii) the Committee on Appropriations
12 and the Committee on Foreign Relations
13 of the Senate.

14 (D) DETAILEE.—The term “detailee”
15 means an employee of an agency of the United
16 States Government on loan to the American In-
17 stitute in Taiwan, without a change of position
18 from the agency at which such employee is em-
19 ployed.

20 (E) IMPLEMENTING PARTNER.—The term
21 “implementing partner” means any United
22 States organization described in section
23 501(c)(3) of the Internal Revenue Code of 1986
24 and exempt from tax under section 501(a) of
25 such Code that—

1 (i) is selected through a competitive
2 process;

3 (ii) performs logistical, administrative,
4 and other functions, as determined by the
5 Department of State and the American In-
6 stitute of Taiwan, in support of the Tai-
7 wan Fellowship Program; and

8 (iii) enters into a cooperative agree-
9 ment with the American Institute in Tai-
10 wan to administer the Taiwan Fellowship
11 Program.

12 (2) ESTABLISHMENT OF TAIWAN FELLOWSHIP
13 PROGRAM.—

14 (A) ESTABLISHMENT.—The Secretary of
15 State shall establish the “Taiwan Fellowship
16 Program” (referred to in this section as the
17 “Program”) to provide a fellowship opportunity
18 in Taiwan of up to two years for eligible United
19 States citizens through the cooperative agree-
20 ment established in subparagraph (B). The Sec-
21 retary of State, in consultation with appropriate
22 counterparts at the American Institute in Tai-
23 wan and the implementing partner, may modify
24 the name of the Program.

25 (B) COOPERATIVE AGREEMENTS.—

1 (i) IN GENERAL.—The American In-
2 stitute in Taiwan shall use amounts appro-
3 priated pursuant to the authorization
4 under paragraph (6)(A) to enter into an
5 annual or multi-year cooperative agree-
6 ment with an appropriate implementing
7 partner.

8 (ii) FELLOWSHIPS.—The Secretary of
9 State, in consultation with the American
10 Institute in Taiwan and, as appropriate,
11 the implementing partner, shall award to
12 eligible United States citizens, subject to
13 available funding—

14 (I) not fewer than five fellow-
15 ships during the first two years of the
16 Program; and

17 (II) not fewer than ten fellow-
18 ships during each of the remaining
19 years of the Program.

20 (C) INTERNATIONAL AGREEMENT; IMPLE-
21 MENTING PARTNER.—Not later than 30 days
22 after the date of the enactment of this Act, the
23 American Institute in Taiwan, in consultation
24 with the Secretary of State, shall—

1 (i) begin negotiations with the Taipei
2 Economic and Cultural Representative Of-
3 fice, or with another appropriate entity, for
4 the purpose of entering into an agreement
5 to facilitate the placement of fellows in an
6 agency of the governing authorities on Tai-
7 wan; and

8 (ii) begin the process of selecting an
9 implementing partner, which—

10 (I) shall agree to meet all of the
11 legal requirements required to operate
12 in Taiwan; and

13 (II) shall be composed of staff
14 who demonstrate significant experi-
15 ence managing exchange programs in
16 the Indo-Pacific region.

17 (D) CURRICULUM.—

18 (i) FIRST YEAR.—During the first
19 year of each fellowship under this sub-
20 section, each fellow should study—

21 (I) the Mandarin Chinese lan-
22 guage;

23 (II) the people, history, and polit-
24 ical climate on Taiwan; and

1 (III) the issues affecting the rela-
2 tionship between the United States
3 and the Indo-Pacific region.

4 (ii) SECOND YEAR.—During the sec-
5 ond year of each fellowship under this sec-
6 tion, each fellow, subject to the approval of
7 the Secretary of State, the American Insti-
8 tute in Taiwan, and the implementing
9 partner, and in accordance with the pur-
10 poses of this section, shall work in—

11 (I) a parliamentary office, min-
12 istry, or other agency of the governing
13 authorities on Taiwan; or

14 (II) an organization outside of
15 the governing authorities on Taiwan,
16 whose interests are associated with
17 the interests of the fellow and the
18 agency of the United States Govern-
19 ment from which the fellow had been
20 employed.

21 (E) FLEXIBLE FELLOWSHIP DURATION.—

22 Notwithstanding any requirement under this
23 section, the Secretary of State, in consultation
24 with the American Institute in Taiwan and, as
25 appropriate, the implementing partner, may

1 award fellowships that have a duration of be-
2 tween nine months and two years, and may
3 alter the curriculum requirements under sub-
4 paragraph (D) for such purposes.

5 (F) SUNSET.—The Program shall termi-
6 nate ten years after the date of the enactment
7 of this section.

8 (3) PROGRAM REQUIREMENTS.—

9 (A) ELIGIBILITY REQUIREMENTS.—A
10 United States citizen is eligible for a fellowship
11 under this section if he or she—

12 (i) is an employee of the United
13 States Government;

14 (ii) has at least two years of experi-
15 ence in any branch of the United States
16 Government;

17 (iii) has received at least one exem-
18 plary performance review in his or her cur-
19 rent United States Government role within
20 at least the last three years prior to begin-
21 ning the fellowship;

22 (iv) has a demonstrated professional
23 or educational background in the relation-
24 ship between the United States and coun-
25 tries in the Indo-Pacific region; and

1 (v) has demonstrated his or her com-
2 mitment to further service in the United
3 States Government.

4 (B) RESPONSIBILITIES OF FELLOWS.—
5 Each recipient of a fellowship under this section
6 shall agree, as a condition of such fellowship—

7 (i) to maintain satisfactory progress
8 in language training and appropriate be-
9 havior in Taiwan, as determined by the
10 Department of State, the American Insti-
11 tute in Taiwan and, as appropriate, its im-
12 plementing partner;

13 (ii) to refrain from engaging in any
14 intelligence or intelligence-related activity
15 on behalf of the United States Govern-
16 ment; and

17 (iii) to continue Federal Government
18 employment for a period of not less than
19 four years after the conclusion of the fel-
20 lowship, or for not less than two years for
21 a fellowship that is one year or shorter.

22 (C) RESPONSIBILITIES OF IMPLEMENTING
23 PARTNER.—

24 (i) SELECTION OF FELLOWS.—The
25 implementing partner, in close coordination

1 with the Secretary of State and the Amer-
2 ican Institute in Taiwan, shall—

3 (I) make efforts to recruit fellow-
4 ship candidates who reflect the diver-
5 sity of the United States;

6 (II) select fellows for the Pro-
7 gram based solely on merit, with ap-
8 propriate supervision from the De-
9 partment of State and the American
10 Institute in Taiwan; and

11 (III) prioritize the selection of
12 candidates willing to serve a fellow-
13 ship lasting one year or longer.

14 (ii) FIRST YEAR.—The implementing
15 partner should provide each fellow in the
16 first year (or shorter duration, as jointly
17 determined by the Secretary of State and
18 the American Institute in Taiwan, for
19 those who are not serving a two-year fel-
20 lowship) with—

21 (I) intensive Mandarin Chinese
22 language training; and

23 (II) courses in the politic, cul-
24 ture, and history of Taiwan, China,
25 and the broader Indo-Pacific.

1 (iii) WAIVER OF REQUIRED TRAIN-
2 ING.—The Secretary of State, in coordina-
3 tion with the American Institute in Taiwan
4 and, as appropriate, the implementing
5 partner, may waive any of the training re-
6 quired under clause (ii) to the extent that
7 a fellow has Mandarin Chinese language
8 skills, knowledge of the topics described in
9 clause (ii)(II), or for other related reasons
10 approved by the Secretary of State and the
11 American Institute in Taiwan. If any of
12 the training requirements are waived for a
13 fellow serving a two-year fellowship, the
14 training portion of his or her fellowship
15 may be shortened to the extent appro-
16 priate.

17 (iv) OFFICE; STAFFING.—The imple-
18 menting partner, in consultation with the
19 Secretary of State and the American Insti-
20 tute in Taiwan, shall maintain an office
21 and at least one full-time staff member in
22 Taiwan to—

23 (I) liaise with the American In-
24 stitute in Taiwan and the governing
25 authorities on Taiwan; and

1 (II) serve as the primary in-coun-
2 try point of contact for the recipients
3 of fellowships under this section and
4 their dependents.

5 (v) OTHER FUNCTIONS.—The imple-
6 menting partner should perform other
7 functions in association in support of the
8 Program, including logistical and adminis-
9 trative functions, as included in the cooper-
10 ative agreement entered into pursuant to
11 paragraph (2)(B) by the Secretary of State
12 and the American Institute in Taiwan.

13 (D) NONCOMPLIANCE.—

14 (i) IN GENERAL.—Any fellow who
15 fails to comply with the requirements
16 under this section shall reimburse the
17 American Institute in Taiwan for—

18 (I) the Federal funds expended
19 for the fellow's participation in the
20 fellowship, as set forth in clauses (ii)
21 and (iii); and

22 (II) interest accrued on such
23 funds (calculated at the prevailing
24 rate).

1 (ii) FULL REIMBURSEMENT.—Any fel-
2 low who violates clause (i) or (ii) of sub-
3 paragraph (B) shall reimburse the Amer-
4 ican Institute in Taiwan in an amount
5 equal to the sum of—

6 (I) all of the Federal funds ex-
7 pended for the fellow's participation
8 in the fellowship; and

9 (II) interest on the amount speci-
10 fied in subclause (I), which shall be
11 calculated at the prevailing rate.

12 (iii) PRO RATA REIMBURSEMENT.—
13 Any fellow who violates subparagraph
14 (B)(iii) shall reimburse the American Insti-
15 tute in Taiwan in an amount equal to the
16 difference between—

17 (I) the amount specified in clause

18 (ii); and

19 (II) the product of—

20 (aa) the amount the fellow
21 received in compensation during
22 the final year of the fellowship,
23 including the value of any allow-
24 ances and benefits received by
25 the fellow; multiplied by

1 (bb) the percentage of the
2 period specified in subparagraph
3 (B)(iii) during which the fellow
4 did not remain employed by the
5 United States Government.

6 (E) ANNUAL REPORT.—Not later than 90
7 days after the selection of the first class of fel-
8 lows under this section and annually thereafter
9 for 10 years, the Secretary of State shall offer
10 to brief the appropriate congressional commit-
11 tees regarding the following:

12 (i) An assessment of the performance
13 of the implementing partner in fulfilling
14 the purposes of this section.

15 (ii) The number of applicants each
16 year, the number of applicants willing to
17 serve a fellowship lasting one year or
18 longer, and the number of such applicants
19 selected for a fellowship.

20 (iii) The names and sponsoring agen-
21 cies of the fellows selected by the imple-
22 menting partner and the extent to which
23 such fellows represent the diversity of the
24 United States.

1 (iv) The names of the parliamentary
2 offices, ministries, other agencies of the
3 governing authorities on Taiwan, and non-
4 governmental institutions to which each
5 fellow was assigned.

6 (v) Any recommendations, as appro-
7 priate, to improve the implementation of
8 the Program, including added flexibilities
9 in the administration of the program.

10 (vi) An assessment of the Program's
11 value upon the relationship between the
12 United States and Taiwan or the United
13 States and Asian countries.

14 (F) ANNUAL FINANCIAL AUDIT.—

15 (i) IN GENERAL.—The financial
16 records of any implementing partner shall
17 be audited annually in accordance with
18 generally accepted auditing standards by
19 independent certified public accountants or
20 independent licensed public accountants
21 who are certified or licensed by a regu-
22 latory authority of a State or another po-
23 litical subdivision of the United States.

24 (ii) LOCATION.—Each audit under
25 clause (i) shall be conducted at the place

1 or places where the financial records of the
2 implementing partner are normally kept.

3 (iii) ACCESS TO DOCUMENTS.—The
4 implementing partner shall make available
5 to the accountants conducting an audit
6 under clause (i)—

7 (I) all books, financial records,
8 files, other papers, things, and prop-
9 erty belonging to, or in use by, the
10 implementing partner that are nec-
11 essary to facilitate the audit; and

12 (II) full facilities for verifying
13 transactions with the balances or se-
14 curities held by depositories, fiscal
15 agents, and custodians.

16 (iv) REPORT.—

17 (I) IN GENERAL.—Not later than
18 180 days after the end of each fiscal
19 year, the implementing partner shall
20 provide a report of the audit con-
21 ducted for such fiscal year under
22 clause (i) to the Secretary of State
23 and the American Institute in Taiwan.

24 (II) CONTENTS.—Each audit re-
25 port under subclause (I) shall—

1 (aa) set forth the scope of
2 the audit at issue;

3 (bb) include such state-
4 ments, along with the auditor's
5 opinion of those statements, as
6 may be necessary to present fair-
7 ly the implementing partner's as-
8 sets and liabilities, surplus or
9 deficit, with reasonable detail;

10 (cc) include a statement of
11 the implementing partner's in-
12 come and expenses during the
13 year; and

14 (dd) include a schedule of—
15 (AA) all contracts and
16 cooperative agreements re-
17 quiring payments greater
18 than \$5,000; and

19 (BB) any payments of
20 compensation, salaries, or
21 fees at a rate greater than
22 \$5,000 per year.

23 (III) COPIES.—Each audit report
24 shall be produced in sufficient copies
25 for distribution to the public.

1 (4) TAIWAN FELLOWS ON DETAIL FROM GOV-
2 ERNMENT SERVICE.—

3 (A) IN GENERAL.—

4 (i) DETAIL AUTHORIZED.—With the
5 approval of the Secretary of State, an
6 agency head may detail, for a period of not
7 more than two years, an employee of the
8 agency of the United States Government
9 who has been awarded a fellowship under
10 this Act, to the American Institute in Tai-
11 wan for the purpose of assignment to the
12 governing authorities on Taiwan or an or-
13 ganization described in paragraph
14 (2)(D)(ii)(II).

15 (ii) AGREEMENT.—Each detailee shall
16 enter into a written agreement with the
17 Federal Government before receiving a fel-
18 lowship, in which the fellow shall agree—

19 (I) to continue in the service of
20 the sponsoring agency at the end of
21 fellowship for a period of at least four
22 years (or at least two years if the fel-
23 lowship duration is one year or short-
24 er) unless such detailee is involun-

1 tarily separated from the service of
2 such agency; and

3 (II) to pay to the American Insti-
4 tute in Taiwan any additional ex-
5 penses incurred by the United States
6 Government in connection with the
7 fellowship if the detailee voluntarily
8 separates from service with the spon-
9 soring agency before the end of the
10 period for which the detailee has
11 agreed to continue in the service of
12 such agency.

13 (iii) EXCEPTION.—The payment
14 agreed to under clause (ii)(II) may not be
15 required of a detailee who leaves the serv-
16 ice of the sponsoring agency to enter into
17 the service of another agency of the United
18 States Government unless the head of the
19 sponsoring agency notifies the detailee be-
20 fore the effective date of entry into the
21 service of the other agency that payment
22 will be required under this subsection.

23 (B) STATUS AS GOVERNMENT EM-
24 PLOYEE.—A detailee under this paragraph—

1 (i) is deemed, for the purpose of pre-
2 serving allowances, privileges, rights, se-
3 niority, and other benefits, to be an em-
4 ployee of the sponsoring agency;

5 (ii) is entitled to pay, allowances, and
6 benefits from funds available to such agen-
7 cy, which is deemed to comply with section
8 5536 of title 5, United States Code; and

9 (iii) may be assigned to a position
10 with an entity described in paragraph
11 (2)(D)(ii)(I) if acceptance of such position
12 does not involve—

13 (I) the taking of an oath of alle-
14 giance to another government; or

15 (II) the acceptance of compensa-
16 tion or other benefits from any foreign
17 government by such detailee.

18 (C) RESPONSIBILITIES OF SPONSORING
19 AGENCY.—

20 (i) IN GENERAL.—The agency of the
21 United States Government from which a
22 detailee is detailed should provide the fel-
23 low allowances and benefits that are con-
24 sistent with Department of State Stand-

1 ardized Regulations or other applicable
2 rules and regulations, including—

3 (I) a living quarters allowance to
4 cover the cost of housing in Taiwan;

5 (II) a cost of living allowance to
6 cover any possible higher costs of liv-
7 ing in Taiwan;

8 (III) a temporary quarters sub-
9 sistence allowance for up to seven
10 days if the fellow is unable to find
11 housing immediately upon arriving in
12 Taiwan;

13 (IV) an education allowance to
14 assist parents in providing the fellow's
15 minor children with educational serv-
16 ices ordinarily provided without
17 charge by public schools in the United
18 States;

19 (V) moving expenses to transport
20 personal belongings of the fellow and
21 his or her family in their move to Tai-
22 wan, which is comparable to the al-
23 lowance given for American Institute
24 in Taiwan employees assigned to Tai-
25 wan; and

1 (VI) an economy-class airline
2 ticket to and from Taiwan for each
3 fellow and the fellow's immediate fam-
4 ily.

5 (ii) MODIFICATION OF BENEFITS.—
6 The American Institute in Taiwan and its
7 implementing partner, with the approval of
8 the Department of State, may modify the
9 benefits set forth in clause (i) if such
10 modification is warranted by fiscal cir-
11 cumstances.

12 (D) NO FINANCIAL LIABILITY.—The
13 American Institute in Taiwan, the imple-
14 menting partner, and any governing authorities
15 on Taiwan or nongovernmental entities in Tai-
16 wan at which a fellow is detailed during the sec-
17 ond year of the fellowship may not be held re-
18 sponsible for the pay, allowances, or any other
19 benefit normally provided to the detailee.

20 (E) REIMBURSEMENT.—Fellows may be
21 detailed under clause (A)(ii) without reimburse-
22 ment to the United States by the American In-
23 stitute in Taiwan.

24 (F) ALLOWANCES AND BENEFITS.—
25 Detailees may be paid by the American Insti-

1 tute in Taiwan for the allowances and benefits
2 listed in subparagraph (C).

3 (5) GAO REPORT.—Not later than one year be-
4 fore the sunset of the Program pursuant to para-
5 graph (2)(F), the Comptroller General of the United
6 States shall transmit to the Committee on Foreign
7 Relations of the Senate and the Committee on For-
8 eign Affairs of the House of Representatives a re-
9 port that includes the following:

10 (A) An analysis of United States Govern-
11 ment participants in the Program, including the
12 number of applicants and the number of fellow-
13 ships undertaken, and the places of employ-
14 ment.

15 (B) An assessment of the costs and bene-
16 fits for participants in the Program and for the
17 United States Government of such fellowships.

18 (C) An analysis of the financial impact of
19 the fellowship on United States Government of-
20 fices that have detailed fellows to participate in
21 the Program.

22 (D) Recommendations, if any, on how to
23 improve the Program.

24 (6) FUNDING.—

1 (A) AUTHORIZATION OF APPROPRIA-
2 TIONS.—There are authorized to be appro-
3 priated to the American Institute in Taiwan—

4 (i) for fiscal year 2022, \$2,900,000,
5 of which \$500,000 should be made avail-
6 able to an appropriate implementing part-
7 ner to launch the Program; and

8 (ii) for fiscal year 2023, and each suc-
9 ceeding fiscal year, \$2,400,000.

10 (B) PRIVATE SOURCES.—The imple-
11 menting partner selected to implement the Pro-
12 gram may accept, use, and dispose of gifts or
13 donations of services or property in carrying
14 out such program, subject to the review and ap-
15 proval of the American Institute in Taiwan.

16 **SEC. 30213. INCREASING DEPARTMENT OF STATE PER-**
17 **SONNEL AND RESOURCES DEVOTED TO THE**
18 **INDO-PACIFIC.**

19 (a) FINDINGS.—Congress makes the following find-
20 ings:

21 (1) In fiscal year 2020, the Department of
22 State allocated \$1,500,000,000 to the Indo-Pacific
23 region in bilateral and regional foreign assistance re-
24 sources, including as authorized by section 201(b) of
25 the Asia Reassurance Initiative Act of 2018 (Public

1 Law 115–409; 132 Stat. 5391), and \$798,000,000
2 in the fiscal year 2020 diplomatic engagement budg-
3 et. These amounts represent only 5 percent of the
4 diplomatic engagement budget and only 4 percent of
5 the total Department of State-USAID budget.

6 (2) Over the last 5 years the diplomatic engage-
7 ment budget and personnel levels in the Indo-Pacific
8 averaged only 5 percent of the total, while foreign
9 assistance resources averaged only 4 percent of the
10 total.

11 (3) In 2020, the Department of State began a
12 process to realign certain positions at posts to en-
13 sure that its personnel footprint matches the de-
14 mands of great-power competition, including in the
15 Indo-Pacific.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) the size of the United States diplomatic
19 corps must be sufficient to meet the current and
20 emerging challenges of the 21st century, including
21 those in the Indo-Pacific region and elsewhere;

22 (2) robust Chinese-language skills are necessary
23 for the success of the United States diplomatic corps
24 and integral to its ability to meet national security
25 objectives;

1 (3) the increase must be designed to meet the
2 objectives of an Indo-Pacific strategy focused on
3 strengthening the good governance and sovereignty
4 of countries that adhere to and uphold the rules-
5 based international order; and

6 (4) the increase must be implemented with a
7 focus on increased numbers of economic, political,
8 and public diplomacy officers, representing a cumu-
9 lative increase of at least 200 Foreign Service officer
10 generalists, to—

11 (A) advance free, fair, and reciprocal trade
12 and open investment environments for United
13 States entities, and engaged in increased com-
14 mercial diplomacy in key markets;

15 (B) better articulate and explain United
16 States policies, strengthen civil society and
17 democratic principles, enhance reporting on
18 global activities, promote people-to-people ex-
19 changes, and advance United States influence;
20 and

21 (C) increase capacity at small- and me-
22 dium-sized embassies and consulates in the
23 Indo-Pacific and other regions around the
24 world, as necessary.

1 (c) STATEMENT OF POLICY.—It shall be the policy
2 of the United States to—

3 (1) ensure Department of State funding levels
4 and personnel footprint in the Indo-Pacific reflect
5 the region’s high degree of importance and signifi-
6 cance to United States political, economic, and secu-
7 rity interests; and

8 (2) increase diplomatic engagement and foreign
9 assistance funding and the quantity of personnel
10 dedicated to the Indo-Pacific region respective to the
11 Department of State’s total budget.

12 (d) ACTION PLAN.—Not later than 180 days after
13 the date of the enactment of this Act, the Secretary of
14 State shall provide to the appropriate congressional com-
15 mittees (including the Permanent Select Committee on In-
16 telligence of the House of Representatives and the Select
17 Committee on Intelligence of the Senate) of Congress an
18 action plan that includes the following elements:

19 (1) Identification of requirements to advance
20 United States strategic objectives in the Indo-Pacific
21 and the personnel and budgetary resources for the
22 Department of State needed to satisfy such objec-
23 tives, assuming an unconstrained resource environ-
24 ment.

1 (2) A plan to increase the portion of the De-
2 partment's budget dedicated to the Indo-Pacific in
3 terms of DE and FA focused on development, eco-
4 nomic, and security assistance.

5 (3) A plan to increase the number of positions
6 at posts in the Indo-Pacific region and bureaus with
7 responsibility for the Indo-Pacific region, including a
8 description of increases at each post or bureau, a
9 breakdown of increases by cone, and a description of
10 how such increases in personnel will advance United
11 States strategic objectives in the Indo-Pacific region.

12 (4) A plan to increase the number of Chinese-
13 language speakers and translation specialists at
14 posts in the Indo-Pacific region and within bureau
15 offices with responsibility for the Indo-Pacific region,
16 including in INR.

17 (5) A description of any staffing or other train-
18 ing or personnel reforms that may be required to
19 quickly increase departmental capacity to address
20 the inter-disciplinary, interconnected opportunities
21 and challenges presented in the Indo-Pacific, includ-
22 ing but not limited to issues related to climate
23 change, public health, supply chains, cybersecurity,
24 and digital technology issues.

1 (6) Defined concrete and annual benchmarks
2 that the Department will meet in implementing the
3 action plan.

4 (7) A description of any barriers to imple-
5 menting the action plan and recommendations to ad-
6 dress these barriers, noting whether additional au-
7 thorities or resources from Congress is needed to ad-
8 dress these barriers.

9 (e) UPDATES TO REPORT AND BRIEFING.—Every
10 180 days after the submission of the action plan described
11 in subsection (d) for not more than 3 years, the Secretary
12 of State shall submit an update and brief the appropriate
13 congressional committees (including the Permanent Select
14 Committee on Intelligence of the House of Representatives
15 and the Select Committee on Intelligence of the Senate)
16 on the implementation of such action plan, with sup-
17 porting data and including a detailed assessment of bench-
18 marks reached.

19 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated, for fiscal year 2022,
21 \$2,000,000,000 in bilateral and regional foreign assist-
22 ance resources to carry out the purposes of part I and
23 chapter 4 of part II of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2151 et seq., 2346 et seq.) to the Indo-Pacific

1 region and \$1,250,000,000 in diplomatic engagement re-
2 sources to the Indo-Pacific region.

3 (g) INCLUSION OF AMOUNTS APPROPRIATED PURSU-
4 ANT TO ASIA REASSURANCE INITIATIVE ACT OF 2018.—
5 Amounts authorized to be appropriated under subsection
6 (f) include funds authorized to be appropriated pursuant
7 to section 201(b) of the Asia Reassurance Initiative Act
8 of 2018 (Public Law 115–409).

9 (h) BENCHMARKS UPDATE.—Not later than 2 years
10 after the date of the enactment of this Act, the Secretary
11 of State shall report to the appropriate congressional com-
12 mittees on the extent to which the strategic objectives de-
13 scribed in the action plan in subsection (d) have been sat-
14 isfied or progress toward such satisfaction has been made.

15 **SEC. 30214. REPORT ON BILATERAL EFFORTS TO ADDRESS**
16 **CHINESE FENTANYL TRAFFICKING.**

17 (a) CHINA’S CLASS SCHEDULING OF FENTANYL AND
18 SYNTHETIC OPIOID PRECURSORS.—Not later than 180
19 days after the date of the enactment of this Act, the Sec-
20 retary of State and Attorney General shall submit to the
21 appropriate congressional committees a written report de-
22 tailing—

23 (1) a description of United States Government
24 efforts to gain a commitment from the Government
25 of the People’s Republic of China (PRC) to submit

1 unregulated fentanyl precursors such as 4-AP to
2 controls;

3 (2) a plan for future steps the United States
4 Government will take to urge the PRC to combat il-
5 licit fentanyl production and trafficking originating
6 in the PRC;

7 (3) an assessment of the intersection between
8 illicit fentanyl trafficking originating in China and
9 illicit environmental trade and possible relationships
10 of trade-based money laundering;

11 (4) an assessment of the intersection between
12 illicit fentanyl trafficking originating in China and
13 counterfeit medicines and medical supplies in the
14 United States; and

15 (5) an assessment of the intersection between
16 illicit fentanyl trafficking originating in China and
17 the illicit fentanyl trafficked over the United States-
18 Mexico border into the United States.

19 (b) FORM OF REPORT.—The report required under
20 subsection (a) shall be submitted in unclassified form with
21 a classified annex.

1 **SEC. 30215. FACILITATION OF INCREASED EQUITY INVEST-**
2 **MENTS UNDER THE BETTER UTILIZATION OF**
3 **INVESTMENTS LEADING TO DEVELOPMENT**
4 **ACT OF 2018.**

5 (a) **APPLICABILITY OF FEDERAL CREDIT REFORM**
6 **ACT OF 1990.**—Section 1421(c) of the Better Utilization
7 of Investments Leading to Development Act of 2018 (22
8 U.S.C. 9621(c)) is amended by adding at the end the fol-
9 lowing:

10 “(7) **APPLICABILITY OF FEDERAL CREDIT RE-**
11 **FORM ACT OF 1990.**—

12 “(A) **IN GENERAL.**—Subject to subpara-
13 graphs (B) and (C), support provided under
14 paragraph (1) with respect to a project shall be
15 considered to be a Federal credit program that
16 is subject to the Federal Credit Reform Act of
17 1990 (2 U.S.C. 661 et seq.) for purposes of ap-
18 plying the requirements of such Act to such
19 support.

20 “(B) **DETERMINATION OF COST.**—

21 “(i) **IN GENERAL.**—For purposes of
22 section 502(5) of the Federal Credit Re-
23 form Act of 1990 (2 U.S.C. 661a(5) et
24 seq.) the cost of support provided under
25 paragraph (1) with respect to a project
26 shall be the net present value, at the time

1 when funds are disbursed to provide the
2 support, of the following estimated cash
3 flows:

4 “(I) The purchase price of the
5 support.

6 “(II) Dividends, redemptions,
7 and other shareholder distributions
8 during the term of the support.

9 “(III) Proceeds received upon a
10 sale, redemption, or other liquidation
11 of the support.

12 “(IV) Adjustments for risk of es-
13 timated losses, if any.

14 “(ii) CHANGES IN TERMS IN-
15 CLUDED.—The estimated cash flows de-
16 scribed in subclauses (I) through (IV) of
17 clause (i) shall include the effects of
18 changes in terms resulting from the exer-
19 cise of options included in the agreement
20 to provide the support.

21 “(C) REESTIMATE OF COST.—When the
22 estimated cost of support provided under para-
23 graph (1) with respect to a project made in a
24 single fiscal year is reestimated in a subsequent
25 year, the difference between the reestimated

1 cost and the previous cost estimate shall be
2 paid from the balances available in the Cor-
3 porate Capital Account established under sec-
4 tion 1434.”.

5 (b) MAXIMUM CONTINGENT LIABILITY.—Section
6 1433 of the Better Utilization of Investments Leading to
7 Development Act of 2018 (22 U.S.C. 9633) is amended
8 by striking “\$60,000,000,000” and inserting
9 “\$100,000,000,000”.

10 (c) FUNDING FOR CORPORATE CAPITAL ACCOUNT.—
11 Section 1434(b) of the Better Utilization of Investments
12 Leading to Development Act of 2018 (22 U.S.C. 9634(b))
13 is amended—

14 (1) in paragraph (5), by striking “and” at the
15 end;

16 (2) by redesignating paragraph (6) as para-
17 graph (7); and

18 (3) by inserting after paragraph (5) the fol-
19 lowing:

20 “(6) receipts of reestimated costs received pur-
21 suant to section 1421(c); and”.

22 (d) REPORT.—Not later than 180 days after the date
23 of the enactment of this Act, the Chief Executive Officer
24 of the United States International Development Finance
25 Corporation shall submit to the appropriate congressional

1 committees and the Committee on Appropriations of the
2 House of Representatives and the Senate a report on—

3 (1) a plan to expand the Corporation’s financ-
4 ing to support United States national security and
5 development priorities in critical regions; and

6 (2) the budgetary, staffing, and programmatic
7 resources that would be required in order to carry
8 out the plan required by this subsection.

9 **SEC. 30216. EXPANDING INVESTMENT BY UNITED STATES**

10 **INTERNATIONAL DEVELOPMENT FINANCE**

11 **CORPORATION FOR VACCINE MANUFAC-**

12 **TURING, DISTRIBUTION, STORAGE, AND DE-**

13 **LIVERY.**

14 (a) IN GENERAL.—The Development Finance Cor-
15 poration is authorized to provide financing to entities in
16 India and in other less developed countries to increase vac-
17 cine manufacturing, distribution, storage, and delivery ca-
18 pacity for the following purposes:

19 (1) Manufacturing Stringent Regulatory Au-
20 thorization (SRA) or World Health Organization
21 (WHO) Emergency Use Listing COVID–19 vac-
22 cines.

23 (2) Manufacturing SRA or WHO Emergency
24 Use Listing therapeutics used to treat symptoms re-
25 lated to COVID–19.

1 (3) Manufacturing critical medical supplies
2 needed for preventing, detecting and treating
3 COVID–19, including ventilators, personal protective
4 equipment, oxygen, diagnostics, auto-disable sy-
5 ringes, therapeutics and vaccines.

6 (4) Enhancing the cold chain necessary for the
7 production, delivery, storage, and distribution of vac-
8 cines.

9 (b) REPORTING REQUIREMENT.—Not later than 180
10 days after the date of the enactment of this Act, the Chief
11 Executive Officer of the Development Finance Corpora-
12 tion, in coordination with the Secretary of State, shall pro-
13 vide a report to the appropriate congressional commit-
14 tees—

15 (1) outlining the countries where DFC financ-
16 ing could be most impactful for vaccine manufac-
17 turing, distribution, storage, and delivery and to
18 achieve the goal of manufacturing, distributing, and
19 delivering 1 billion COVID–19 vaccines by 2022;

20 (2) including a detailed explanation of the
21 United States and partner country interests served
22 by the United States providing support to such
23 projects;

24 (3) including a detailed description of any sup-
25 port provided by other United States allies and part-

1 ners to expand the initiatives outlined in subsection
2 (a); and

3 (4) including a detailed description of any sup-
4 port provided by the People’s Republic of China in
5 support of the initiatives outlined in subsection (a).

6 (c) FORM OF REPORT.—The report required by sub-
7 section (b) shall be submitted in unclassified form with
8 a classified annex if necessary.

9 **SEC. 30217. ACTIONS TO PREVENT THE SPREAD OF THE**
10 **COVID-19 PANDEMIC.**

11 The Secretary of State, in coordination with the Ad-
12 ministrators for the US Agency for International Develop-
13 ment, shall to the extent practicable, expand testing capac-
14 ity, vaccination distribution, and acquisition of needed
15 medical supplies, including available COVID-19 vaccines
16 and supporting vaccination efforts, to—

17 (1) ensure continued success in preventing the
18 spread of the COVID-19 pandemic,

19 (2) achieve swift and widespread vaccinations,
20 pursuing long-term economic recovery globally, and

21 (3) demonstrate American commitment to glob-
22 al engagement and diplomatic support.

1 **SEC. 30218. ENSURING UNITED STATES DIPLOMATIC POSTS**
2 **ALIGN WITH AMERICAN STRATEGIC NA-**
3 **TIONAL SECURITY AND ECONOMIC OBJEC-**
4 **TIVES.**

5 (a) FINDING.—With 276 embassies and other rep-
6 resentative offices globally, China now has more diplo-
7 matic posts around the world than any other country, in-
8 cluding the United States. Many of Beijing’s new missions
9 can be found in countries that recently broke ties with Tai-
10 wan (Burkina Faso, the Dominican Republic, El Salvador,
11 the Gambia, and São Tomé and Príncipe) or do not have
12 any United States diplomatic physical presence despite
13 these countries asking for increased United States engage-
14 ment and investment (Antigua and Barbuda and Domi-
15 nica).

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress, that the Department of State should conduct an
18 assessment of all United States diplomatic missions and
19 posts to verify such missions and posts align with United
20 States national security and economic interests, as well as
21 ensuring that these locations position the United States
22 appropriately with its strategic competitors to advance the
23 national interest in every country worldwide, including
24 those countries currently lacking any physical United
25 States diplomatic presence, whether an embassy, consulate
26 general, or principal officer post.

1 (c) REPORTING.—Not later than 180 days after the
2 date of the enactment of this Act and biennially thereafter
3 for 4 years, the Secretary of State shall submit to the ap-
4 propriate congressional committees (including the Perma-
5 nent Select Committee on Intelligence of the House of
6 Representatives and the Select Committee on Intelligence
7 of the Senate) a report assessing the number, location,
8 and objectives of each of its diplomatic missions and posts
9 worldwide, including an assessment of any gaps that exist
10 compared to other country strategic competitors. The Sec-
11 retary of State shall coordinate with the heads of other
12 Federal departments and agencies having an overseas
13 presence at any United States diplomatic mission or post
14 to ensure such assessment reflects all Federal Government
15 equities and viewpoints.

16 **SEC. 30219. AUTHORIZATION OF APPROPRIATIONS FOR**
17 **THE FULBRIGHT-HAYS PROGRAM.**

18 (a) IN GENERAL.—There are authorized to be appro-
19 priated, for the 5-year period beginning on October 1,
20 2021, \$105,500,000, to promote education, training, re-
21 search, and foreign language skills through the Fulbright-
22 Hays Program, in accordance with section 102(b) of the
23 Mutual Educational and Cultural Exchange Act of 1961
24 (22 U.S.C. 2452(b)).

1 (b) NULLIFICATION.—Section 3(i) of Executive
2 Order No. 13936 (relating to the termination of the Ful-
3 bright exchange program with regard to China and Hong
4 Kong with respect to future exchanges for participants
5 traveling both from and to China or Hong Kong) is nul-
6 lified and shall have no force or effect, and Fulbright ex-
7 changes with China and Hong Kong shall carry on as if
8 such section had not be included in such Executive Order.

9 **SEC. 30219A. SUPPORTING INDEPENDENT MEDIA AND**
10 **COUNTERING DISINFORMATION.**

11 (a) AUTHORIZATION OF USAGM APPROPRIA-
12 TIONS.—There is authorized to be appropriated for the
13 United States Agency for Global Media \$100,000,000 for
14 each of fiscal years 2022 through 2026, for ongoing and
15 new programs to support local media, build independent
16 media, combat CCP disinformation inside and outside of
17 the People’s Republic of China, invest in technology to
18 subvert censorship, and monitor and evaluate such pro-
19 grams, of which—

20 (1) not less than \$70,000,000 shall be directed
21 to a grant to Radio Free Asia language services;

22 (2) not less than \$20,000,000 shall be made
23 available to serve populations in China through
24 Mandarin, Cantonese, Uyghur, and Tibetan lan-
25 guage services; and

1 (3) not less than \$5,500,000 shall be made
2 available for digital media services—

3 (A) to counter propaganda of non-Chinese
4 populations in foreign countries; and

5 (B) to counter propaganda of Chinese pop-
6 ulations in China through “Global Mandarin”
7 programming.

8 (b) SUPPORT FOR LOCAL MEDIA.—The Secretary of
9 State, acting through the Assistant Secretary of State for
10 Democracy, Human Rights, and Labor, and the Adminis-
11 trator of the United States Agency for International De-
12 velopment, acting through the Assistant Administrator for
13 Development, Democracy, and Innovation, shall jointly
14 support and train foreign journalists on investigative tech-
15 niques necessary to ensure public accountability, promote
16 transparency, fight corruption, and support the ability of
17 the public to develop informed opinions about pressing
18 issues facing their countries.

19 (c) INTERNET FREEDOM PROGRAMS.—The Bureau
20 of Democracy, Human Rights, and Labor shall continue
21 to support internet freedom programs.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to the Department of State
24 and United States Agency for International Development
25 \$170,000,000 for each of fiscal years 2022 through 2026,

1 for ongoing and new programs in support of press free-
2 dom, training, and protection of journalists. Amounts ap-
3 propriated pursuant to this authorization are authorized
4 to remain available until expended and shall be in addition
5 to amounts otherwise authorized to be appropriated to
6 support press freedom, training, and protection of journal-
7 ists.

8 **SEC. 30219B. GLOBAL ENGAGEMENT CENTER.**

9 (a) FINDING.—Congress established the Global En-
10 gagement Center to “direct, lead, and coordinate efforts”
11 of the Federal Government to “recognize, understand, ex-
12 pose, and counter foreign state and non-state propaganda
13 and disinformation globally”.

14 (b) EXTENSION.—Section 1287(j) of the National
15 Defense Authorization Act for Fiscal Year 2017 (22
16 U.S.C. 2656 note) is amended by striking “the date that
17 is 8 years after the date of the enactment of this Act”
18 and inserting “December 31, 2027”.

19 (c) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that the Global Engagement Center should expand
21 its coordinating capacity of diplomatic messaging through
22 the exchange of liaison officers with Federal departments
23 and agencies that manage aspects of identifying and coun-
24 tering foreign disinformation, including the Office of the

1 Director of National Intelligence and Special Operations
2 Command's Joint MISO Web Operations Center.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated \$150,000,000 for fiscal year
5 2022 for the Global Engagement Center to counter foreign
6 state and non-state sponsored propaganda and
7 disinformation.

8 **SEC. 30219C. REPORT ON ORIGINS OF THE COVID-19 PAN-**
9 **DEMIC.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that—

12 (1) understanding the origins of the COVID-19
13 pandemic may help the United States better pre-
14 pare, prevent, and respond to pandemic health
15 threats in the future;

16 (2) given the impact of the COVID-19 pan-
17 demic on all Americans, the American people deserve
18 to know what information the United States Govern-
19 ment possesses about the origins of COVID-19, as
20 appropriate;

21 (3) it is critical for independent experts to have
22 full access to all pertinent human, animal, and envi-
23 ronmental data, biological sample, research, and per-
24 sonnel involved in the early stages of the outbreak
25 relevant to determining how this pandemic emerged;

1 (4) Congress shares the concerns expressed by
2 the United States Government and 13 other foreign
3 governments that the international team of experts
4 dispatched to the People’s Republic of China by the
5 World Health Organization (WHO) to study the ori-
6 gins of the SARS-CoV-2 virus was “significantly
7 delayed and lacked access to complete, original data
8 and samples”;

9 (5) the G7 communique expressing support for
10 full implementation of the International Health Reg-
11 ulations, including “a timely, transparent, expert-
12 led, and science-based WHO-convened Phase 2
13 COVID-19 Origins study including, as rec-
14 ommended by the experts’ report, in China” is a val-
15 uable commitment by the United States and its al-
16 lies to investigating the origins of COVID-19 in
17 order to better prepare for future pandemics; and

18 (6) Congress supports the effort announced by
19 President Biden, directing the intelligence commu-
20 nity to conduct a 90 day review to further analyze
21 information pointing to the origins of COVID-19,
22 which resulted in broad intelligence community
23 agreement that the “virus was not developed as a bi-
24 ological weapon” and “two hypotheses remain plau-

1 sible: natural exposure to an infected animal and a
2 laboratory-associated incident”.

3 (b) REPORT REQUIRED.—Not later than 180 days
4 after enactment of this Act, the President shall submit
5 to the appropriate committees of Congress a report con-
6 sisting of—

7 (1) an assessment of the most likely source or
8 origin of the SARS-CoV-2 virus, including a de-
9 tailed review of all information the United States
10 possesses that it has identified as potentially rel-
11 evant to the source or origin of the SARS-CoV-2
12 virus, including zoonotic transmission and spillover,
13 or other sources of origin, transmission, or spillover,
14 based on the information the United States Govern-
15 ment has to date;

16 (2) its level of confidence in its assessment; and

17 (3) challenges identified to its ability to make
18 such an assessment.

19 (c) FORM.—The report required by subsection (b)
20 shall be submitted in unclassified form but may include
21 a classified annex.

22 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
23 FINED.—In this section, the term “appropriate commit-
24 tees of Congress” means—

1 (1) the Committee on Foreign Relations of the
2 Senate;

3 (2) the Select Committee on Intelligence of the
4 Senate;

5 (3) the Committee on Health, Education,
6 Labor, and Pensions of the Senate;

7 (4) the Committee on Energy and Natural Re-
8 sources of the Senate;

9 (5) the Committee on Foreign Affairs of the
10 House of Representatives;

11 (6) the Permanent Select Committee on Intel-
12 ligence of the House of Representatives; and

13 (7) the Committee on Energy and Commerce of
14 the House of Representatives.

15 **SEC. 30219D. EXTENSION OF ASIA REASSURANCE INITIA-**
16 **TIVE ACT OF 2018.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the Indo-Pacific region is home to many of
20 the world’s most dynamic democracies, economic op-
21 portunities, as well as many challenges to United
22 States interests and values as a result of the growth
23 in authoritarian governance in the region and by
24 broad challenges posed by nuclear proliferation, the

1 changing environment, and deteriorating adherence
2 to human rights principles and obligations;

3 (2) the People’s Republic of China poses a par-
4 ticular threat as it repeatedly violates internationally
5 recognized human rights, engages in unfair economic
6 and trade practices, disregards international laws
7 and norms, coerces its neighbors, engages in malign
8 influence operations, and enables global digital
9 authoritarianism;

10 (3) the Asia Reassurance Initiative Act of 2018
11 (“ARIA”) enhances the United States’ commitment
12 in the Indo-Pacific region by—

13 (A) expanding its defense cooperation with
14 its allies and partners;

15 (B) investing in democracy and the protec-
16 tion of human rights;

17 (C) engaging in cybersecurity initiatives;
18 and

19 (D) supporting people-to-people engage-
20 ment and other shared priorities; and

21 (4) the 2019 Department of Defense Indo-Pa-
22 cific Strategy Report concludes that ARIA “en-
23 shrines a generational whole-of-government policy
24 framework that demonstrates U.S. commitment to a
25 free and open Indo-Pacific region”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—The
2 Asia Reassurance Initiative Act of 2018 (Public Law 115–
3 409) is amended—

4 (1) in section 201(b), by striking
5 “\$1,500,000,000 for each of the fiscal years 2019
6 through 2023” and inserting “\$2,000,000,000 for
7 each of fiscal years 2022 through 2026”;

8 (2) in section 215(b), by striking “2023” and
9 inserting “2026”;

10 (3) in section 306(a)—

11 (A) in paragraph (1), by striking “5
12 years” and inserting “8 years”; and

13 (B) in paragraph (2), by striking “2023”
14 and inserting “2026”;

15 (4) in section 409(a)(1), by striking “2023”
16 and inserting “2026”;

17 (5) in section 410—

18 (A) in subsection (c), by striking “2023”
19 and inserting “2026”; and

20 (B) in subsection (d), in the matter pre-
21 ceding paragraph (1), by striking “2023” and
22 inserting “2026”; and

23 (6) in section 411, by striking “2023” and in-
24 serting “2026”.

1 **SEC. 30219E. CHINA WATCHER PROGRAM.**

2 (a) IN GENERAL.—The Secretary of State, acting
3 through the Assistant Secretary of State for East Asian
4 and Pacific Affairs, and in coordination with relevant of-
5 fices and bureaus of the Department of State, shall imple-
6 ment a “China Watcher Program” within the Department
7 of State to—

8 (1) monitor and combat Chinese malign influ-
9 ence across economic and political sectors in foreign
10 countries; and

11 (2) augment the capacity of United States Gov-
12 ernment engagement with foreign countries and re-
13 gional and international economic and political orga-
14 nizations and institutions relating to policy coordina-
15 tion regarding China and such Chinese malign influ-
16 ence.

17 (b) PLACEMENT.—In carrying out the China Watch-
18 er Program under this section, the Secretary of State shall
19 place Foreign Service officers in positions in select United
20 States diplomatic and consular posts, at the discretion of
21 the Secretary of State, to engage both Chinese and third-
22 country nationals, including host governments, on the
23 matters described in subsection (a).

24 (c) ANNUAL REPORT.—Each diplomatic or consular
25 post with a China Watcher Program shall produce an an-
26 nual report outlining the steps each such post has taken

1 to advance the mission, trends observed, and the nature
2 and extent of Chinese foreign direct investment and influ-
3 ence in key economic and political sectors, including tech-
4 nology, manufacturing, transportation, energy, metals, ag-
5 riculture, and real estate.

6 (d) AUTHORIZATION OF ANNUAL APPROPRIA-
7 TIONS.—There is authorized to be appropriated
8 \$5,000,000 for fiscal year 2022 and each fiscal year there-
9 after to carry out this section.

10 **SEC. 30219F. LIU XIAOBO FUND FOR STUDY OF THE CHI-**
11 **NESE LANGUAGE.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—

14 (1) as a substitute to Confucius Institutes, the
15 United States Government should invest heavily into
16 alternative programs and institutions that ensure
17 there remains a robust pipeline of Americans learn-
18 ing China’s many languages; and

19 (2) in a 21st century that will be dominated by
20 a strategic competition between the United States
21 and China, it is in the national security interests of
22 the United States to ensure that Americans continue
23 to invest in Chinese language skills, as well as Ti-
24 betan, Uyghur, and Mongolian languages, while en-

1 suring they can do so in a context free of malign po-
2 litical influence from foreign state actors.

3 (b) ESTABLISHMENT OF THE LIU XIAOBO FUND FOR
4 STUDY OF THE CHINESE LANGUAGE.—The Secretary of
5 State shall establish in the Department of State the “Liu
6 Xiaobo Fund for Study of the Chinese Language” to fund
7 study by United States persons of Mandarin and Can-
8 tonese Chinese, Tibetan, Uyghur, Mongolian, and other
9 contemporary spoken languages of China, abroad or in the
10 United States.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to the Department of
13 State for fiscal year 2021 and every fiscal year thereafter,
14 \$10,000,000 to carry out the Liu Xiaobo Fund for Study
15 of the Chinese Language.

16 (d) REQUIRED ACTIVITIES.—Amounts authorized to
17 be appropriated pursuant to subsection (c) shall—

18 (1) be designed to advance the national security
19 and foreign policy interests of the United States, as
20 determined by the Secretary of State;

21 (2) favor funding mechanisms that can maxi-
22 mize the total number of United States persons
23 given the opportunity to acquire full conversational
24 linguistic proficiency in Mandarin and Cantonese

1 Chinese, Tibetan, Uyghur, Mongolian, and other
2 contemporary spoken languages of China;

3 (3) favor funding mechanisms that provide op-
4 portunities for such language study to areas tradi-
5 tionally under-served by such opportunities;

6 (4) be shaped by an ongoing consultative proc-
7 ess taking into account design inputs of—

8 (A) civil society institutions, including Chi-
9 nese diaspora community organizations;

10 (B) language experts in Mandarin and
11 Cantonese Chinese, Tibetan, Uyghur, Mongo-
12 lian, and other contemporary spoken languages
13 of China;

14 (C) organizations representing historically
15 disadvantaged socioeconomic groups in the
16 United States; and

17 (D) human rights organizations; and

18 (5) favor opportunities to fund the study of
19 Mandarin and Cantonese Chinese, Tibetan, Uyghur,
20 Mongolian, and other contemporary spoken lan-
21 guages of China at Alaska Native-serving institu-
22 tions, Asian American and Native American Pacific
23 Islander-serving institutions, Hispanic-serving insti-
24 tutions, historically Black college or universities, Na-
25 tive American-serving nontribal institutions, Native

1 Hawaiian-serving institutions, Predominantly Black
2 institutions, Tribal Colleges or Universities.

3 (e) REPORT.—

4 (1) IN GENERAL.—Not later than 120 days
5 after the date of the enactment of this Act and an-
6 nually thereafter for five years, the Secretary of
7 State, in consultation with the heads of appropriate
8 Federal departments and agencies, as appropriate,
9 shall submit to the Committee on Foreign Affairs of
10 the House of Representatives and the Committee on
11 Foreign Relations of the Senate a report detailing
12 activities and disbursements made to carry out this
13 Act over the immediately preceding academic year.

14 (2) REPORT CONTENTS.—Each report required
15 under paragraph (1) shall include details on—

16 (A) which institutions, programs, or enti-
17 ties received funds through the Liu Xiaobo
18 Fund for Study of the Chinese Language;

19 (B) funds distribution disaggregated by in-
20 stitution, program, or entity, including identi-
21 fication of the State or country in which such
22 institution, program, or entity is located;

23 (C) the number of United States persons
24 who received language study under the Liu
25 Xiaobo Fund for Study of the Chinese Lan-

1 guage, and the average amount disbursed per
2 person for such study;

3 (D) a comparative analysis of per dollar
4 program effectiveness and efficiency in allowing
5 United States persons to reach conversational
6 proficiency Mandarin or Cantonese Chinese, Ti-
7 betan, Uyghur, Mongolian, or other contem-
8 porary spoken languages of China;

9 (E) an analysis of which of the languages
10 referred to in subparagraph (D) were studied
11 through the funding from the Liu Xiaobo Fund
12 for Study of the Chinese Language; and

13 (F) any recommendations of the Secretary
14 of State for improvements to the authorities,
15 priorities, or management of the Liu Xiaobo
16 Fund for Study of the Chinese Language.

17 (f) INTERAGENCY FUNDS TRANSFERS AUTHORIZA-
18 TION.—Amounts authorized to be appropriated to the Sec-
19 retary of State to carry out this Act are authorized to be
20 transferred to the heads of other appropriate Federal de-
21 partments and agencies for similar purposes, subject to
22 prior notification to the Committee on Foreign Affairs of
23 the House of Representatives and the Committee on For-
24 eign Relations of the Senate. Such heads shall consult with

1 the Secretary in the preparation of the report required
2 under subsection (e).

3 (g) LIMITATIONS.—Amounts authorized to be appro-
4 priated to carry out this Act may only be made available
5 for the costs of language study funded and administration
6 incurred by the Department of State or programs carried
7 out by the Department of State (or by another Federal
8 department or agency pursuant to subsection (f)) to carry
9 out this section.

10 (h) DEFINITIONS.—In this section:

11 (1) ALASKA NATIVE-SERVING INSTITUTION.—
12 The term “Alaska Native-serving institution” has
13 the meaning given such term in section 317(b) of
14 the Higher Education Act of 1965 (20 U.S.C.
15 1059d(b)).

16 (2) ASIAN AMERICAN AND NATIVE AMERICAN
17 PACIFIC ISLANDER-SERVING INSTITUTION.—The
18 term “Asian American and Native American Pacific
19 Islander-serving institution” has the meaning given
20 such term in section 371(c) of the Higher Education
21 Act of 1965 (20 U.S.C. 1067q(c)).

22 (3) HISPANIC-SERVING INSTITUTION.—The
23 term “Hispanic-serving institution” has the meaning
24 given such term in section 502 of the Higher Edu-
25 cation Act of 1965 (20 U.S.C. 1101a).

1 (4) HISTORICALLY BLACK COLLEGE OR UNI-
2 VERSITY.—The term “historically Black college or
3 university” means a part B institution described in
4 section 322(2) of the Higher Education Act of 1965
5 (22 U.S.C. 1061(2)).

6 (5) NATIVE AMERICAN-SERVING NONTRIBAL IN-
7 STITUTION.—The term “Native American-serving
8 nontribal institution” has the meaning given such
9 term in section 371(c) of the Higher Education Act
10 of 1965 (20 U.S.C. 1067q(c)).

11 (6) NATIVE HAWAIIAN-SERVING INSTITUTION.—
12 The term “Native Hawaiian-serving institution” has
13 the meaning given such term in section 317(b) of
14 the Higher Education Act of 1965 (20 U.S.C.
15 1059d(b)).

16 (7) PREDOMINANTLY BLACK INSTITUTION.—
17 The term “Predominantly Black institution” has the
18 meaning given such term in section 371(c) of the
19 Higher Education Act of 1965 (20 U.S.C.
20 1067q(c)).

21 (8) TRIBAL COLLEGE OR UNIVERSITY.—The
22 term “Tribal College or University” has the meaning
23 given such term in section 316(b) of the Higher
24 Education Act of 1965 (20 U.S.C. 1059e(b)).

1 **SEC. 30219G. OVERSIGHT OF FUNDS MADE AVAILABLE**
2 **THROUGH THE AMERICAN RESCUE PLAN ACT**
3 **OF 2021.**

4 (a) **AUTHORITIES AND CONDITIONS.**—Amounts au-
5 thorized and appropriated under title X of the American
6 Rescue Plan Act of 2021 (Public Law 117–2) to carry
7 out the Foreign Assistance Act of 1961 (22 U.S.C. 2151
8 et seq.) shall be subject to the applicable authorities and
9 conditions for funds made available to carry out the For-
10 eign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and
11 division K of Public Law 116–260.

12 (b) **OVERSIGHT AND ACCOUNTABILITY.**—Amounts
13 authorized and appropriated under sections 10001 and
14 10002 of American Rescue Plan Act of 2021 may be
15 transferred to the Inspector General of the Department
16 of State and the Inspector General of the United States
17 Agency for International Development to expand the ca-
18 pacity of such Inspectors General to conduct effective
19 oversight of the foreign assistance programs and activities
20 under such Act.

21 (c) **UNITED STATES CONTRIBUTIONS TO THE GLOB-**
22 **AL FUND TO FIGHT AIDS, TUBERCULOSIS, AND MALARIA**
23 **COVID–19 RESPONSE MECHANISM.**—United States con-
24 tributions to the Global Fund to Fight AIDS, Tuber-
25 culosis, and Malaria COVID–19 Response Mechanism

1 under section 10003(a)(2) of American Rescue Plan Act
2 of 2021—

3 (1) shall be meaningfully leveraged in a manner
4 that incentivizes other public and private donor con-
5 tributions; and

6 (2) shall be subject to the reporting and with-
7 holding requirements under subsections (c),
8 (d)(4)(A)(ii), (d)(4)(C), (d)(5), (d)(6), (f), and (g) of
9 section 202 of the United States Leadership Against
10 HIV/AIDS, Tuberculosis, and Malaria Act of 2003
11 (22 U.S.C. 7622).

12 **SEC. 30219H. REQUIREMENTS RELATING TO VACCINE**
13 **BRANDING.**

14 The President shall ensure that every vaccine donated
15 or otherwise procured and financed by the United States
16 Government shall be clearly branded with the United
17 States flag.

18 **SEC. 30219I. NATIONAL INTELLIGENCE ESTIMATE ON ESCA-**
19 **LATION AND DE-ESCALATION OF GRAY ZONE**
20 **ACTIVITIES IN GREAT POWER COMPETITION.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) The conventional power of the United
23 States has driven foreign adversaries to a level of
24 competition that does not always depend on military
25 confrontation with the United States.

1 (2) Rather than challenging the United States
2 in a manner that could provoke a kinetic military re-
3 sponse, foreign adversaries of the United States have
4 turned to carrying out gray zone activities to ad-
5 vance the interests of such adversaries, weaken the
6 power of the United States, and erode the norms
7 that underpin the United States-led international
8 order.

9 (3) Gray zone activity falls on a spectrum of at-
10 tribution and deniability that ranges from covert ad-
11 versary operations, to detectible covert adversary op-
12 erations, to unattributable adversary operations, to
13 deniable adversary operations, to open adversary op-
14 erations.

15 (4) To adequately address such a shift to gray
16 zone activity, the United States must understand
17 what actions tend to either escalate or de-escalate
18 such activity by our adversaries.

19 (5) The laws, principles, and values of the
20 United States are strategic advantages in great
21 power competition with authoritarian foreign adver-
22 saries that carry out gray zone activities, because
23 such laws, principles, and values increase the appeal
24 of the governance model of the United States, and

1 the United States-led international order, to states
2 and peoples around the world.

3 (6) The international security environment has
4 demonstrated numerous examples of gray zone ac-
5 tivities carried out by foreign adversaries, including
6 the following activities of foreign adversaries:

7 (A) Information operations, such as efforts
8 by Russia to influence the 2020 United States
9 Federal elections (as described in the March 15,
10 2021, intelligence community assessment of the
11 Office of the Director of National Intelligence
12 made publicly available on March 15, 2021).

13 (B) Adversary political coercion operations,
14 such as the wielding of energy by Russia, par-
15 ticularly in the context of Ukrainian gas pipe-
16 lines, to coerce its neighbors into compliance
17 with its policies.

18 (C) Cyber operations, such as the use by
19 China of cyber tools to conduct industrial espio-
20 nage.

21 (D) Provision of support to proxy forces,
22 such as the support provided by Iran to
23 Hezbollah and Shia militia groups.

24 (E) Provocation by armed forces controlled
25 by the government of the foreign adversary

1 through measures that do not rise to the level
2 of an armed attack, such as the use of the
3 China Coast Guard and maritime militia by
4 China to harass the fishing vessels of other
5 countries in the South China Sea.

6 (F) Alleged uses of lethal force on foreign
7 soil, such as the 2018 attempts by Russia to
8 poison Sergei Skripal in London.

9 (G) The potential use by an adversary of
10 technology that causes anomalous health inci-
11 dents among United States Government per-
12 sonnel.

13 (b) NATIONAL INTELLIGENCE ESTIMATE.—

14 (1) REQUIREMENT.—The Director of National
15 Intelligence, acting through the National Intelligence
16 Council, shall produce a National Intelligence Esti-
17 mate on how foreign adversaries use gray zone ac-
18 tivities to advance interests, what responses by the
19 United States (or the allies or partners of the
20 United States) would tend to result in the escalation
21 or de-escalation of such gray zone activities by for-
22 eign adversaries, and any opportunities for the
23 United States to minimize the extent to which for-
24 eign adversaries use gray zone activities in further-
25 ance of great power competition.

1 (2) MATTERS INCLUDED.—To the extent deter-
2 mined appropriate by the National Intelligence
3 Council, the National Intelligence Estimate produced
4 under paragraph (1) may include an assessment of
5 the following topics:

6 (A) Any potential or actual lethal or harm-
7 ful gray zone activities carried out against the
8 United States by foreign adversaries, including
9 against United States Government employees
10 and United States persons, whether located
11 within or outside of the United States.

12 (B) To the extent such activities have oc-
13 curred, or are predicted to occur—

14 (i) opportunities to reduce or deter
15 any such activities; and

16 (ii) any actions of the United States
17 Government that would tend to result in
18 the escalation or de-escalation of such ac-
19 tivities.

20 (C) Any incidents in which foreign adver-
21 saries could have used, but ultimately did not
22 use, gray zone activities to advance the inter-
23 ests of such adversaries, including an assess-
24 ment as to why the foreign adversary ultimately
25 did not use gray zone activities.

1 (D) The effect of lowering the United
2 States Government threshold for the public at-
3 tribution of detectible covert adversary oper-
4 ations, unattributable adversary operations, and
5 deniable adversary operations.

6 (E) The effect of lowering the United
7 States Government threshold for responding to
8 detectible covert adversary operations,
9 unattributable adversary operations, and deni-
10 able adversary operations.

11 (F) The extent to which the governments
12 of foreign adversaries exercise control over any
13 proxies or parastate actors used by such gov-
14 ernments in carrying out gray zone activities.

15 (G) The extent to which gray zone activi-
16 ties carried out by foreign adversaries affect the
17 private sector of the United States.

18 (H) The international norms that provide
19 the greatest deterrence to gray zone activities
20 carried out by foreign adversaries, and opportu-
21 nities for strengthening those norms.

22 (I) The effect, if any, of the strengthening
23 of democratic governance abroad on the resil-
24 ience of United States allies and partners to
25 gray zone activities.

1 (J) Opportunities to strengthen the resil-
2 ience of United States allies and partners to
3 gray zone activities, and associated tactics, car-
4 ried out by foreign adversaries.

5 (K) Opportunities for the United States to
6 improve the detection of, and early warning for,
7 such activities and tactics.

8 (L) Opportunities for the United States to
9 galvanize international support in responding to
10 such activities and tactics.

11 (3) SUBMISSION TO CONGRESS.—

12 (A) SUBMISSION.—Not later than 1 year
13 after the date of the enactment of this Act, the
14 Director shall submit to the Select Committee
15 on Intelligence of the Senate and the Perma-
16 nent Select Committee on Intelligence of the
17 House of Representatives the National Intel-
18 ligence Estimate produced under paragraph (1),
19 including all intelligence reporting underlying
20 the Estimate.

21 (B) NOTICE REGARDING SUBMISSION.—If
22 at any time before the deadline specified in sub-
23 paragraph (A), the Director determines that the
24 National Intelligence Estimate produced under
25 paragraph (1) cannot be submitted by such

1 deadline, the Director shall (before such dead-
2 line) submit to the Select Committee on Intel-
3 ligence of the Senate and the Permanent Select
4 Committee on Intelligence of the House of Rep-
5 resentatives a report setting forth the reasons
6 why the National Intelligence Estimate cannot
7 be submitted by such deadline and an estimated
8 date for the submission of the National Intel-
9 ligence Estimate.

10 (C) FORM.—Any report under subpara-
11 graph (B) shall be submitted in unclassified
12 form.

13 (4) PUBLIC VERSION.—Consistent with the pro-
14 tection of intelligence sources and methods, at the
15 same time as the Director submits to the Select
16 Committee on Intelligence of the Senate and the
17 Permanent Select Committee on Intelligence of the
18 House of Representatives the National Intelligence
19 Estimate under paragraph (1), the Director shall
20 make publicly available on the internet website of
21 the Director an unclassified version of the key find-
22 ings of the National Intelligence Estimate.

23 (5) DEFINITIONS.—In this subsection:

1 (A) GRAY ZONE ACTIVITY.—The term
2 “gray zone activity” means an activity to ad-
3 vance the national interests of a State that—

4 (i) falls between ordinary statecraft
5 and open warfare;

6 (ii) is carried out with an intent to
7 maximize the advancement of interests of
8 the state without provoking a kinetic mili-
9 tary response by the United States; and

10 (iii) falls on a spectrum that ranges
11 from covert adversary operations, to
12 detectible covert adversary operations, to
13 unattributable adversary operations, to de-
14 niable adversary operations, to open adver-
15 sary operations.

16 (B) COVERT ADVERSARY OPERATION.—
17 The term “covert adversary operation” means
18 an operation by an adversary that—

19 (i) the adversary intends to remain
20 below the threshold at which the United
21 States detects the operation; and

22 (ii) does stay below such threshold.

23 (C) DETECTIBLE COVERT ADVERSARY OP-
24 ERATION.—The term “detectible covert adver-

1 sary operation” means an operation by an ad-
2 versary that—

3 (i) the adversary intends to remain
4 below the threshold at which the United
5 States detects the operation; but

6 (ii) is ultimately detected by the
7 United States at a level below the level at
8 which the United States will publicly at-
9 tribute the operation to the adversary.

10 (D) UNATTRIBUTABLE ADVERSARY OPER-
11 ATION.—The term “unattributable adversary
12 operation” means an operation by an adversary
13 that the adversary intends to be detected by the
14 United States, but remain below the threshold
15 at which the United States will publicly at-
16 tribute the operation to the adversary.

17 (E) DENIABLE ADVERSARY OPERATION.—
18 The term “deniable adversary operation” means
19 an operation by an adversary that—

20 (i) the adversary intends to be de-
21 tected and publicly or privately attributed
22 by the United States; and

23 (ii) the adversary intends to deny, to
24 limit the response by the United States,
25 and any allies of the United States.

1 (F) OPEN ADVERSARY OPERATION.—The
2 term “open adversary operation” means an op-
3 eration by an adversary that the adversary
4 openly acknowledges as attributable to the ad-
5 versary.

6 (c) REQUIREMENT TO DEVELOP LEXICON.—

7 (1) REQUIREMENT.—The Director of National
8 Intelligence, acting through the National Intelligence
9 Council, shall develop a lexicon of common terms
10 (and corresponding definitions for such terms) for
11 concepts associated with gray zone activities.

12 (2) CONSIDERATIONS.—In developing the lexi-
13 con under paragraph (1), the National Intelligence
14 Council shall include in the lexicon each term (and
15 the corresponding definition for each term) specified
16 in subsection (b)(5), unless the National Intelligence
17 Council determines that an alternative term (or al-
18 ternative definition)—

19 (A) more accurately describes a concept as-
20 sociated with gray zone activities; or

21 (B) is preferable for any other reason.

22 (3) REPORT.—

23 (A) PUBLICATION.—The Director of Na-
24 tional Intelligence shall publish a report con-

1 taining the lexicon developed under paragraph
2 (1).

3 (B) FORM.—The report under subpara-
4 graph (A) shall be published in unclassified
5 form.

6 **SEC. 30219J. PRIORITIZING DIGITAL INFRASTRUCTURE**
7 **AND CONNECTIVITY.**

8 (a) IN GENERAL.—Section 1451 of the Better Utili-
9 zation of Investments Leading to Development Act 2018
10 (22 U.S.C. 9613) is amended by inserting after subsection
11 (i) the following:

12 “(j) PRIORITIZING DIGITAL INFRASTRUCTURE AND
13 CONNECTIVITY.—The Corporation should prioritize sup-
14 port to projects that—

15 “(1) increase digital infrastructure and
16 connectivity, including operators of voice and data
17 networks, development options for countries with the
18 greatest need for digital infrastructure investment
19 and in cases in which competing digital infrastruc-
20 ture financing proposals lack high standards for
21 data security and protection of users’ human rights;
22 and

23 “(2) align with the Corporation’s authorities re-
24 lating to provisions of support as outlined in section
25 1421(a).”.

1 (b) REPORT.—Not later than one year after the date
2 of the enactment of this Act, the United States Inter-
3 national Development Financing Corporation shall submit
4 to the Committee on Foreign Affairs of the House of Rep-
5 resentatives and the Committee on Foreign Relations of
6 the Senate a report that includes an identification and de-
7 scription of—

8 (1) regions and countries with the greatest need
9 for investment in digital infrastructure, including
10 the types of such digital infrastructure;

11 (2) regions and countries in which investment
12 in digital infrastructure will be most effective in pro-
13 moting high standards for data security and protec-
14 tion of users' human rights; and

15 (3) efforts of partner governments to provide
16 digital infrastructure development financing initia-
17 tives and efforts of the Corporation to coordinate
18 with such partner governments with respect to such
19 digital infrastructure development financing.

1 **SEC. 30219K. REPORT ON MULTILATERAL EFFORTS TO AD-**
2 **DRESS LATIN AMERICAN FENTANYL TRAF-**
3 **FICKING AND EFFORTS BETWEEN LATIN**
4 **AMERICA AND CHINA ON FENTANYL TRAF-**
5 **FICKING.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of State,
8 in consultation with the Attorney General and the Sec-
9 retary of the Treasury, shall submit to the appropriate
10 congressional committees a written report that contains—

11 (1) a description of United States Government
12 efforts to gain a commitment from the governments
13 of Latin American countries to combat the produc-
14 tion and flow of illicit fentanyl products and the
15 metrics used to measure the success of existing bi-
16 lateral agreements with individual Latin American
17 countries;

18 (2) a plan for future steps the United States
19 Government will take to urge the Latin American
20 governments to combat illicit fentanyl production
21 and trafficking originating in their respective coun-
22 tries;

23 (3) a description of efforts between China and
24 Latin American countries to combat the production
25 and flow of illicit fentanyl products originating in
26 China and Latin America;

1 (4) a description of United States Government
2 efforts to urge China and Latin American countries
3 to detect and deter the financing of the production
4 and flow of illicit fentanyl products originating in
5 China and Latin America, to trace the proceeds of
6 their sale, and to combat related corruption; and

7 (5) a plan for future steps the United States
8 Government will take to urge the Latin American
9 governments and Chinese Government to address
10 transnational criminal organizations and combat il-
11 licit fentanyl production and trafficking originating
12 in their respective countries.

13 (b) FORM OF REPORT.—The report required by sub-
14 section (a) shall be submitted in unclassified form with
15 a classified annex.

16 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
17 FINED.—In this section, the term “appropriate congres-
18 sional committees” means—

19 (1) the Committee on Foreign Affairs, the
20 Committee on the Judiciary, and the Committee on
21 Financial Services of the House of Representatives;
22 and

23 (2) the Committee on Foreign Relations, the
24 Committee on the Judiciary, and the Committee on
25 Banking, Housing, and Urban Affairs of the Senate.

1 **SEC. 30219L. REPORT GENERATION AND SHARING ON LONG**
2 **TERM COST OF BELT AND ROAD INITIATIVE**
3 **TO THIRD COUNTRIES.**

4 The Secretary of State shall coordinate with the Sec-
5 retary of Treasury and the heads of other Federal agen-
6 cies as relevant a report for each country participating or
7 considering participating in the People's Republic of Chi-
8 na's One Belt, One Road Initiative to show the full spec-
9 trum of negative costs on participant countries. The report
10 shall—

11 (1) show the long-term financial costs of such
12 participation;

13 (2) describe China's use of One Belt, One Road
14 to enrich Chinese State Owned Enterprises;

15 (3) provide examples of China's imposition of
16 political cost on participating countries; and

17 (4) contain any additional information deter-
18 mined necessary to dissuade future participation
19 with China's debt trap and coercive infrastructure
20 program.

21 **SEC. 30219M. SENSE OF CONGRESS REGARDING THE STA-**
22 **TUS OF CHINA.**

23 It is the sense of Congress that—

24 (1) the People's Republic of China is a fully in-
25 dustrialized nation and no longer a developing na-
26 tion; and

1 (2) any international agreement that provides
2 or accords China a favorable status or treatment as
3 a “developing nation” should be updated to reflect
4 the status of China.

5 **SEC. 30219N. REPORT ON PROVIDING ACCESS TO UNCEN-**
6 **SORED MEDIA IN CHINA.**

7 Not later than 180 days after the date of the enact-
8 ment of this Act, the Secretary of State shall provide to
9 Congress a classified report on what is needed to provide
10 access to free and uncensored media in the Chinese mar-
11 ket.

12 **SEC. 30219O. REPORT ON OPEN RADIO ACCESS NETWORKS.**

13 (a) **IN GENERAL.**—Not later than 180 days after the
14 date of the enactment of this Act, the Secretary of Com-
15 merce, in consultation with the Secretary of State, shall
16 submit to the appropriate congressional committees a re-
17 port on the national security implications of open radio
18 access networks (Open RAN or O-RAN) that—

19 (1) provides information on the United States
20 Government’s international engagement to support
21 United States leadership in Open RAN, including
22 the Department of State’s diplomatic efforts to en-
23 sure United States leadership in international stand-
24 ard setting bodies for Open RAN;

1 (2) describes the involvement of China
2 headquartered companies in Open RAN standards
3 setting bodies such as the O-RAN Alliance;

4 (3) reviews the national security risks posed by
5 the presence of entities included on the Bureau of
6 Industry and Security’s “Entity List” in the O-RAN
7 Alliance;

8 (4) determines whether entities that do business
9 in the United States can participate in the O-Ran
10 Alliance under existing sanctions and export control
11 laws;

12 (5) analyzes whether United States national se-
13 curity is affected by the limited number of tele-
14 communications equipment vendors, and examines
15 whether the advent and deployment of Open RAN
16 would expand the number of equipment and service
17 providers;

18 (6) outlines how the United States can work
19 with allies, partners, and other countries to ensure
20 that Open RAN maintains the highest security and
21 privacy standards; and

22 (7) identifies steps the United States can take
23 to assert leadership in Open RAN.

1 (b) APPROPRIATE COMMITTEES OF CONGRESS DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Foreign Affairs of the
5 House of Representatives;

6 (2) the Committee on Foreign Relations of the
7 Senate;

8 (3) the Committee on Energy and Commerce of
9 the House of Representatives; and

10 (4) the Committee on Commerce, Science, and
11 Transportation of the Senate.

12 **Subtitle B—International Security**
13 **Matters**

14 **SEC. 30221. APPROPRIATE COMMITTEES OF CONGRESS.**

15 In this subtitle, the term “appropriate committees of
16 Congress” means—

17 (1) the Committee on Foreign Relations, the
18 Committee on Armed Services, and the Committee
19 on Appropriations of the Senate; and

20 (2) the Committee on Foreign Affairs, the
21 Committee on Armed Services, and the Committee
22 on Appropriations of the House of Representatives.

1 **SEC. 30222. ADDITIONAL FUNDING FOR INTERNATIONAL**
2 **MILITARY EDUCATION AND TRAINING IN THE**
3 **INDO-PACIFIC.**

4 (a) IN GENERAL.—There is authorized to be appro-
5 priated for each of fiscal years 2022 through fiscal year
6 2026 for the Department of State, out of amounts author-
7 ized to be appropriated or otherwise made available for
8 assistance under chapter 5 of part II of the Foreign As-
9 sistance Act of 1961 (22 U.S.C. 2347 et seq.) (relating
10 to international military education and training assist-
11 ance), \$45,000,000 for activities in the Indo-Pacific region
12 in accordance with this subtitle. Funds may be disbursed
13 only after vetting of individuals proposed to be trained,
14 consistent with sections 502B and 620M of the Foreign
15 Assistance Act of 1961 (22 U.S.C. 2304 and 2378d).

16 (b) LIMITATION.—

17 (1) IN GENERAL.—None of the funds author-
18 ized to be appropriated by subsection (a) may be
19 used to provide assistance to any foreign security
20 force units if the Secretary of State determines that
21 such forces have engaged in patterns of torture or
22 cruel, inhuman, or degrading treatment or punish-
23 ment, prolonged detention without charges and trial,
24 causing the disappearance of persons by the abduc-
25 tion and clandestine detention of those persons, au-
26 thorized by high-ranking officials or other flagrant

1 denial of the right to life, liberty, or the security of
2 person, authorized by high-ranking officials pursuant
3 to section 502B of the Foreign Assistance Act of
4 1961 (22 U.S.C. 2304).

5 (2) WAIVER.—The President may, on a case-
6 by-case basis and for periods not to exceed 180
7 days, waive the prohibition in paragraph (1) if the
8 President certifies to the appropriate congressional
9 committees not later than 15 days before such waiv-
10 er is to take effect that the waiver is vital to the na-
11 tional security interests of the United States or its
12 partners and allies.

13 **SEC. 30223. STATEMENT OF POLICY.**

14 It shall be the policy of the United States to—

15 (1) prioritize the Indo-Pacific region in United
16 States foreign policy, and prioritize resources for
17 achieving United States political and military objec-
18 tives in the region;

19 (2) exercise freedom of operations in the inter-
20 national waters and airspace in the Indo-Pacific
21 maritime domains, which are critical to the pros-
22 perity, stability, and security of the Indo-Pacific re-
23 gion;

24 (3) maintain forward-deployed forces in the
25 Indo-Pacific region, including a rotational bomber

1 presence, integrated missile defense capabilities,
2 long-range precision fires, undersea warfare capabili-
3 ties, and diversified and resilient basing and rota-
4 tional presence, including support for pre-positioning
5 strategies;

6 (4) strengthen and deepen the alliances and
7 partnerships of the United States to build capacity
8 and capabilities, increase multilateral partnerships,
9 modernize communications architecture, address
10 anti-access and area denial challenges, and increase
11 joint exercises and security cooperation efforts;

12 (5) reaffirm the commitment and support of the
13 United States for allies and partners in the Indo-Pa-
14 cific region, including longstanding United States
15 policy regarding—

16 (A) Article V of the Treaty of Mutual Co-
17 operation and Security between the United
18 States and Japan, signed at Washington Janu-
19 ary 19, 1960;

20 (B) Article III of the Mutual Defense
21 Treaty between the United States and the Re-
22 public of Korea, signed at Washington October
23 1, 1953;

24 (C) Article IV of the Mutual Defense Trea-
25 ty between the United States and the Republic

1 of the Philippines, signed at Washington Au-
2 gust 30, 1951, including that, as the South
3 China Sea is part of the Pacific, any armed at-
4 tack on Philippine forces, aircraft or public ves-
5 sels in the South China Sea will trigger mutual
6 defense obligations under Article IV of our mu-
7 tual defense treaty;

8 (D) Article IV of the Australia, New Zea-
9 land, United States Security Treaty, done at
10 San Francisco September 1, 1951; and

11 (E) the Southeast Asia Collective Defense
12 Treaty, done at Manila September 8, 1954, to-
13 gether with the Thanat-Rusk Communique of
14 1962;

15 (6) collaborate with United States treaty allies
16 in the Indo-Pacific to foster greater multilateral se-
17 curity and defense cooperation with other regional
18 partners;

19 (7) ensure the continuity of operations by the
20 United States Armed Forces in the Indo-Pacific re-
21 gion, including, as appropriate, in cooperation with
22 partners and allies, in order to reaffirm the principle
23 of freedom of operations in international waters and
24 airspace in accordance with established principles
25 and practices of international law;

1 (8) sustain the Taiwan Relations Act (Public
2 Law 96–8; 22 U.S.C. 3301 et seq.) and the “Six As-
3 surances” provided by the United States to Taiwan
4 in July 1982 as the foundations for United States-
5 Taiwan relations, and to deepen, to the fullest extent
6 possible, the extensive, close, and friendly relations
7 of the United States and Taiwan, including coopera-
8 tion to support the development of capable, ready,
9 and modern forces necessary for the defense of Tai-
10 wan;

11 (9) enhance security partnerships with India,
12 across Southeast Asia, and with other nations of the
13 Indo-Pacific;

14 (10) deter acts of aggression or coercion by the
15 PRC against United States and allies’ interests, es-
16 pecially along the First Island Chain and in the
17 Western Pacific, by showing PRC leaders that the
18 United States can and is willing to deny them the
19 ability to achieve their objectives, including by—

20 (A) consistently demonstrating the political
21 will of the United States to deepening existing
22 treaty alliances and growing new partnerships
23 as a durable, asymmetric, and unmatched stra-
24 tegic advantage to the PRC’s growing military
25 capabilities and reach;

1 (B) maintaining a system of forward-de-
2 ployed bases in the Indo-Pacific region as the
3 most visible sign of United States resolve and
4 commitment to the region, and as platforms to
5 ensure United States operational readiness and
6 advance interoperability with allies and part-
7 ners;

8 (C) adopting a more dispersed force pos-
9 ture throughout the region, particularly the
10 Western Pacific, and pursuing maximum access
11 for United States mobile and relocatable
12 launchers for long-range cruise, ballistic, and
13 hypersonic weapons throughout the Indo-Pacific
14 region;

15 (D) fielding long-range, precision-strike
16 networks to United States and allied forces, in-
17 cluding ground-launched cruise missiles, under-
18 sea and naval capabilities, and integrated air
19 and missile defense in the First Island Chain
20 and the Second Island Chain, in order to deter
21 and prevent PRC coercion and aggression, and
22 to maximize the United States ability to oper-
23 ate;

24 (E) strengthening extended deterrence to
25 ensure that escalation against key United

1 States interests would be costly, risky, and self-
2 defeating; and

3 (F) collaborating with allies and partners
4 to accelerate their roles in more equitably shar-
5 ing the burdens of mutual defense, including
6 through the acquisition and fielding of advanced
7 capabilities and training that will better enable
8 them to repel PRC aggression or coercion; and

9 (11) maintain the capacity of the United States
10 to impose prohibitive diplomatic, economic, financial,
11 reputational, and military costs on the PRC for acts
12 of coercion or aggression, including to defend itself
13 and its allies regardless of the point of origin of at-
14 tacks against them.

15 **SEC. 30224. FOREIGN MILITARY FINANCING IN THE INDO-**
16 **PACIFIC AND AUTHORIZATION OF APPRO-**
17 **PRIATIONS FOR SOUTHEAST ASIA MARITIME**
18 **SECURITY PROGRAMS AND DIPLOMATIC OUT-**
19 **REACH ACTIVITIES.**

20 (a) FOREIGN MILITARY FINANCING FUNDING.—In
21 addition to any amount appropriated pursuant to section
22 23 of the Arms Export Control Act (22 U.S.C. 2763) (re-
23 lating to foreign military financing assistance), there is
24 authorized to be appropriated for each of fiscal years 2022

1 through fiscal year 2026 for activities in the Indo-Pacific
2 region in accordance with this section—

3 (1) \$110,000,000 for fiscal year 2022;

4 (2) \$125,000,000 for fiscal year 2023;

5 (3) \$130,000,000 for fiscal year 2024;

6 (4) \$140,000,000 for fiscal year 2025; and

7 (5) \$150,000,000 for fiscal year 2026.

8 (b) SOUTHEAST MARITIME LAW ENFORCEMENT INI-
9 TIATIVE.—There is authorized to be appropriated
10 \$10,000,000 for each of fiscal years 2022 through 2026
11 for the Department of State for International Narcotics
12 Control and Law Enforcement (INCLE) for the support
13 of the Southeast Asia Maritime Law Enforcement Initia-
14 tive.

15 (c) DIPLOMATIC OUTREACH ACTIVITIES.—There is
16 authorized to be appropriated to the Department of State
17 \$1,000,000 for each of fiscal years 2022 through 2026,
18 which shall be used—

19 (1) to conduct, in coordination with the Depart-
20 ment of Defense, outreach activities, including con-
21 ferences and symposia, to familiarize partner coun-
22 tries, particularly in the Indo-Pacific region, with
23 the United States' interpretation of international law
24 relating to freedom of the seas; and

1 (2) to work with allies and partners in the
2 Indo-Pacific region to better align respective inter-
3 pretations of international law relating to freedom of
4 the seas, including on the matters of operations by
5 military ships in exclusive economic zones, innocent
6 passage through territorial seas, and transits
7 through international straits.

8 (d) PROGRAM AUTHORIZATION AND PURPOSE.—

9 Using amounts appropriated pursuant to subsection (a),
10 the Secretary of State, in coordination with the Secretary
11 of Defense, is authorized to provide assistance for the pur-
12 pose of increasing maritime security and domain aware-
13 ness for countries in the Indo-Pacific region—

14 (1) to provide assistance to national military or
15 other security forces of such countries that have
16 maritime security missions among their functional
17 responsibilities;

18 (2) to provide training to ministry, agency, and
19 headquarters level organizations for such forces; and

20 (3) to provide assistance and training to other
21 relevant foreign affairs, maritime, or security-related
22 ministries, agencies, departments, or offices that
23 manage and oversee maritime activities and policy
24 that the Secretary of State may so designate.

1 (e) DESIGNATION OF ASSISTANCE.—Assistance pro-
2 vided by the Secretary of State under subsection (g) shall
3 be known as the “Indo-Pacific Maritime Security Initia-
4 tive” (in this section referred to as the “Initiative”).

5 (f) PROGRAM OBJECTIVES.—Assistance provided
6 through the Initiative may be used to accomplish the fol-
7 lowing objectives:

8 (1) Retaining unhindered access to and use of
9 international waterways in the Indo-Pacific region
10 that are critical to ensuring the security and free
11 flow of commerce and to achieving United States na-
12 tional security objectives.

13 (2) Improving maritime domain awareness in
14 the Indo-Pacific region.

15 (3) Countering piracy in the Indo-Pacific re-
16 gion.

17 (4) Disrupting illicit maritime trafficking activi-
18 ties and other forms of maritime trafficking activity
19 in the Indo-Pacific that directly benefit organiza-
20 tions that have been determined to be a security
21 threat to the United States.

22 (5) Enhancing the maritime capabilities of a
23 country or regional organization to respond to
24 emerging threats to maritime security in the Indo-
25 Pacific region.

1 (6) Strengthening United States alliances and
2 partnerships in Southeast Asia and other parts of
3 the Indo-Pacific region.

4 (g) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—Of the amount appropriated
6 pursuant to subsection (a) (relating to foreign mili-
7 tary financing assistance), there is authorized to be
8 appropriated to the Department of State for the
9 Indo-Pacific Maritime Security Initiative and other
10 related regional programs exactly—

11 (A) \$70,000,000 for fiscal year 2022;

12 (B) \$80,000,000 for fiscal year 2023;

13 (C) \$90,000,000 for fiscal year 2024;

14 (D) \$100,000,000 for fiscal year 2025;

15 and

16 (E) \$110,000,000 for fiscal year 2026.

17 (2) RULE OF CONSTRUCTION.—The “Indo-Pa-
18 cific Maritime Security Initiative” and funds author-
19 ized for the Initiative shall include existing regional
20 programs carried out by the Department of State re-
21 lated to maritime security, including the Southeast
22 Asia Maritime Security Initiative.

23 (h) ELIGIBILITY AND PRIORITIES FOR ASSIST-
24 ANCE.—

1 (1) IN GENERAL.—The Secretary of State shall
2 use the following considerations when selecting
3 which countries in the Indo-Pacific region should re-
4 ceive assistance pursuant to the Initiative:

5 (A) Assistance may be provided to a coun-
6 try in the Indo-Pacific region to enhance the ca-
7 pabilities of that country according to the objec-
8 tives outlined in (f), or of a regional organiza-
9 tion that includes that country, to conduct—

10 (i) maritime intelligence, surveillance,
11 and reconnaissance;

12 (ii) littoral and port security;

13 (iii) Coast Guard operations;

14 (iv) command and control; and

15 (v) management and oversight of mar-
16 itime activities.

17 (B) Priority shall be placed on assistance
18 to enhance the maritime security capabilities of
19 the military or security forces of countries in
20 the Indo-Pacific region that have maritime mis-
21 sions and the government agencies responsible
22 for such forces.

23 (2) TYPES OF ASSISTANCE AND TRAINING.—

24 (A) AUTHORIZED ELEMENTS OF ASSIST-
25 ANCE.—Assistance provided under paragraph

1 (1)(A) may include the provision of equipment,
2 training, and small-scale military construction.

3 (B) REQUIRED ELEMENTS OF ASSISTANCE
4 AND TRAINING.—Assistance and training pro-
5 vided under subparagraph (A) shall include ele-
6 ments that promote—

7 (i) the observance of and respect for
8 human rights; and

9 (ii) respect for legitimate civilian au-
10 thority within the country to which the as-
11 sistance is provided.

12 **SEC. 30225. FOREIGN MILITARY FINANCING COMPACT**
13 **PILOT PROGRAM IN THE INDO-PACIFIC.**

14 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated \$20,000,000 for each of fis-
16 cal years 2022 and 2023 for the creation of a pilot pro-
17 gram for foreign military financing (FMF) compacts.

18 (b) ASSISTANCE.—

19 (1) IN GENERAL.—The Secretary of State is
20 authorized to create a pilot program, for a duration
21 of two years, with an assessment for any additional
22 or permanent programming, to provide assistance
23 under this section for each country that enters into
24 an FMF Challenge Compact with the United States
25 pursuant to subsection (d) to support policies and

1 programs that advance the progress of the country
2 in achieving lasting security and civilian-military
3 governance through respect for human rights, good
4 governance (including transparency and free and
5 fair elections), and cooperation with United States
6 and international counter-terrorism, anti-trafficking,
7 and counter-crime efforts and programs.

8 (2) FORM OF ASSISTANCE.—Assistance under
9 this subsection may be provided in the form of
10 grants, cooperative agreements, contracts, or no-in-
11 terest loans to the government of an eligible country
12 described in subsection (c).

13 (c) ELIGIBLE COUNTRIES.—

14 (1) IN GENERAL.—A country shall be a can-
15 didate country for purposes of eligibility for assist-
16 ance for fiscal years 2022 and 2023 if—

17 (A) the country is classified as a lower
18 middle income country in the then-most recent
19 edition of the World Development Report for
20 Reconstruction and Development published by
21 the International Bank for Reconstruction and
22 Development and has an income greater than
23 the historical ceiling for International Develop-
24 ment Association eligibility for the fiscal year
25 involved; and

1 (B) the Secretary of State determines that
2 the country is committed to seeking just and
3 democratic governance, including with a dem-
4 onstrated commitment to—

5 (i) the promotion of political plu-
6 ralism, equality, and the rule of law;

7 (ii) respect for human and civil rights;

8 (iii) protection of private property
9 rights;

10 (iv) transparency and accountability
11 of government;

12 (v) anti-corruption; and

13 (vi) the institution of effective civilian
14 control, professionalization, and respect for
15 human rights by and the accountability of
16 the armed forces.

17 (2) IDENTIFICATION OF ELIGIBLE COUN-
18 TRIES.—Not later than 90 days prior to the date on
19 which the Secretary of State determines eligible
20 countries for an FMF Challenge Compact, the Sec-
21 retary—

22 (A) shall prepare and submit to the appro-
23 priate congressional committees a report that
24 contains a list of all eligible countries identified

1 that have met the requirements under para-
2 graph (1) for the fiscal year; and

3 (B) shall consult with the appropriate con-
4 gressional committees on the extent to which
5 such countries meet the criteria described in
6 paragraph (1).

7 (d) FMF CHALLENGE COMPACT.—

8 (1) COMPACT.—The Secretary of State may
9 provide assistance for an eligible country only if the
10 country enters into an agreement with the United
11 States, to be known as an “FMF Challenge Com-
12 pact” (in this subsection referred to as a “Com-
13 pact”) that establishes a multi-year plan for achiev-
14 ing shared security objectives in furtherance of the
15 purposes of this title.

16 (2) ELEMENTS.—The elements of the Compact
17 shall be those listed in subsection (c)(1)(B) for de-
18 termining eligibility, and be designed to significantly
19 advance the performance of those commitments dur-
20 ing the period of the Compact.

21 (3) IN GENERAL.—The Compact should take
22 into account the national strategy of the eligible
23 country and shall include—

24 (A) the specific objectives that the country
25 and the United States expect to achieve during

1 the term of the Compact, including both how
2 the foreign military financing under the Com-
3 pact will advance shared security interests and
4 advance partner capacity building efforts as
5 well as to advance national efforts towards just
6 and democratic governance;

7 (B) the responsibilities of the country and
8 the United States in the achievement of such
9 objectives;

10 (C) regular benchmarks to measure, where
11 appropriate, progress toward achieving such ob-
12 jectives; and

13 (D) the strategy of the eligible country to
14 sustain progress made toward achieving such
15 objectives after expiration of the Compact.

16 (e) CONGRESSIONAL CONSULTATION PRIOR TO COM-
17 PACT NEGOTIATIONS.—Not later than 15 days before
18 commencing negotiations of a Compact with an eligible
19 country, the Secretary of State shall consult with the ap-
20 propriate congressional committees with respect to the
21 proposed Compact negotiation and shall identify the objec-
22 tives and mechanisms to be used for the negotiation of
23 the Compact.

24 (f) ASSESSMENT OF PILOT PROGRAM AND REC-
25 OMMENDATIONS.—Not later than 90 days after the con-

1 clusion of the pilot program, the Secretary of State shall
2 provide a report to the appropriate congressional commit-
3 tees with respect to the pilot program, including an assess-
4 ment of the success and utility of the pilot program estab-
5 lished under this subsection in meeting United States ob-
6 jectives and a recommendation with respect to whether to
7 continue a further foreign military financing compact pro-
8 gram on a pilot or permanent basis.

9 **SEC. 30226. STATEMENT OF POLICY ON MARITIME FREE-**
10 **DOM OF OPERATIONS IN INTERNATIONAL**
11 **WATERWAYS AND AIRSPACE OF THE INDO-**
12 **PACIFIC AND ON ARTIFICIAL LAND FEA-**
13 **TURES IN THE SOUTH CHINA SEA.**

14 (a) SENSE OF CONGRESS.—Congress—

15 (1) condemns coercive and threatening actions
16 or the use of force to impede freedom of navigation
17 operations in international airspace by military or ci-
18 vilian aircraft, to alter the status quo, or to desta-
19 bilize the Indo-Pacific region;

20 (2) urges the Government of the People’s Re-
21 public of China to refrain from implementing the de-
22 clared East China Sea Air Defense Identification
23 Zone (ADIZ), or an ADIZ in the South China Sea,
24 where contrary to freedom of overflight in inter-
25 national airspace, and to refrain from taking similar

1 provocative actions elsewhere in the Indo-Pacific re-
2 gion;

3 (3) reaffirms that the 2016 Permanent Court
4 of Arbitration decision is final and legally binding on
5 both parties and that the People’s Republic of Chi-
6 na’s claims to offshore resources across most of the
7 South China Sea are unlawful; and

8 (4) condemns the People’s Republic of China
9 for failing to abide by the 2016 Permanent Court of
10 Arbitration ruling, despite the PRC’s obligations as
11 a state party to the United Nations Convention on
12 the Law of the Sea.

13 (b) STATEMENT OF POLICY.—It shall be the policy
14 of the United States to—

15 (1) reaffirm its commitment and support for al-
16 lies and partners in the Indo-Pacific region, includ-
17 ing with respect to the mutual defense treaties with
18 Indo-Pacific allies;

19 (2) oppose claims that impinge on the rights,
20 freedoms, and lawful use of the sea, or the airspace
21 above it, that are available to all countries, and op-
22 pose the militarization of new and reclaimed land
23 features in the South China Sea;

24 (3) continue certain policies with respect to the
25 PRC claims in the South China Sea, specifically—

1 (A) that PRC claims in the South China
2 Sea, including to offshore resources across most
3 of the South China Sea, are unlawful;

4 (B) that the PRC cannot lawfully assert a
5 maritime claim vis-à-vis the Philippines in areas
6 that the Permanent Court of Arbitration found
7 to be in the Philippines' Exclusive Economic
8 Zone (EEZ) or on its continental shelf;

9 (C) to reject any PRC claim to waters be-
10 yond a 12 nautical mile territorial sea derived
11 from islands it claims in the Spratly Islands;
12 and

13 (D) that the PRC has no lawful territorial
14 or maritime claim to James Shoal;

15 (4) urge all parties to refrain from engaging in
16 destabilizing activities, including environmentally
17 harmful and provocative land reclamation;

18 (5) ensure that disputes are managed without
19 intimidation, coercion, or force;

20 (6) call on all claimants to clarify or adjust
21 claims in accordance with international law;

22 (7) uphold the principle that territorial and
23 maritime claims, including territorial waters or terri-
24 torial seas, must derive from land features and oth-
25 erwise comport with international law;

1 (8) oppose the imposition of new fishing regula-
2 tions covering disputed areas in the South China
3 Sea, regulations which have raised tensions in the
4 region;

5 (9) support an effective Code of Conduct, if
6 that Code of Conduct reflects the interests of South-
7 east Asian claimant countries and does not serve as
8 a vehicle for the People's Republic of China to ad-
9 vance its unlawful maritime claims;

10 (10) reaffirm that an existing body of inter-
11 national rules and guidelines, including the Inter-
12 national Regulations for Preventing Collisions at
13 Sea, done at London October 12, 1972 (COLREGs),
14 is sufficient to ensure the safety of navigation be-
15 tween the United States Armed Forces and the
16 forces of other countries, including the People's Re-
17 public of China;

18 (11) support the development of regional insti-
19 tutions and bodies, including the ASEAN Regional
20 Forum, the ASEAN Defense Minister's Meeting
21 Plus, the East Asia Summit, and the expanded
22 ASEAN Maritime Forum, to build practical coopera-
23 tion in the region and reinforce the role of inter-
24 national law;

1 (12) encourage the deepening of partnerships
2 with other countries in the region for maritime do-
3 main awareness and capacity building, as well as ef-
4 forts by the United States Government to explore
5 the development of appropriate multilateral mecha-
6 nisms for a “common operating picture” in the
7 South China Sea among Southeast Asian countries
8 that would serve to help countries avoid destabilizing
9 behavior and deter risky and dangerous activities;

10 (13) oppose actions by any country to prevent
11 any other country from exercising its sovereign
12 rights to the resources of the exclusive economic
13 zone (EEZ) and continental shelf by making claims
14 to those areas in the South China Sea that have no
15 support in international law; and

16 (14) assure the continuity of operations by the
17 United States in the Indo-Pacific region, including,
18 when appropriate, in cooperation with partners and
19 allies, to reaffirm freedom of navigation and over-
20 flight and other lawful uses of the sea.

21 **SEC. 30227. REPORT ON CAPABILITY DEVELOPMENT OF**
22 **INDO-PACIFIC ALLIES AND PARTNERS.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) the Secretary of State should expand and
2 strengthen existing measures under the United
3 States Conventional Arms Transfer Policy to provide
4 capabilities to allies and partners consistent with
5 agreed-on division of responsibility for alliance roles,
6 missions and capabilities, prioritizing allies and part-
7 ners in the Indo-Pacific region in accordance with
8 United States strategic imperatives;

9 (2) the United States should design for export
10 to Indo-Pacific allies and partners capabilities crit-
11 ical to maintaining a favorable military balance in
12 the region, including long-range precision fires, air
13 and missile defense systems, anti-ship cruise mis-
14 siles, land attack cruise missiles, conventional
15 hypersonic systems, intelligence, surveillance, and re-
16 connaissance capabilities, and command and control
17 systems consistent with law, regulation, policy, and
18 international commitments;

19 (3) the United States should pursue, to the
20 maximum extent possible, anticipatory technology
21 security and foreign disclosure policy on the systems
22 described in paragraph (2);

23 (4) the Secretary of State, in coordination with
24 the Secretary of Defense, should—

1 (A) urge allies and partners to invest in
2 sufficient quantities of munitions to meet con-
3 tingency requirements and avoid the need for
4 accessing United States stocks in wartime; and

5 (B) cooperate with allies to deliver such
6 munitions, or when necessary, to increase allies'
7 capacity to produce such munitions; and

8 (5) it is in the United States interest to not au-
9 thorize arms transfers or security cooperation to
10 governments that demonstrate patterns of gross vio-
11 lations of human rights if such arms or security co-
12 operation could be used to commit or support such
13 violations.

14 (b) APPROPRIATE COMMITTEES OF CONGRESS.—In
15 this section, the term “appropriate committees of Con-
16 gress” means—

17 (1) the Committee on Foreign Relations, the
18 Committee on Armed Services, and the Committee
19 on Appropriations of the Senate; and

20 (2) the Committee on Foreign Affairs, the
21 Committee on Armed Services, and the Committee
22 on Appropriations of the House of Representatives.

23 (c) REPORT.—

24 (1) IN GENERAL.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary

1 of State, in consultation with the Secretary of De-
2 fense, shall submit to the appropriate committees of
3 Congress a report that describes United States pri-
4 orities for building more capable security partners in
5 the Indo-Pacific region.

6 (2) MATTERS TO BE INCLUDED.—The report
7 required under paragraph (1) shall—

8 (A) provide a priority list of defense and
9 military capabilities that Indo-Pacific allies and
10 partners must possess for the United States to
11 be able to achieve its military objectives in the
12 Indo-Pacific region;

13 (B) identify, from the list referred to in
14 subparagraph (A), the capabilities that are best
15 provided, or can only be provided, by the
16 United States;

17 (C) identify—

18 (i) actions required to expedite field-
19 ing the capabilities identified in subpara-
20 graph (B); and

21 (ii) steps needed to fully account for
22 and a plan to integrate all means of
23 United States foreign military sales, direct
24 commercial sales, security assistance, and
25 all applicable authorities of the Depart-

1 ment of State and the Department of De-
2 fense;

3 (D) assess the requirements for United
4 States security assistance, including Inter-
5 national Military Education and Training, in
6 the Indo-Pacific region, as a part of the means
7 to deliver critical partner capability require-
8 ments identified in subparagraph (B);

9 (E) assess the resources necessary to meet
10 the requirements for United States security as-
11 sistance, and identify resource gaps;

12 (F) assess the major obstacles to fulfilling
13 requirements for United States security assist-
14 ance in the Indo-Pacific region, including re-
15 sources and personnel limits, foreign legislative
16 and policy barriers, and factors related to spe-
17 cific partner countries;

18 (G) identify limitations on the ability of
19 the United States to provide such capabilities,
20 including capabilities identified under subpara-
21 graph (B), because of existing United States
22 treaty obligations, United States policies, in-
23 cluding sections 502B and 620M of the Foreign
24 Assistance Act of 1961 (22 U.S.C. 2304 and
25 2378d), or other regulations;

1 (H) recommend improvements to the proc-
2 ess for developing requirements for United
3 States partner capabilities; and

4 (I) identify required jointly agreed rec-
5 ommendations for infrastructure and posture,
6 based on any ongoing mutual dialogues.

7 (3) FORM.—The report required under this
8 subsection shall be unclassified, but may include a
9 classified annex.

10 **SEC. 30228. STATEMENT OF POLICY REGARDING THE**
11 **THREAT POSED BY THE CHINESE COM-**
12 **MUNIST PARTY TO THE NORTH ATLANTIC**
13 **TREATY ORGANIZATION.**

14 It is the policy of the United States to—

15 (1) urge NATO allies to work closely with like-
16 minded partners, in particular with the European
17 Union, to protect critical infrastructure, strengthen
18 resilience, maintain a technological edge, and ad-
19 dress the challenges to the rules-based international
20 order posed by the Chinese Communist Party;

21 (2) encourage NATO allies to explore how to
22 monitor and defend against any activity of the Chi-
23 nese Communist Party that could impact collective
24 defense, military readiness, or resilience in the Su-
25 preme Allied Commander Europe's Area of Respon-

1 sibility, including by identifying vulnerabilities of key
2 sectors and supply chains, in coordination with the
3 European Union;

4 (3) push for NATO allies to establish a consult-
5 ative body to bring together such allies, and other
6 institutions and partners as relevant, to exchange in-
7 formation, share experiences, and discuss all aspects
8 of such allies' security interests with respect to the
9 Chinese Communist Party; and

10 (4) prioritize urging all NATO allies to share
11 the burden that comes with collective security in an
12 increasingly complex security environment by reach-
13 ing by 2024 the pledge set at the 2014 Wales Sum-
14 mit to spend two percent of GDP on defense spend-
15 ing and 20 percent of annual defense spending on
16 major new equipment.

17 **SEC. 30229. IDENTIFICATION OF PLA-SUPPORTED INSTITU-**
18 **TIONS.**

19 (a) IN GENERAL.—Not later than 60 days after the
20 date of the enactment of this Act, and annually thereafter,
21 the Secretary of State shall publish and disseminate to
22 United States institutions and places of study a list identi-
23 fying the research, engineering, and scientific institutions
24 that the Secretary determines are affiliated with, or fund-
25 ed by, the Chinese People's Liberation Army.

1 (b) FORM.—The list published and disseminated
2 under subsection (a) shall be unclassified and publicly ac-
3 cessible, but may include a classified annex.

4 **SEC. 30229A. PROHIBITION ON CERTAIN ASSISTANCE TO**
5 **THE PHILIPPINES.**

6 (a) IN GENERAL.—No funds authorized to be appro-
7 priated or otherwise made available by this Act are author-
8 ized to be made available to provide assistance for the
9 Philippine National Police, including assistance in the
10 form of equipment or training, until the Secretary of State
11 certifies to the Committee on Foreign Affairs of the House
12 of Representatives and the Committee on Foreign Rela-
13 tions of the Senate that the Government of the Philippines
14 has—

15 (1) investigated and successfully prosecuted
16 members of the Philippine National Police who have
17 violated human rights, ensured that police personnel
18 cooperated with judicial authorities in such cases,
19 and affirmed that such violations have ceased;

20 (2) established that the Philippine National Po-
21 lice effectively protects the rights of trade unionists,
22 journalists, human rights defenders, critics of the
23 government, faith and religious leaders, and other
24 civil society activists to operate without interference;

1 (3) taken effective steps to guarantee a judicial
2 system that is capable of investigating, prosecuting,
3 and bringing to justice members of the police and
4 military who have committed human rights abuses;
5 and

6 (4) fully complied with domestic and United
7 States audits and investigations regarding the im-
8 proper use of prior security assistance.

9 (b) WAIVER.—The President may, on a case-by-case
10 basis and for periods not to exceed 180 days each, waive
11 the prohibition under subsection (a) if the President cer-
12 tifies to the Committee on Foreign Affairs of the House
13 of Representatives and the Committee on Foreign Rela-
14 tions of the Senate not later than 15 days before such
15 waiver is to take effect that such waiver is vital to the
16 national security interests of the United States or its part-
17 ners and allies.

18 **SEC. 30229B. PRIORITIZATION AND PROTECTION OF INTER-**
19 **NATIONAL RESEARCH.**

20 (a) LIST OF ALLIED COUNTRIES.—The Secretary of
21 State, in consultation with the Director of the Office of
22 Science and Technology Policy, the National Security
23 Council, the Secretary of Energy, the Director of the Na-
24 tional Science Foundation, and the heads of other relevant
25 agencies, shall create a list of allied countries with which

1 joint international research and cooperation would ad-
2 vance United States national interests and advance sci-
3 entific knowledge in key technology focus areas.

4 (b) ESTABLISHMENT OF SECURITY PROCEDURES.—
5 The Secretary of State, in consultation with the individ-
6 uals and entities listed in subsection (a), shall collaborate
7 with similar entities in the countries appearing on the list
8 created pursuant to subsection (a) to develop, coordinate,
9 and agree to general security policies and procedures for
10 governmental, academic, and private sector research, to
11 prevent sensitive research from being disclosed to adver-
12 saries.

13 (c) REPORT.—Not later than 1 year after the date
14 of the enactment of this Act, the Secretary of State, in
15 consultation with the individuals and entities listed in sub-
16 section (a), and allied countries appearing on the list cre-
17 ated pursuant to subsection (a), shall submit a report to
18 Congress that identifies the most promising international
19 research ventures that leverage resources and advance re-
20 search in key technology focus areas.

21 **Subtitle C—Multilateral Strategies**
22 **to Bolster American Power**

23 **SEC. 30231. FINDINGS ON MULTILATERAL ENGAGEMENT.**

24 Congress finds the following:

1 (1) Every UN member state is legally required
2 to finance the UN's core budget in order to ensure
3 that these missions are properly resourced, and as-
4 sessment rates are renegotiated every three years by
5 the UN General Assembly.

6 (2) While the United States is the largest single
7 financial contributor to the UN system, the current
8 model is beneficial because it requires all UN mem-
9 ber states, no matter how big or small, to help
10 shoulder the UN's regular and peacekeeping budgets
11 at specified levels.

12 (3) Failing to meet our financial commitments
13 to the UN also empowers the PRC, which has raised
14 our annual shortfalls to claim we are not a reliable
15 partner and is seeking to leverage its own contribu-
16 tions to the regular budget and peacekeeping in
17 ways that run counter to United States interests and
18 values.

19 (4) The People's Republic of China is now the
20 second largest financial contributor to UN peace-
21 keeping, having gone from an assessment rate of
22 just 3 percent in 2008 to more than 15 percent
23 today, and is the ninth largest troop-contributor to
24 UN missions, providing more personnel than the

1 other four permanent members of the Security
2 Council combined.

3 (5) With greater engagement comes greater in-
4 fluence, and PRC diplomats have sought to use their
5 expanded clout to push back against the human
6 rights, civilian protection, and gender-based violence
7 aspects of UN peacekeeping mandates, using United
8 States funding shortfalls as a pretext.

9 (6) The PRC has also used its growing clout to
10 fill key posts at UN agencies: Chinese nationals cur-
11 rently occupy the top posts of four of the UN's 15
12 specialized agencies, while the United States occu-
13 pies only one.

14 (7) From 2021 to 2022, there will be 15 elec-
15 tions for the heads of UN specialized agencies and
16 five for major UN funds and programs. With the ex-
17 ception of the World Food Programme, none are
18 currently led by Americans.

19 (8) A 2020 Department of State Inspector Gen-
20 eral Inspection found that the Bureau for Inter-
21 national Organizations did not have a standard oper-
22 ating procedure for tracking and promoting the em-
23 ployment of American Citizens in the UN system,
24 and their recommendation to the department to es-
25 tablish one remains open.

1 **SEC. 30232. STATEMENT OF POLICY ON AMERICA'S MULTI-**
2 **LATERAL ENGAGEMENT.**

3 It is the policy of the United States that—

4 (1) the Permanent Representative of the United
5 States to the United Nations serves as a standing
6 member of the cabinet;

7 (2) assessed dues to multilateral organizations
8 be paid in full in a timely fashion;

9 (3) Federal agencies utilize all the authorities
10 under section 3343 of title 5, United States Code,
11 and subpart C of title 5, Code of Federal Regula-
12 tions (relating to detail and transfer of Federal em-
13 ployees to international organizations), to detail or
14 transfer employees to relevant international organi-
15 zations;

16 (4) the Secretary of State should assist the De-
17 partment of State and other Federal agencies in car-
18 rying out paragraph (3) to the fullest extent;

19 (5) the Secretary of State should support quali-
20 fied American candidates in their bid to win election
21 to United Nations-related leadership positions; and

22 (6) the Secretary of State should support the
23 placement of Junior Professional Officers sponsored
24 by the United States in United Nations-affiliated
25 agencies.

1 **SEC. 30233. SUPPORT FOR AMERICANS AT THE UNITED NA-**
2 **TIONS.**

3 (a) ESTABLISHMENT.—The Secretary of State is au-
4 thorized to establish within the Department of State’s Bu-
5 reau of International Organization Affairs an Office of
6 Multilateral Strategy and Personnel.

7 (b) DUTIES.—The office established under subsection
8 (a) of this section shall be responsible for—

9 (1) promoting United States leadership and
10 participation in the United Nations system, with a
11 focus on issue areas where authoritarian nations are
12 exercising increased influence in and determining the
13 agenda of the United Nations system;

14 (2) establishing and implementing a standard
15 operating procedure for the promotion and efficient
16 tracking of United States citizen employment at the
17 United Nations and other international organiza-
18 tions that includes Mission Geneva;

19 (3) monitoring the pipeline of United Nations
20 jobs and identifying qualified United States citizens
21 and other qualified nationals to promote for such po-
22 sitions;

23 (4) tracking leadership changes in United Na-
24 tions Secretariat, funds, programs, and agencies,
25 and developing strategies to ensure that coalitions of
26 like-minded countries are assembled to ensure lead-

1 ership races are not won by countries that do not
2 share United States interests;

3 (5) eliminating current barriers to the employ-
4 ment of United States citizens in the United Nations
5 Secretariat, funds, programs, and agencies; and

6 (6) increasing the number of qualified United
7 States candidates for leadership and oversight posi-
8 tions at the United Nations Secretariat, funds, pro-
9 grams, agencies, and at other international organiza-
10 tions.

11 **SEC. 30234. JUNIOR PROFESSIONAL OFFICERS.**

12 (a) INCREASE IN JUNIOR PROFESSIONAL OFFICER
13 POSITIONS.—The Secretary of State should increase the
14 number of Junior Professional Officer positions sponsored
15 by the United States within the United Nations system.

16 (b) REPORT.—Not later than December 31 of each
17 year, the Secretary of State shall provide the appropriate
18 congressional committees information regarding the
19 amount of funding each bureau has designated during the
20 immediately preceding fiscal year for Junior Professional
21 Officer positions in the United Nations system and the
22 number of such positions that exist as of the end of the
23 prior fiscal year.

1 **SEC. 30235. REPORT ON AMERICAN EMPLOYMENT IN**
2 **INTERNATIONAL ORGANIZATIONS.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act and annually thereafter,
5 the Secretary of State, in consultation with the heads of
6 other Federal departments and agencies as appropriate,
7 shall develop and submit to the appropriate congressional
8 committees a report on how many Federal employees are
9 currently detailed or transferred to an international orga-
10 nization during the immediately preceding 1-year period
11 and a strategy for increasing the number of Federal em-
12 ployees so detailed or transferred.

13 (b) MATTERS TO BE INCLUDED.—Each report re-
14 quired by subsection (a) shall include the following:

15 (1) The number of Federal employees detailed
16 or transferred to an international organization under
17 section 3343 of title 5, United States Code, and sub-
18 part C of title 5, Code of Federal Regulations (relat-
19 ing to the detail and transfer of Federal employees
20 to international organizations), including—

21 (A) an identification of the Federal agency
22 from which such employees were detailed or
23 transferred; and

24 (B) an identification of the international
25 organizations to and from which such employ-
26 ees have been so detailed or transferred.

1 (2) A list of international organizations to and
2 from which the United States previously detailed or
3 transferred Federal employees.

4 **Subtitle D—Regional Strategies to**
5 **Bolster American Power**

6 **SEC. 30241. STATEMENT OF POLICY ON COOPERATION**
7 **WITH ALLIES AND PARTNERS AROUND THE**
8 **WORLD.**

9 It is the policy of the United States—

10 (1) to strengthen alliances and partnerships
11 with like-minded countries around the globe; and

12 (2) to work in collaboration with such allies and
13 partners—

14 (A) to address significant diplomatic, eco-
15 nomic, and military challenges posed by the
16 People’s Republic of China (PRC);

17 (B) to deter the PRC from pursuing mili-
18 tary aggression;

19 (C) to promote the peaceful resolution of
20 territorial disputes in accordance with inter-
21 national law;

22 (D) to promote private sector-led long-term
23 economic development while countering efforts
24 by the Government of the PRC to leverage
25 predatory economic practices as a means of po-

1 litical and economic coercion in the Indo-Pacific
2 region and beyond;

3 (E) to promote the values of democracy
4 and human rights, including through efforts to
5 end the repression by the PRC of political dis-
6 sidents, Uyghurs and other Muslim minorities,
7 Tibetan Buddhists, Christians, and other ethnic
8 minorities;

9 (F) to respond to the crackdown by the
10 PRC, in contravention of the commitments
11 made under the Sino-British Joint Declaration
12 of 1984 and the Basic Law of Hong Kong, on
13 the legitimate aspirations of the people of Hong
14 Kong; and

15 (G) to counter the PRC Government's ef-
16 forts to spread disinformation in the PRC and
17 countering their disbursement of vaccines in ex-
18 change for exploitative concessions in low- to
19 middle-income countries while maintaining
20 United States engagement with and support for
21 multilateral vaccine procurement and equitable
22 distribution and beyond with respect to its re-
23 sponse to COVID-19.

1 **SEC. 30241A. REPORT ON INDIGENOUS ENGAGEMENT.**

2 (a) REPORT REQUIRED.—Not later than 180 days
3 after the date of the enactment of this Act, the Secretary
4 of State, in coordination with the Secretary of the Interior
5 and in consultation with other relevant Federal depart-
6 ments and agencies, shall submit to the appropriate con-
7 gressional committees a report on international indigenous
8 engagement.

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

11 (1) a description of existing programs and ef-
12 forts by the United States Government that promote
13 international engagement with indigenous peoples by
14 Native Americans and Native American communities
15 as well as Native American representation and par-
16 ticipation in international organizations dedicated to
17 indigenous communities;

18 (2) a description of existing programs and ef-
19 forts by other countries, especially United States al-
20 lies and partners, to promote international diplo-
21 matic representation, educational and cultural ex-
22 change, and other people-to-people engagements
23 among their indigenous peoples;

24 (3) a strategy for enhancing and promoting
25 greater Native American participation and represen-
26 tation in United States diplomatic engagement in

1 international organizations and international edu-
2 cational and cultural exchange programs operated by
3 the United States Government, including the estab-
4 lishment of an Office of Indigenous Affairs headed
5 by a presidentially appointed Special Envoy for In-
6 digenous Affairs; and

7 (4) steps that the Secretary of State shall take
8 to enhance cooperation and relationship with Native
9 Americans in accordance with the Federal trust re-
10 sponsibility and to promote best practices among the
11 staff of the Department of State for engagement
12 with Native Americans.

13 (c) DEFINITIONS.—In this section:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means—

17 (A) the Committee on Foreign Affairs and
18 the Committee on Natural Resources of the
19 House of Representatives; and

20 (B) the Committee on Foreign Relations
21 and the Committee on Indian Affairs of the
22 Senate.

23 (2) NATIVE AMERICAN.—The term “Native
24 American” includes—

1 (A) American Indian as defined in section
2 4 of the Indian Self-Determination and Edu-
3 cation Assistance Act (25 U.S.C. 5304);

4 (B) Alaska Native, within the meaning
5 provided for the term “Native” in section 3(b)
6 of the Alaska Native Claims Settlement Act (43
7 23 U.S.C. 1602(b)); and

8 (C) Native Hawaiian as defined in para-
9 graph (9) of section 801 of the Native Amer-
10 ican Housing Assistance and Self-Determina-
11 tion Act (25 U.S.C. 4221(9)).

12 **PART 1—WESTERN HEMISPHERE**

13 **SEC. 30242. SENSE OF CONGRESS REGARDING UNITED**
14 **STATES-CANADA RELATIONS.**

15 It is the sense of Congress that—

16 (1) the United States and Canada have a
17 unique relationship based on shared geography, ex-
18 tensive personal connections, deep economic ties,
19 mutual defense commitments, and a shared vision to
20 uphold democracy, human rights, and the rules
21 based international order established after World
22 War II;

23 (2) the United States and Canada can better
24 address the People’s Republic of China’s economic,
25 political, and security influence through closer co-

1 operation on counternarcotics, environmental stewardship, transparent practices in public procurement
2 and infrastructure planning, the Arctic, energy and
3 connectivity issues, commercial relations, bilateral
4 legal matters, and support for democracy, good governance, and human rights;

7 (3) amidst the COVID–19 pandemic, the
8 United States and Canada should maintain joint initiatives to address border management, commercial
9 relations and infrastructure, a shared approach with
10 respect to the People’s Republic of China, and
11 transnational challenges, including pandemics, energy security, and environmental stewardship;

14 (4) the United States and Canada should enhance cooperation to counter Chinese disinformation,
15 influence operations, economic espionage, and propaganda efforts;

18 (5) the People’s Republic of China’s infrastructure investments, particularly in 5G telecommunications technology, extraction of natural resources,
19 and port infrastructure, pose national security risks
20 for the United States and Canada;

23 (6) the United States should share, as appropriate, intelligence gathered regarding—

25 (A) Huawei’s 5G capabilities; and

1 (B) the PRC government's intentions with
2 respect to 5G expansion;

3 (7) the United States and Canada should con-
4 tinue to advance collaborative initiatives to imple-
5 ment the January 9, 2020, United States-Canada
6 Joint Action Plan on Critical Minerals Development
7 Collaboration; and

8 (8) the United States and Canada should
9 prioritize cooperation on continental defense and in
10 the Arctic, including by modernizing the North
11 American Aerospace Defense Command (NORAD)
12 sensor architecture to provide effective warning and
13 tracking of threats by peer competitors, including
14 long-range missiles and high-precision weapons, to
15 the Northern Hemisphere.

16 **SEC. 30243. SENSE OF CONGRESS REGARDING CHINA'S AR-**
17 **BITRARY IMPRISONMENT OF CANADIAN CITI-**
18 **ZENS.**

19 It is the sense of Congress that—

20 (1) the Government of the People's Republic of
21 China's apparent arbitrary detention and abusive
22 treatment of Canadian nationals Michael Spavor and
23 Michael Kovrig in apparent retaliation for the Gov-
24 ernment of Canada's arrest of Meng Wanzhou is
25 deeply concerning;

1 (2) the Government of Canada has shown inter-
2 national leadership by—

3 (A) upholding the rule of law and com-
4 plying with its international legal obligations,
5 including obligations pursuant to the Extra-
6 dition Treaty Between the United States of
7 America and Canada, signed at Washington
8 December 3, 1971; and

9 (B) launching the Declaration Against Ar-
10 bitrary Detention in State-to-State Relations,
11 which has been endorsed by 57 countries and
12 the European Union, and reaffirms well-estab-
13 lished prohibitions under international human
14 rights conventions against the arbitrary deten-
15 tion of foreign nationals to be used as leverage
16 in country-to-country relations; and

17 (3) the United States continues to join the Gov-
18 ernment of Canada in calling for the immediate re-
19 lease of Michael Spavor and Michael Kovrig and for
20 due process for Canadian national Robert
21 Schellenberg.

22 **SEC. 30244. STRATEGY TO ENHANCE COOPERATION WITH**
23 **CANADA.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of the enactment of this Act, the President shall sub-

1 mit to the appropriate congressional committees, and the
2 Committee on Ways and Means of the House of Rep-
3 resentatives, the Committee on Finance of the Senate, and
4 the Committees on Armed Services of the Senate and the
5 House of Representatives, and the Permanent Select Com-
6 mittee on Intelligence of the House of Representatives and
7 the Select Committee on Intelligence of the Senate, a
8 strategy that describes how the United States will enhance
9 cooperation with the Government of Canada in managing
10 relations with the Government of the People’s Republic of
11 China.

12 (b) ELEMENTS.—The strategy required under sub-
13 section (a) shall—

14 (1) identify key policy points of convergence
15 and divergence between the United States and Can-
16 ada in managing relations with the People’s Repub-
17 lic of China in the areas of technology, economic
18 practices, cyber security, secure supply chains and
19 critical minerals, and illicit narcotics;

20 (2) include a description of United States devel-
21 opment and coordination efforts with Canadian
22 counterparts to enhance the cooperation between the
23 United States and Canada with respect to—

24 (A) managing economic relations with the
25 People’s Republic of China;

1 (B) democracy and human rights in the
2 People's Republic of China;

3 (C) technology issues involving the Peo-
4 ple's Republic of China;

5 (D) defense issues involving the People's
6 Republic of China; and

7 (E) international law enforcement and
8 transnational organized crime issues;

9 (3) detail diplomatic efforts and future plans to
10 work with Canada to counter the People's Republic
11 of China's projection of an authoritarian governing
12 model around the world;

13 (4) detail diplomatic, defense, and intelligence
14 cooperation to date and future plans to support Ca-
15 nadian efforts to identify cost-effective alternatives
16 to Huawei's 5G technology;

17 (5) detail diplomatic and defense collabora-
18 tion—

19 (A) to advance joint United States-Cana-
20 dian priorities for responsible stewardship in
21 the Arctic Region; and

22 (B) to counter the People's Republic of
23 China's efforts to project political, economic,
24 and military influence into the Arctic Region;
25 and

1 (6) detail diplomatic efforts to work with Can-
2 ada to track and counter the People’s Republic of
3 China’s attempts to exert influence across the multi-
4 lateral system.

5 (c) FORM.—The strategy required under this section
6 shall be submitted in an unclassified form that can be
7 made available to the public, but may include a classified
8 annex, if necessary.

9 (d) CONSULTATION.—Not later than 90 days after
10 the date of the enactment of this Act and not less fre-
11 quently than every 180 days thereafter for five years, the
12 Secretary of State shall consult with the appropriate con-
13 gressional committees, and the Committees on Armed
14 Services of the Senate and the House of Representatives,
15 regarding the development and implementation of the
16 strategy required under this section.

17 **SEC. 30245. SENSE OF CONGRESS.**

18 It is the sense of Congress that—

19 (1) United States engagement with the leaders
20 of the Western Hemisphere is critical to addressing
21 the region’s shared challenges and opportunities;

22 (2) Congress encourages cooperation and fur-
23 ther engagement specifically in policy areas on mi-
24 gration, climate, and economic development, under-
25 scoring the China-Community of Latin American

1 and Caribbean States Forum Joint Action Plan
2 (2022–2024) and other initiatives that signal Chi-
3 na’s growing influence and cooperation in the region;
4 and

5 (3) Congress encourages the development of an
6 annual summit that convenes leaders of the Western
7 Hemisphere on issues relating to root causes of mi-
8 gration, including the climate crisis, poverty, secu-
9 rity, and other contributing factors to instability.

10 **SEC. 30246. STRATEGY TO STRENGTHEN ECONOMIC COM-**
11 **PETITIVENESS, GOVERNANCE, HUMAN**
12 **RIGHTS, AND THE RULE OF LAW IN LATIN**
13 **AMERICA AND THE CARIBBEAN.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of the enactment of this Act, the Secretary of State,
16 in consultation, as appropriate, with the Secretary of the
17 Treasury, the Secretary of Commerce, the Administrator
18 of the United States Agency for International Develop-
19 ment (USAID), the Attorney General, the United States
20 Trade Representative, and the Chief Executive Officer of
21 the United States International Development Finance
22 Corporation, shall submit to the appropriate congressional
23 committees, the Committee on Ways and Means and the
24 Committee on Appropriations of the House of Representa-
25 tives, and the Committee on Finance and the Committee

1 on Appropriations of the Senate a multi-year strategy for
2 increasing United States economic competitiveness and
3 promoting good governance, human rights, and the rule
4 of law in Latin American and Caribbean countries, par-
5 ticularly in the areas of—

6 (1) investment;

7 (2) equitable, inclusive, and sustainable develop-
8 ment, including for indigenous and African-descend-
9 ant communities;

10 (3) commercial relations;

11 (4) anti-corruption activities; and

12 (5) infrastructure projects.

13 (b) ADDITIONAL ELEMENTS.—The strategy required
14 under subsection (a) shall include a plan of action, includ-
15 ing benchmarks to achieve measurable progress, to—

16 (1) enhance the technical capacity of Latin
17 American and Caribbean countries to advance the
18 sustainable and inclusive development of equitable
19 economies, including for indigenous and African-de-
20 scendant communities;

21 (2) facilitate a more open, transparent, and
22 competitive environment for United States busi-
23 nesses in the region;

24 (3) establish frameworks or mechanisms to re-
25 view long term financial sustainability and security

1 implications of foreign investments in strategic sec-
2 tors or services, including transportation, commu-
3 nications, natural resources, and energy;

4 (4) establish competitive, transparent, and in-
5 clusive infrastructure project selection and procure-
6 ment processes that promote transparency, supplier
7 diversity, open competition, financial sustainability,
8 adherence to robust global standards, and the em-
9 ployment of a diverse local workforce and manage-
10 ment;

11 (5) strengthen national, regional, and local legal
12 structures critical to robust democratic governance,
13 fair competition, combatting corruption, and ending
14 impunity; and

15 (6) enhance transparent, affordable, and equi-
16 table access to the internet and digital infrastructure
17 in the Western Hemisphere.

18 (c) BRIEFING REQUIREMENT.—Not later than one
19 year after the date of the enactment of this Act and annu-
20 ally thereafter for five years, the Secretary of State, after
21 consultation with the Secretary of the Treasury, the Sec-
22 retary of Commerce, the Attorney General, the United
23 States Trade Representative, and the leadership of the
24 United States International Development Finance Cor-
25 poration, shall brief the congressional committees specified

1 in subsection (a) regarding the implementation of this sec-
2 tion, including examples of successes and challenges.

3 **SEC. 30247. ENGAGEMENT IN INTERNATIONAL ORGANIZA-**
4 **TIONS AND THE DEFENSE SECTOR IN LATIN**
5 **AMERICA AND THE CARIBBEAN.**

6 (a) **APPROPRIATE COMMITTEES OF CONGRESS DE-**
7 **FINED.**—In this section, the term “appropriate commit-
8 tees of Congress” means—

9 (1) the Committee on Foreign Relations of the
10 Senate;

11 (2) the Select Committee on Intelligence of the
12 Senate;

13 (3) the Committee on Armed Services of the
14 Senate;

15 (4) the Committee on Foreign Affairs of the
16 House of Representatives;

17 (5) the Permanent Select Committee on Intel-
18 ligence of the House of Representatives; and

19 (6) the Committee on Armed Services of the
20 House of Representatives.

21 (b) **REPORTING REQUIREMENT.**—

22 (1) **IN GENERAL.**—Not later than 90 days after
23 the date of the enactment of this Act, the Secretary
24 of State, in coordination with the Director of Na-
25 tional Intelligence, the Director of the Central Intel-

1 ligence Agency, and the Defense Intelligence Agency,
2 shall submit to the appropriate committees of Con-
3 gress a report that assesses the nature, intent, and
4 impact on United States strategic interests of Chi-
5 nese diplomatic activity aimed at influencing the de-
6 cisions, procedures, and programs of multilateral or-
7 ganizations in Latin America and the Caribbean, in-
8 cluding the World Bank, International Monetary
9 Fund, Organization of American States, and the
10 Inter-American Development Bank.

11 (2) DEFENSE SECTOR.—The report required
12 under paragraph (1) shall include an assessment of
13 the nature, intent, and impact on United States
14 strategic interests of Chinese military activity in
15 Latin America and the Caribbean, including military
16 education and training programs, weapons sales, and
17 space-related activities in the military or civilian
18 spheres, such as—

19 (A) the satellite and space control station
20 the People’s Republic of China constructed in
21 Argentina; and

22 (B) defense and security cooperation car-
23 ried out by the People’s Republic of China in
24 Latin America and the Caribbean, including
25 sales of surveillance and monitoring technology

1 to governments in the region such as Venezuela,
2 Cuba, Ecuador, and Colombia, and the poten-
3 tial use of such technologies as tools of Chinese
4 intelligence services.

5 (3) FORM.—The report required under para-
6 graph (1) shall be submitted in unclassified form
7 and include classified annexes.

8 **SEC. 30248. DEFENSE COOPERATION IN LATIN AMERICA**
9 **AND THE CARIBBEAN.**

10 (a) IN GENERAL.—There is authorized to be appro-
11 priated to the Department of State \$13,500,000 for the
12 International Military Education and Training Program
13 for Latin America and the Caribbean for each of fiscal
14 years 2022 through 2026.

15 (b) MODERNIZATION.—The Secretary of State shall
16 modernize and strengthen the programs receiving funding
17 in accordance with subsection (a) to ensure that such pro-
18 grams are vigorous, substantive, and the preeminent
19 choice for international military education and training for
20 Latin American and Caribbean partners.

21 (c) REQUIRED ELEMENTS.—The programs referred
22 to in subsection (a) shall—

23 (1) provide training and capacity-building op-
24 portunities to Latin American and Caribbean secu-
25 rity services;

1 (2) provide practical skills and frameworks
2 for—

3 (A) improving the functioning and organi-
4 zation of security services in Latin America and
5 the Caribbean;

6 (B) creating a better understanding of the
7 United States and its values; and

8 (C) using technology for maximum effi-
9 ciency and organization;

10 (3) promote and ensure that security services in
11 Latin America and the Caribbean respect civilian
12 authority and operate in compliance with inter-
13 national norms, standards, and rules of engagement,
14 including a respect for human rights, and full com-
15 pliance with requirements under section 620M of the
16 Foreign Assistance Act of 1961 (22 U.S.C. 2378d;
17 commonly referred to as the “Leahy law”); and

18 (4) receive funds only after vetting of individ-
19 uals proposed to be trained, consistent with sections
20 502B and 620M of the Foreign Assistance Act of
21 1961 (22 U.S.C. 2304 and 2378d).

22 (d) REPORT ON IMET ACTIVITIES.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act, the Sec-
25 retary of State shall provide a report to the House

1 and Senate Appropriations Committees, House and
2 Senate Armed Services Committee, Senate Foreign
3 Relations Committee, and House Foreign Affairs
4 Committee a report on the use of the International
5 Military Education and Training Program (IMET)
6 in the countries of Latin America since 2012, in-
7 cluding relating to the following:

8 (A) The number of security units trained
9 in each country.

10 (B) Which security service units, by coun-
11 try and unit, received IMET education and
12 training despite credible allegations of corrup-
13 tion, impeding democratic processes, or involve-
14 ment in drug trafficking prior to IMET pro-
15 gram.

16 (C) Which security service units, by coun-
17 try and unit, received IMET education and
18 training, and subsequently had credible allega-
19 tions of corruption, impeding democratic proc-
20 esses, or involvement in drug trafficking.

21 (D) Which security service units, by coun-
22 try and unit, were involved in violations of
23 human rights subsequent to their involvement
24 in IMET programs.

1 (2) FORM.—The report required under para-
2 graph (1) shall be submitted in unclassified form but
3 may contain a classified annex if necessary.

4 **SEC. 30249. ENGAGEMENT WITH CIVIL SOCIETY IN LATIN**
5 **AMERICA AND THE CARIBBEAN REGARDING**
6 **ACCOUNTABILITY, HUMAN RIGHTS, AND THE**
7 **RISKS OF PERVASIVE SURVEILLANCE TECH-**
8 **NOLOGIES.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) the Government of the People’s Republic of
12 China is exporting its model for internal security
13 and state control of society through advanced tech-
14 nology and artificial intelligence; and

15 (2) the inclusion of communication networks
16 and communications supply chains with equipment
17 and services from companies with close ties to or
18 that are susceptible to pressure from governments or
19 security services without reliable legal checks on gov-
20 ernmental powers can lead to breaches of citizens’
21 private information, increased censorship, violations
22 of human rights, and harassment of political oppo-
23 nents.

24 (b) DIPLOMATIC ENGAGEMENT.—The Secretary of
25 State shall conduct diplomatic engagement with govern-

1 ments and civil society organizations in Latin America and
2 the Caribbean to—

3 (1) help identify and mitigate the risks to civil
4 liberties posed by technologies and services described
5 in subsection (a); and

6 (2) offer recommendations on ways to mitigate
7 such risks.

8 (c) INTERNET FREEDOM PROGRAMS.—The Chief Ex-
9 ecutive Officer of the United States Agency for Global
10 Media, who may work through the Open Technology Fund
11 of the Agency, and the Secretary of State, working
12 through the Bureau of Democracy, Human Rights, and
13 Labor’s Internet Freedom and Business and Human
14 Rights Section, shall expand and prioritize efforts to pro-
15 vide anti-censorship technology and services to journalists
16 in Latin America and the Caribbean, in order to enhance
17 their ability to safely access or share digital news and in-
18 formation.

19 (d) SUPPORT FOR CIVIL SOCIETY.—The Secretary of
20 State, in coordination with the Administrator of the
21 United States Agency for International Development, shall
22 work through nongovernmental organizations to—

23 (1) support and promote programs that support
24 internet freedom and the free flow of information
25 online in Latin America and the Caribbean;

1 (2) protect open, interoperable, secure, and reli-
2 able access to internet in Latin America and the
3 Caribbean;

4 (3) provide integrated support to civil society
5 for technology, digital safety, policy and advocacy,
6 and applied research programs in Latin America
7 and the Caribbean;

8 (4) train journalists and civil society leaders in
9 Latin America and the Caribbean on investigative
10 techniques necessary to ensure public accountability
11 and prevent government overreach in the digital
12 sphere;

13 (5) assist independent media outlets and jour-
14 nalists in Latin America and the Caribbean to build
15 their own capacity and develop high-impact, in-depth
16 news reports covering governance and human rights
17 topics;

18 (6) provide training for journalists and civil so-
19 ciety leaders on investigative techniques necessary to
20 improve transparency and accountability in govern-
21 ment and the private sector;

22 (7) provide training on investigative reporting
23 of incidents of corruption and unfair business and
24 commercial practices;

1 (8) assist nongovernmental organizations to
2 strengthen their capacity to monitor the incidents
3 and practices described in paragraph (7);

4 (9) identify local resources to support the pre-
5 ponderance of activities that would be carried out
6 under this subsection; and

7 (10) support and promote programs that sup-
8 port independent judicial sectors, anti-corruption ef-
9 forts, rule of law activities, and good governance.

10 **SEC. 30250. CARIBBEAN ENERGY INITIATIVE AS ALTER-**
11 **NATIVE TO CHINA'S BELT AND ROAD INITIA-**
12 **TIVE.**

13 (a) FINDINGS.—Congress makes the following find-
14 ings:

15 (1) The countries of the Caribbean are heavily
16 reliant upon imported oil to provide for approxi-
17 mately 90 percent of their energy production.

18 (2) The level of dependence is even higher in-
19 cluding—

20 (A) Jamaica, which relies on oil for 95.9
21 percent of its electricity;

22 (B) Barbados, which relies on oil for 96
23 percent of its electricity;

24 (C) The Virgin Islands, which relies on oil
25 for nearly 100 percent of its electricity; and

1 (D) St. Lucia, which relies on oil for 100
2 percent of its electricity.

3 (3) Overreliance on imported fossil fuels has
4 had a detrimental effect on economic development,
5 growth, and competitiveness in the Caribbean.

6 (4) Since 1970, more than 80 percent of Carib-
7 bean coral reefs have been lost due to coastal devel-
8 opment and pollution. Soot particulates and climate
9 change caused by burning fossil fuels have seriously
10 damaged coral reefs, which are a significant source
11 of tourism dollars, fishing, biodiversity, and natural
12 beauty.

13 (5) Air pollution caused by burning oil for elec-
14 tricity—

15 (A) has serious health impacts in the form
16 of higher rates of asthma and other lung ail-
17 ments; and

18 (B) can also exacerbate climate change.

19 (6) The Caribbean region is particularly vulner-
20 able to sea level rise and stronger storms.

21 (7) Between 2005 and 2018, the dependence of
22 the countries of the Caribbean on oil was perpet-
23 uated by the Venezuelan-led Petrocaribe oil alliance,
24 which—

1 (A) offered preferential terms for oil sales;
2 and

3 (B) supplies some countries with up to 40
4 percent of their energy production needs.

5 (8) The ongoing domestic economic crisis and
6 political turmoil in Venezuela has forced the Govern-
7 ment of Venezuela to retract its commitments to the
8 Petrocaribe oil alliance and step away as a regional
9 power. Only Cuba still receives preferential
10 Petrocaribe pricing on fuel exports from Venezuela,
11 while other Petrocaribe member countries are experi-
12 encing a destabilized flow of oil.

13 (9) China has spent more than
14 \$244,000,000,000 on energy projects worldwide
15 since 2000, 25 percent of which was spent in Latin
16 America and the Caribbean. Although the majority
17 of this spending was for oil, gas, and coal, China has
18 also been the largest investor in clean energy glob-
19 ally for almost a decade.

20 (10) The World Bank estimates that the Carib-
21 bean will need \$12,000,000,000 in power invest-
22 ments through 2035.

23 (11) Renewable energy technology costs have
24 decreased dramatically in recent years, offering a
25 more viable economic alternative for energy produc-

1 tion. Solar energy prices have fallen by 80 percent
2 since 2008, causing significant market growth, and
3 according to data released by the International Re-
4 newable Energy Agency, $\frac{1}{3}$ of global power capacity
5 is based in renewable energy.

6 (12) In 2016, the International Monetary Fund
7 estimated that transportation accounted for 36 per-
8 cent of the total primary energy consumed in the
9 Caribbean subregion.

10 (13) According to the United Nations Environ-
11 ment Programme, Latin America and the Caribbean
12 could achieve annual savings of \$621,000,000,000
13 and a reduction of 1,100,000,000 tons of CO₂ by
14 2050 if the region's energy and transport sectors
15 reach net zero emissions.

16 (14) The Caribbean has an abundance of on-
17 shore and offshore resources needed for renewable
18 energy, including sun, wind, geothermal, and some
19 hydropower production capacity.

20 (15) The United States Government is deeply
21 engaged in providing technical and policy assistance
22 to countries of the Caribbean on energy issues
23 through—

24 (A) the Energy and Climate Partnership of
25 the Americas;

1 (B) Connecting the Americas 2022; and
2 (C) bilateral assistance programs.

3 (16) On February 19, 2014, at the North
4 American Leaders' Summit, President Barack
5 Obama, Prime Minister Stephen Harper of Canada,
6 and President Enrique Peña Nieto of Mexico re-
7 affirmed their commitment to bring affordable, reli-
8 able, and increasingly renewable power to the Carib-
9 bean, while opening wider markets for clean energy
10 and green technology.

11 (17) On June 19, 2015, President Barack
12 Obama announced the Caribbean Energy Security
13 Initiative, which would partner with individual coun-
14 tries—

15 (A) to transform its energy sector;

16 (B) to work to increase access to finance,
17 good governance, and diversification; and

18 (C) to maximize the impact of existing
19 donor effects.

20 (18) On May 4, 2016, at the United States-
21 Caribbean-Central American Energy Summit, the
22 energy security task force formally launched the
23 Caribbean Sustainable Energy Roadmap and Strat-
24 egy (C-SERMS) as a mechanism to manage re-
25 gional coordination and action on energy security

1 and agreed to expand the regional market and trans-
2 mission system.

3 (19) The United States has an important op-
4 portunity—

5 (A) to deepen this engagement;

6 (B) to work as a partner with Caribbean
7 countries on a more regional and coordinated
8 basis;

9 (C) to help ease the region's dependence
10 on imported oil; and

11 (D) to promote affordable alternative
12 sources of energy.

13 (b) DEFINITIONS.—In this section:

14 (1) CARIBBEAN COUNTRIES.—The term “Carib-
15 bean countries” means countries in the Caribbean
16 region, but does not include Cuba or Venezuela.

17 (2) CARIBBEAN GOVERNMENTS.—The term
18 “Caribbean governments” means the national gov-
19 ernments of the Caribbean countries.

20 (c) STATEMENT OF POLICY.—It is the policy of the
21 United States to help Caribbean countries—

22 (1) achieve greater energy security and improve
23 domestic energy resource mobilization;

24 (2) lower their dependence on imported fuels;

1 (3) eliminate the use of diesel, heavy fuel oil,
2 other petroleum products, and coal for the genera-
3 tion of electricity;

4 (4) increase production of renewable energy;
5 and

6 (5) meet the greenhouse gas mitigation goals of
7 their national determined contributions to the Paris
8 Agreement.

9 (d) STRATEGY.—

10 (1) SUBMISSION.—Not later than 120 days
11 after the date of the enactment of this Act, the Sec-
12 retary of State, in coordination with the Adminis-
13 trator of the United States Agency for International
14 Development (USAID), shall submit to the appro-
15 priate congressional committees a multi-year strat-
16 egy that describes how the Department of State will
17 promote regional cooperation with Caribbean coun-
18 tries—

19 (A) to lower dependence on imported fuels,
20 grow domestic clean energy production in the
21 region, strengthen regional energy security, and
22 lower energy sector greenhouse gas emissions;

23 (B) to decrease dependence on oil in the
24 transportation sector;

1 (C) to increase energy efficiency, energy
2 conservation, and investment in alternatives to
3 imported fuels;

4 (D) to improve grid reliability and mod-
5 ernize electricity transmission networks;

6 (E) to advance deployment of innovative
7 solutions to expand community and individuals'
8 access to electricity;

9 (F) to help reform energy markets to en-
10 courage good regulatory governance and to pro-
11 mote a climate of private sector investment; and

12 (G) to mitigate greenhouse gas emissions
13 from the energy and transportation sector.

14 (2) ELEMENTS.—The strategy required under
15 subsection (a) shall include—

16 (A) a thorough review and inventory of
17 United States Government activities that are
18 being carried out bilaterally, regionally, and in
19 coordination with multilateral institutions—

20 (i) to promote energy and climate se-
21 curity in the Caribbean region; and

22 (ii) to reduce the region's reliance on
23 oil for electricity generation;

24 (B) opportunities for marshaling regional
25 cooperation—

- 1 (i) to overcome market barriers result-
2 ing from the small size of Caribbean en-
3 ergy markets;
- 4 (ii) to address the high transportation
5 and infrastructure costs faced by Carib-
6 bean countries;
- 7 (iii) to ensure greater donor coordina-
8 tion between governments, multilateral in-
9 stitutions, multilateral banks, and private
10 investors; and
- 11 (iv) to expand regional financing op-
12 portunities to allow for lower cost energy
13 entrepreneurship;
- 14 (C) measures to ensure that each Carib-
15 bean government has—
- 16 (i) an independent utility regulator or
17 equivalent;
- 18 (ii) affordable access by third party
19 investors to its electrical grid with minimal
20 regulatory interference;
- 21 (iii) effective energy efficiency and en-
22 ergy conservation;
- 23 (iv) programs to address technical and
24 nontechnical issues;

1 (v) a plan to eliminate major market
2 distortions; and

3 (vi) other taxes on clean energy solu-
4 tions; and

5 (D) recommendations for how United
6 States policy, technical, and economic assist-
7 ance can be used in the Caribbean region—

8 (i) to advance renewable energy devel-
9 opment and the incorporation of renewable
10 technologies into existing energy grids and
11 the development and deployment of micro-
12 grids where appropriate and feasible to
13 boost energy security and reliability, par-
14 ticularly to underserved communities;

15 (ii) to increase the generation of clean
16 energy sufficiently to replace and allow for
17 the retirement of obsolete fossil fuel energy
18 generation units in Caribbean countries;

19 (iii) to create regional financing op-
20 portunities to allow for lower cost energy
21 entrepreneurship;

22 (iv) to deploy transaction advisors in
23 the region to help attract private invest-
24 ment and break down any market or regu-
25 latory barriers; and

1 (v) to establish a mechanism for each
2 host government to have access to inde-
3 pendent legal advice—

4 (I) to speed the development of
5 energy-related contracts; and

6 (II) to better protect the inter-
7 ests of Caribbean governments and
8 citizens.

9 (3) CONSULTATION.—In devising the strategy
10 under this subsection, the Secretary of State shall
11 work with the Secretary of Energy and shall consult
12 with—

13 (A) the Secretary of the Interior;

14 (B) the Secretary of Commerce;

15 (C) the Secretary of the Treasury;

16 (D) the Board of Directors of the Export-
17 Import Bank of the United States;

18 (E) the Board of Directors of the Develop-
19 ment Finance Corporation;

20 (F) the Administrator of the United States
21 Agency for International Development;

22 (G) the Caribbean governments;

23 (H) the Inter-American Development
24 Bank;

25 (I) the World Bank Group; and

1 (J) the Caribbean Electric Utility Services
2 Corporation.

3 **SEC. 30251. UNITED STATES-CARIBBEAN RESILIENCE PART-**
4 **NERSHIP.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) The United States shares with the Carib-
8 bean a collective vulnerability to natural disasters,
9 which affects the lives and the economies of our citi-
10 zens.

11 (2) The April 9, 2021, eruption of the La
12 Soufriere volcano is another reminder of the devas-
13 tation caused by the many natural disasters the Car-
14ibbean confronts each year and the region’s vulner-
15 ability to external shocks. Hurricane Dorian, the
16 largest storm to hit the region, wiped out large parts
17 of the northern Bahamas in 2019, and Hurricanes
18 Maria and Irma devastated multiple islands across
19 the region in 2017, including Puerto Rico. According
20 to IMF research, of the 511 plus disasters worldwide
21 to hit small states since 1950, around two-thirds
22 (324) have been in the Caribbean.

23 (3) This region is seven times more likely to ex-
24 perience a natural disaster than elsewhere. And,

1 when one occurs, it will incur as much as six times
2 more damage.

3 (4) Extreme weather events and other environ-
4 mental impacts will only worsen over the coming
5 years, and if not addressed, we will see only increas-
6 ing economic shocks on these countries, driving ir-
7 regular migration.

8 (5) While the United States has considerable
9 expertise and capacity in assisting countries with
10 disaster response, there remains a need for stronger
11 partnerships that build regional resilience through
12 efficient and interoperable platforms, protecting peo-
13 ple and speeding recovery.

14 (6) The People's Republic of China has dra-
15 matically increased its engagement in the Caribbean
16 in the past five years, including offering loans and
17 grants related to disaster response and resilience
18 and sought to acquire property rights in the Carib-
19 bean that would be detrimental to United States na-
20 tional security interests.

21 (7) In 2019, the United States launched a new
22 U.S.-Caribbean Resilience Partnership to deepen co-
23 operation and investment to strengthen our disaster
24 resilience throughout the Caribbean region, includ-
25 ing—

1 (A) to streamline early warning response
2 networks and formalize communication chan-
3 nels;

4 (B) to enhance, encourage, and work col-
5 laboratively on further developing aviation dis-
6 aster resilience plans and partnerships;

7 (C) to prioritize regional technical ex-
8 change in energy planning, risk reduction, and
9 resilience;

10 (D) to increase communications network
11 interoperability between Caribbean partners and
12 the United States;

13 (E) to utilize storm surge mapping data
14 and share real-time information in preparation
15 for potential damage resulting from tropical cy-
16 clones and tsunamis;

17 (F) to use meteorological services to
18 strengthen and deepen physical and commu-
19 nications infrastructure, data collection net-
20 works, and human and technical capacity
21 throughout the region, as well as interactions
22 with the public;

23 (G) to understand that while the use of
24 international and military and civil defense as-
25 sets in disaster response may only be considered

1 as a last resort, when local, national, and inter-
2 national civilian capabilities are overwhelmed,
3 civil-military coordination should occur, in sup-
4 port of the affected nation;

5 (H) to develop a framework that would
6 govern the deployment of international military
7 and civil defense assets in disaster response
8 when local, national, and international civilian
9 capabilities are overwhelmed, in support of the
10 affected nation;

11 (I) to seek common mechanisms for ensur-
12 ing rapid disaster response and recovery, in-
13 cluding waiving or expediting diplomatic clear-
14 ances, waiving of or reducing customs fees,
15 streamlining overflight and airspace clearance,
16 and ensuring that the first responders have the
17 ability to rapidly respond to disasters in other
18 countries;

19 (J) to promote the integration and coordi-
20 nation of regional response mechanisms in the
21 Caribbean, including through the Caribbean
22 Disaster Emergency Management Agency, the
23 Regional Security System, United States Gov-
24 ernment Agencies, and allies in ways that facili-
25 tate more effective and efficient planning, miti-

1 gation, response, and resilience to natural disas-
2 ters;

3 (K) to share best practices in improved
4 building codes with national disaster organiza-
5 tions, including building better programs, at re-
6 gional, national and community levels; and

7 (L) to promote community-based disaster
8 preparedness and mitigation activities, particu-
9 larly in underserved communities, with the aim
10 of increasing broad public participation and re-
11 silience.

12 (b) POLICY.—It is the policy of the United States to
13 help Caribbean countries—

14 (1) increase their resilience and adapt to nat-
15 ural disasters and the impacts of severe weather
16 events and a changing environment;

17 (2) partner with United States Federal, State,
18 and local agencies and engage in technical coopera-
19 tion, dialogue, and assistance activities;

20 (3) harmonize standards and practices related
21 to paragraphs (1) and (2) to promote increased in-
22 vestment and integration;

23 (4) increase investment from United States
24 companies in the Caribbean on resilience-building,
25 adaptation, and climate-related mitigation efforts;

1 (5) promote regional cooperation and ensure ef-
2 forts by the United States, Caribbean countries, and
3 international partners complement each other; and

4 (6) further assist with the efforts described in
5 subsection (a)(7).

6 (c) STRATEGY.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of State,
8 in coordination with the heads of other Federal depart-
9 ments and agencies, shall submit to the appropriate con-
10 gressional committees a multi-year strategy that describes
11 how the Department of State will achieve the policies de-
12 scribed in subsection (b).

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated for activities, programs,
15 technical assistance, and engagement under this section
16 the following:

17 (1) \$20,000,000 for fiscal year 2022.

18 (2) \$25,000,000 for fiscal year 2023.

19 (3) \$30,000,000 for fiscal year 2024 and each
20 fiscal year thereafter.

21 (e) REPORTING AND MONITORING.—

22 (1) IN GENERAL.—Of the amounts authorized
23 to be appropriated each fiscal year pursuant to sub-
24 section (d), at least five percent of all programming
25 funding allocation shall support and be directed to-

1 ward reporting, monitoring, and assessment of effec-
2 tiveness.

3 (2) ENGAGEMENT AND COLLABORATION.—The
4 Department of State shall ensure that at least 20
5 percent of amounts authorized to be appropriated
6 pursuant to subsection (d) directly support the
7 training of, engagement with, collaboration with, and
8 exchange of expertise on resilience between United
9 States Federal, State, and local officials and their
10 Caribbean government counterparts. Such amounts
11 should also support, as appropriate, increased aca-
12 demic, civil society, media, and private sector en-
13 gagement in the fields of resilience-building, adapta-
14 tion, and mitigation.

15 **SEC. 30252. COUNTERING CHINA'S EDUCATIONAL AND CUL-**
16 **TURAL DIPLOMACY IN LATIN AMERICA.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) According to a report by the National En-
19 dowment for Democracy, China has spent the equiv-
20 alent of billions of dollars to shape public opinion
21 and perceptions around the world through thousands
22 of people-to-people exchanges, cultural activities,
23 educational programs, and the development of media
24 enterprises and information initiatives with global
25 reach.

1 (2) Educational and exchange programs are a
2 core element of United States public diplomacy, ele-
3 vating our culture, policies, and interests worldwide.

4 (3) These programs provide students with ac-
5 cess to international knowledge, an opportunity to
6 learn foreign languages, and a unique environment
7 for developing cultural understanding, all of which
8 are valuable skills in today's global economy.

9 (4) 90 percent of ECA's appropriation is spent
10 in the United States or invested directly in American
11 citizens or American organizations.

12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—

14 (1) China's efforts to mold public opinion and
15 influence educational institutions undermine United
16 States' influence in Latin America and the Carib-
17 bean and threaten democratic institutions and prac-
18 tices in the region;

19 (2) the United States Government should ex-
20 pand current educational and cultural exchange pro-
21 grams in Latin America and the Caribbean, which
22 are cost-effective and strengthen people-to-people di-
23 plomacy, to promote national security and foreign
24 policy interests of the United States; and

1 (3) educational exchanges foster linguistic, cul-
2 tural, and educational skills that advance United
3 States economic competitiveness, strengthen alli-
4 ances, and support democracies worldwide.

5 (c) STRATEGY.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of State,
7 acting through the Assistant Secretary of State for Edu-
8 cational and Cultural Affairs, and in coordination with the
9 Assistant Administrator for the Bureau of Economic
10 Growth, Education, and Environment at the United
11 States Agency for International Development, shall devise
12 a strategy—

13 (1) to evaluate and expand existing programs
14 and, as necessary, design and implement new edu-
15 cational, professional, and cultural exchanges and
16 other programs to—

17 (A) create and sustain mutual under-
18 standing with other countries necessary to ad-
19 vance United States foreign policy goals by cul-
20 tivating people-to-people ties among current and
21 future global leaders that build enduring net-
22 works and personal relationships; and

23 (B) promote United States national secu-
24 rity interests and values, including through the
25 expansion of exchange visitor programs such as

1 international visitor leadership programs and
2 the Young Leaders of the Americas Initiative,
3 as well as professional capacity building pro-
4 grams that prioritize building skills in entrepre-
5 neurship, promoting transparency, and tech-
6 nology;

7 (2) to ensure that exchange programs for
8 Americans abroad and international visitors attract
9 a diverse pool of participants, including from under-
10 represented, marginalized, and low-income commu-
11 nities; and

12 (3) to evaluate, expand, and strengthen existing
13 programs, and, as necessary, design and implement
14 new basic and higher education programs in Latin
15 America and the Caribbean, in accordance with the
16 United States Strategy on International Basic Edu-
17 cation and the United States Agency for Inter-
18 national Development Education Policy, to enable all
19 young adults, youth, and children to acquire the
20 quality education and skills needed to be productive
21 members in society, which will lead to better indi-
22 vidual and societal outcomes.

23 (d) REPORT WITH INTELLIGENCE ASSESSMENT.—
24 Not later than 180 days after the date of the enactment
25 of this Act, the Secretary of State shall, in coordination

1 with the Director of National Intelligence, submit to the
2 appropriate congressional committees (including the Per-
3 manent Select Committee on Intelligence of the House of
4 Representatives and the Select Committee on Intelligence
5 of the Senate) a report that assesses the nature and im-
6 pact of the People’s Republic of China’s educational and
7 cultural sector activity in Latin America and the Carib-
8 bean, its impact on United States’ strategic interests, and
9 recommendations for the United States Government to ex-
10 pand people-to-people ties.

11 **SEC. 30253. NARCOTICS TRAFFICKING IN LATIN AMERICA**
12 **AND THE CARIBBEAN.**

13 It is the sense of Congress that—

14 (1) narcotics trafficking continues to pose a se-
15 curity threat to the countries and peoples of Latin
16 America and the Caribbean;

17 (2) other forms of transnational organized
18 crime, including arms trafficking, human smuggling,
19 money laundering, and illicit financing, are drivers
20 of irregular migration;

21 (3) narcotics trafficking is fueled by govern-
22 ments that fail to curb the illicit drug trade by ade-
23 quately regulating the legal trade of non-fentanyl
24 opioids and precursor chemicals used to produce

1 fentanyl, fentanyl analogs, and other synthetic
2 drugs;

3 (4) further, governments that do not cooperate
4 sufficiently on financial investigations and prosecu-
5 tions, withhold information with respect to money
6 laundering crimes, or are determined to facilitate il-
7 licit activities, particularly by transnational orga-
8 nized criminal organizations, should be held account-
9 able;

10 (5) as noted in the International Narcotics Con-
11 trol Strategy Report 2020, China “has not cooper-
12 ated sufficiently on financial investigations and does
13 not provide adequate responses to requests for finan-
14 cial investigation information”;

15 (6) the United States should apply economic
16 and other targeted financial sanctions with respect
17 to individuals engaged in financial crimes and money
18 laundering that fosters narcotics trafficking in the
19 countries of Latin America and the Caribbean; and

20 (7) the United States should look to policies to
21 hold accountable countries that fail to sufficiently in-
22 vestigate financial crimes and money laundering that
23 foster narcotics trafficking in the countries of Latin
24 America and the Caribbean.

1 **SEC. 30254. REPORT ON MAJOR CHINESE INFRASTRUC-**
2 **TURE INVESTMENTS.**

3 Not later than 180 days after the date of the enact-
4 ment of this Act, the Secretary of State shall submit to
5 Congress a report on major Chinese infrastructure invest-
6 ments in Latin America and the Caribbean and the extent
7 to which the countries that host these investments are able
8 to meet the interest and principal payments associated
9 with any outstanding loans.

10 **PART 2—TRANSATLANTIC RELATIONSHIPS**

11 **SEC. 30255. SENSE OF CONGRESS ON TRANSATLANTIC RE-**
12 **LATIONSHIPS.**

13 It is the sense of Congress that—

14 (1) the United States, the European Union, the
15 United Kingdom, and other European countries are
16 close partners, sharing values grounded in democ-
17 racy, human rights, transparency, and the rules-
18 based international order established after World
19 War II;

20 (2) without a common approach by the United
21 States, the European Union, the United Kingdom,
22 and other European countries on connectivity,
23 transnational challenges, and support for democracy
24 and human rights, the People’s Republic of China
25 will continue to increase its economic, political, and
26 security leverage in Europe and globally;

1 (3) the People’s Republic of China’s deployment
2 of assistance to European countries following the
3 COVID–19 outbreak showcased a coercive approach
4 to aid, but it also highlighted Europe’s deep eco-
5 nomic ties to the People’s Republic of China;

6 (4) as European countries seek to recover from
7 the economic toll of the COVID–19 outbreak, the
8 United States must stand in partnership with Eu-
9 rope to support our collective economic recovery, re-
10 inforce our collective national security, and defend
11 shared values;

12 (5) the United States, the European Union, the
13 United Kingdom, and other European countries
14 should coordinate on joint strategies to diversify reli-
15 ance on supply chains away from the People’s Re-
16 public of China, especially in the medical and phar-
17 maceutical sectors;

18 (6) the United States, the European Union, the
19 United Kingdom, and other European countries
20 should leverage their respective economic innovation
21 capabilities to support the global economic recovery
22 from the COVID–19 recession and draw a contrast
23 with the centralized economy of the People’s Repub-
24 lic of China;

1 (7) the United States, the European Union,
2 Japan, and other like-minded countries should con-
3 tinue efforts to address the security, economic, de-
4 mocracy, and human rights challenges posed by the
5 People’s Republic of China;

6 (8) the United States, the European Union, the
7 United Kingdom, and other European countries
8 should enhance cooperation to counter People’s Re-
9 public of China disinformation, influence operations,
10 and propaganda efforts;

11 (9) the United States and Europe share serious
12 concerns with the repressions being supported and
13 executed by the Government of the People’s Republic
14 of China, and should continue implementing meas-
15 ures to address the Government of the People’s Re-
16 public of China’s specific abuses in Tibet, Hong
17 Kong, and Xinjiang, and should build joint mecha-
18 nisms and programs to prevent the export of China’s
19 authoritarian governance model to countries around
20 the world;

21 (10) the United States and Europe should re-
22 main united in their shared values against attempts
23 by the Government of the People’s Republic of
24 China at the United Nations and other multilateral
25 organizations to promote efforts that erode the Uni-

1 versal Declaration of Human Rights, like the “com-
2 munity of a shared future for mankind” and “de-
3 mocratization of international relations”;

4 (11) the People’s Republic of China’s infra-
5 structure investments around the world, particularly
6 in 5G telecommunications technology and port infra-
7 structure, could threaten democracy across Europe
8 and the national security of key countries;

9 (12) as appropriate, the United States should
10 share intelligence with European allies and partners
11 on Huawei’s 5G capabilities and the intentions of
12 the Government of the People’s Republic of China
13 with respect to 5G expansion in Europe;

14 (13) the European Union’s Investment Screen-
15 ing Regulation, which came into force in October
16 2020, is a welcome development, and member states
17 should closely scrutinize PRC investments in their
18 countries through their own national investment
19 screening measures;

20 (14) the President should actively engage the
21 European Union on the implementation of the Ex-
22 port Control Reform Act regulations and to better
23 harmonize United States and European Union poli-
24 cies with respect to export controls;

1 (15) the President should strongly advocate for
2 the listing of more items and technologies to restrict
3 dual use exports controlled at the National Security
4 and above level to the People’s Republic of China
5 under the Wassenaar Arrangement;

6 (16) the United States should explore the value
7 of establishing a body akin to the Coordinating
8 Committee for Multilateral Export Controls
9 (CoCom) that would specifically coordinate United
10 States and European Union export control policies
11 with respect to limiting exports of sensitive tech-
12 nologies to the People’s Republic of China; and

13 (17) the United States should work with coun-
14 terparts in Europe to—

15 (A) evaluate United States and European
16 overreliance on goods originating in the Peo-
17 ple’s Republic of China, including in the med-
18 ical and pharmaceutical sectors, and develop
19 joint strategies to diversify supply chains;

20 (B) develop a common strategy for pro-
21 moting energy security and economic growth in
22 eastern Europe and the Balkans that addresses
23 shared concerns related to China’s Belt and
24 Road Initiative in these regions, including com-
25 plementary investments in the Three Seas Ini-

1 tiative Fund for clean energy and digital
2 connectivity projects;

3 (C) counter PRC efforts to use COVID–
4 19-related assistance as a coercive tool to pres-
5 sure developing countries by offering relevant
6 United States and European expertise and as-
7 sistance; and

8 (D) leverage the United States and Euro-
9 pean private sectors to advance the post-
10 COVID–19 economic recovery.

11 **SEC. 30256. STRATEGY TO ENHANCE TRANSATLANTIC CO-**
12 **OPERATION WITH RESPECT TO THE PEO-**
13 **PLE’S REPUBLIC OF CHINA.**

14 (a) IN GENERAL.—Not later than 180 days after the
15 date of the enactment of this Act, the President shall brief
16 the appropriate congressional committees, the Committee
17 on Armed Services of the Senate, and the Committee on
18 Armed Services of the House of Representatives on a
19 strategy for how the United States will enhance coopera-
20 tion with the European Union, NATO, and European
21 partner countries with respect to the People’s Republic of
22 China.

23 (b) ELEMENTS.—The briefing required under sub-
24 section (a) shall include the following elements with re-
25 spect to the strategy referred to in such subsection:

1 (1) An identification of the senior Senate-con-
2 firmed Department of State official who leads
3 United States efforts to cooperate with the Euro-
4 pean Union, NATO, and European partner countries
5 to advance a shared approach with respect to the
6 People’s Republic of China.

7 (2) An identification of key policy points of con-
8 vergence and divergence between the United States
9 and European allies and partners with respect to the
10 People’s Republic of China in the areas of tech-
11 nology and economic practices.

12 (3) A description of efforts to advance shared
13 interests with European counterparts on—

14 (A) security and economic challenges with
15 respect to the People’s Republic of China;

16 (B) democracy and human rights chal-
17 lenges with respect to the People’s Republic of
18 China;

19 (C) technology issues with respect to the
20 People’s Republic of China;

21 (D) defense issues with respect to the Peo-
22 ple’s Republic of China; and

23 (E) developing a comprehensive strategy to
24 respond to the Belt and Road Initiative (BRI)

1 established by the Government of the People's
2 Republic of China.

3 (4) A description of the coordination mecha-
4 nisms among key regional and functional bureaus
5 within the Department of State and Department of
6 Defense tasked with engaging with European allies
7 and partners on the People's Republic of China.

8 (5) A detailing of diplomatic efforts up to the
9 date of the briefing and future plans to work with
10 European allies and partners to counter the Govern-
11 ment of the People's Republic of China's advance-
12 ment of an authoritarian governance model around
13 the world.

14 (6) A detailing of the diplomatic efforts made
15 up to the date of the briefing and future plans to
16 support European efforts to identify cost-effective al-
17 ternatives to Huawei's 5G technology.

18 (7) A detailing of how United States public di-
19 plomacy tools, including the Global Engagement
20 Center of the Department of State, will coordinate
21 efforts with counterpart entities within the Euro-
22 pean Union to counter Chinese propaganda.

23 (8) A description of the staffing and budget re-
24 sources the Department of State dedicates to en-
25 gagement between the United States and the Euro-

1 pean Union on the People’s Republic of China and
2 provide an assessment of out-year resource needs to
3 execute such strategy.

4 (9) A detailing of diplomatic efforts to work
5 with European allies and partners to track and
6 counter Chinese attempts to exert influence across
7 multilateral fora, including at the World Health Or-
8 ganization.

9 (c) FORM.—The briefing required under section (a)
10 shall be classified.

11 (d) CONSULTATION.—Not later than 180 days after
12 the date of the enactment of this Act and annually there-
13 after for three years, the Secretary of State shall consult
14 with the appropriate congressional committees, the Com-
15 mittee on Armed Services of the Senate, and the Com-
16 mittee on Armed Services of the House of Representatives
17 regarding the development and implementation of the ele-
18 ments described in subsection (b).

19 **SEC. 30257. ENHANCING TRANSATLANTIC COOPERATION**
20 **ON PROMOTING PRIVATE SECTOR FINANCE.**

21 (a) IN GENERAL.—The President should work with
22 transatlantic partners to build on the agreement among
23 the Development Finance Corporation, FinDev Canada,
24 and the European Development Finance Institutions (re-
25 ferred to as the “DFI Alliance”) to enhance coordination

1 on shared objectives to foster private sector-led develop-
2 ment and provide market-based alternatives to state-di-
3 rected financing in emerging markets, particularly as re-
4 lated to the People’s Republic of China’s Belt and Road
5 Initiative (BRI), including by integrating efforts such
6 as—

7 (1) the European Union Strategy on Con-
8 necting Europe and Asia;

9 (2) the Three Seas Initiative and Three Seas
10 Initiative Fund;

11 (3) the Blue Dot Network among the United
12 States, Japan, and Australia; and

13 (4) a European Union-Japan initiative that has
14 leveraged \$65,000,000,000 for infrastructure
15 projects and emphasizes transparency standards.

16 (b) STANDARDS.—The United States and the Euro-
17 pean Union should coordinate and develop a strategy to
18 enhance transatlantic cooperation with the OECD and the
19 Paris Club on ensuring the highest possible standards for
20 Belt and Road Initiative contracts and terms with devel-
21 oping countries.

1 **SEC. 30258. REPORT AND BRIEFING ON COOPERATION BE-**
2 **TWEEN CHINA AND IRAN AND BETWEEN**
3 **CHINA AND RUSSIA.**

4 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
5 FINED.—In this section, the term “appropriate commit-
6 tees of Congress” means—

7 (1) the Committee on Foreign Relations, the
8 Select Committee on Intelligence, the Committee on
9 Armed Services, the Committee on Commerce,
10 Science, and Transportation, the Committee on En-
11 ergy and Natural Resources, the Committee on
12 Banking, Housing, and Urban Affairs, the Com-
13 mittee on Finance, and the Committee on Appro-
14 priations of the Senate; and

15 (2) the Committee on Foreign Affairs, the Per-
16 manent Select Committee on Intelligence, the Com-
17 mittee on Armed Services, the Committee on Energy
18 and Commerce, the Committee on Financial Serv-
19 ices, the Committee on Ways and Means, and the
20 Committee on Appropriations of the House of Rep-
21 resentatives.

22 (b) REPORT AND BRIEFING REQUIRED.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act, the Di-
25 rector of National Intelligence shall, in coordination
26 with the Secretary of State, the Secretary of De-

1 fense, the Secretary of Commerce, the Secretary of
2 Energy, the Secretary of the Treasury, and such
3 other heads of Federal agencies as the Director con-
4 siders appropriate, submit to the appropriate com-
5 mittees of Congress a report and brief such commit-
6 tees on cooperation between—

7 (A) the People’s Republic of China and the
8 Islamic Republic of Iran; and

9 (B) the People’s Republic of China and the
10 Russian Federation.

11 (2) CONTENTS.—The report and briefing under
12 paragraph (1) shall include the following elements:

13 (A) An identification of major areas of dip-
14 lomatic energy, infrastructure, banking, finan-
15 cial, economic, military, and space coopera-
16 tion—

17 (i) between the People’s Republic of
18 China and the Islamic Republic of Iran;
19 and

20 (ii) between the People’s Republic of
21 China and the Russian Federation.

22 (B) An assessment of the effect of the
23 COVID–19 pandemic on such cooperation.

24 (C) An assessment of the effect that
25 United States compliance with the Joint Com-

1 prehensive Plan of Action (JCPOA) starting in
2 January 14, 2016, and United States with-
3 drawal from the JCPOA on May 8, 2018, had
4 on the cooperation described in subparagraph
5 (A)(i).

6 (D) An assessment of the effect on the co-
7 operation described in subparagraph (A)(i) that
8 would be had by the United States reentering
9 compliance with the JCPOA or a successor
10 agreement and the effect of the United States
11 not reentering compliance with the JCPOA or
12 reaching a successor agreement.

13 (3) FORM.—The report submitted under para-
14 graph (1) shall be submitted in unclassified form,
15 but may include a classified annex.

16 (c) SENSE OF CONGRESS ON SHARING WITH ALLIES
17 AND PARTNERS.—It is the sense of Congress that the Di-
18 rector of National Intelligence and the heads of other ap-
19 propriate Federal departments and agencies should share
20 with important allies and partners of the United States,
21 as appropriate, the findings of the report required under
22 subsection (b).

1 **SEC. 30259. REPORT AND BRIEFING ON CHINA'S ELECTION**
2 **INTERFERENCE.**

3 The Director of National Intelligence, in coordination
4 with the heads of other appropriate Federal departments
5 and agencies, shall submit to Congress a report on the
6 existence of any security risks and threats posed by China
7 to upcoming United States elections for Federal office.

8 **SEC. 30259A. INTELLIGENCE ASSESSMENT.**

9 Not later than 180 days after the date of the enact-
10 ment of this Act, the Secretary of State, in coordination
11 with the Director of National Intelligence, shall submit to
12 the Committee on Foreign Affairs and the Permanent Se-
13 lect Committee on Intelligence of the House of Represent-
14 atives and the Committee on Foreign Relations and the
15 Select Committee on Intelligence of the Senate a classified
16 report, with an unclassified annex if appropriate, that as-
17 sesses the degree to which, if any, the Russian Federation
18 has coordinated with the People's Republic of China
19 (PRC) regarding a potential further invasion of Ukraine.
20 Such assessment shall also examine ways in which the
21 PRC may have promised to help the Russian Federation
22 offset the costs of prospective economic sanctions, espe-
23 cially in the financial, technological, and energy sectors.

1 **PART 3—SOUTH AND CENTRAL ASIA**

2 **SEC. 30261. SENSE OF CONGRESS ON SOUTH AND CENTRAL**
3 **ASIA.**

4 It is the sense of Congress that—

5 (1) the United States should continue to stand
6 with friends and partners, while also working to es-
7 tablish new partners in South and Central Asia as
8 they contend with efforts by the Government of the
9 People’s Republic of China to interfere in their re-
10 spective political systems and encroach upon their
11 sovereign territory; and

12 (2) the United States should reaffirm its com-
13 mitment to the Comprehensive Global Strategic
14 Partnership with India and further deepen bilateral
15 defense consultations and collaboration with India
16 commensurate with its status as a major defense
17 partner.

18 **SEC. 30262. STRATEGY TO ENHANCE COOPERATION WITH**
19 **SOUTH AND CENTRAL ASIA.**

20 (a) **IN GENERAL.**—Not later than 180 days after the
21 date of the enactment of this Act, the President shall sub-
22 mit to the appropriate congressional committees, the Com-
23 mittee on Armed Services of the Senate and, the Com-
24 mittee on Armed Services of the House of Representatives
25 a strategy for how the United States will engage with the
26 countries of South and Central Asia, including through

1 the C5+1 mechanism, with respect to the People’s Repub-
2 lic of China.

3 (b) ELEMENTS.—The strategy required under sub-
4 section (a) shall include the following elements:

5 (1) A detailed description of the security and
6 economic challenges that the People’s Republic of
7 China (PRC) poses to the countries of South and
8 Central Asia, including border disputes with South
9 and Central Asian countries that border the People’s
10 Republic of China, and PRC investments in land
11 and sea ports, transportation infrastructure, and en-
12 ergy projects across the region.

13 (2) A detailed description of United States ef-
14 forts to provide alternatives to PRC investment in
15 infrastructure and other sectors in South and Cen-
16 tral Asia.

17 (3) A detailed description of bilateral and re-
18 gional efforts to work with countries in South Asia
19 on strategies to build resilience against PRC efforts
20 to interfere in their political systems and economies.

21 (4) A detailed description of the challenges
22 posed by PRC investment in the Afghan mineral sec-
23 tor.

24 (5) A detailed description of United States dip-
25 lomatic efforts with the Government of Pakistan

1 with respect to matters relevant to the People's Re-
2 public of China, including investments by the Peo-
3 ple's Republic of China in Pakistan through the Belt
4 and Road Initiative.

5 (6) In close consultation with the Government
6 of India, identification of areas with respect to which
7 the United States Government can provide diplo-
8 matic and other support as appropriate for India's
9 efforts to address economic and security challenges
10 posed by the People's Republic of China in the re-
11 gion.

12 (7) A description of the coordination mecha-
13 nisms among key regional and functional bureaus
14 within the Department of State and Department of
15 Defense tasked with engaging with the countries of
16 South and Central Asia on issues relating to the
17 People's Republic of China.

18 (8) A detailed description of United States dip-
19 lomatic efforts with Central Asian countries, Turkey,
20 and any other countries with significant populations
21 of Uyghurs and other ethnic minorities fleeing perse-
22 cution in the People's Republic of China to press
23 those countries to refrain from deporting ethnic mi-
24 norities to the People's Republic of China, protect
25 ethnic minorities from intimidation by Chinese Gov-

1 ernment authorities, and protect the right to the
2 freedoms of assembly and expression.

3 (c) FORM.—The strategy required under section (a)
4 shall be submitted in an unclassified form that can be
5 made available to the public, but may include a classified
6 annex as necessary.

7 (d) CONSULTATION.—Not later than 120 days after
8 the date of the enactment of this Act and not less often
9 than annually thereafter for five years, the Secretary of
10 State shall consult with the appropriate congressional
11 committees, the Committee on Armed Services of the Sen-
12 ate, and the Committee on Armed Services of the House
13 of Representatives regarding the development and imple-
14 mentation of the strategy required under subsection (a).

15 **SEC. 30263. INDIAN OCEAN REGION STRATEGIC REVIEW.**

16 (a) FINDINGS.—Congress makes the following find-
17 ings:

18 (1) The Indian Ocean region is a vitally impor-
19 tant part of the Indo-Pacific where the United
20 States has political, economic, and security interests.

21 (2) The United States has an interest in work-
22 ing with partners in the Indo-Pacific, including
23 India, Japan, and Australia, to address regional gov-
24 ernance, economic connectivity, and security chal-
25 lenges including threats to freedom of navigation.

1 (b) STATEMENT OF POLICY.—As a part of the
2 United States engagement in the Indo-Pacific, it shall be
3 the policy of the United States to strengthen engagement
4 with the countries in the Indian Ocean region, including
5 with governments, civil society, and private sectors in such
6 countries to—

7 (1) promote United States political engagement
8 with such region, including through active participa-
9 tion in regional organizations, and strengthened dip-
10 lomatic relations with United States partners in
11 such region;

12 (2) enhance United States economic
13 connectivity and commercial exchange with such re-
14 gion;

15 (3) defend freedom of navigation in such region
16 from security challenges, including related to piracy;

17 (4) support the ability of governments and or-
18 ganizations in such region to respond to natural dis-
19 asters;

20 (5) support and facilitate the role of regional al-
21 lies and partners as net providers of security to such
22 region and as partners to the United States in ad-
23 dressing security challenges in such region, including
24 through assistance to such allies and partners to

1 build capacity in maritime security and maritime do-
2 main awareness;

3 (6) continue to build the United States-India
4 relationship in order to regularize security coopera-
5 tion through the negotiation of agreements con-
6 cerning access, communication, and navigation, in-
7 cluding through foundational agreements; and

8 (7) promote cooperation with United States al-
9 lies in the Indo-Pacific, including Japan and Aus-
10 tralia, and major defense partners, including India,
11 and NATO allies, including the United Kingdom and
12 France, to support a rules-based order in such re-
13 gion.

14 (c) STRATEGY.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of the enactment of this Act, the Sec-
17 retary of State, in coordination with the Secretary of
18 Defense and the Administrator of the United States
19 Agency for International Development (USAID),
20 shall submit to the appropriate committees of Con-
21 gress a multi-year strategy for United States en-
22 gagement to support United States interests in the
23 Indian Ocean region. Such strategy shall—

1 (A) define United States political, eco-
2 nomic, and security interests in the Indian
3 Ocean region;

4 (B) outline challenges to the interests of
5 the United States in such region;

6 (C) outline efforts to improve cooperation
7 between the United States and members of the
8 Quad, including India, Japan, and Australia,
9 through coordination in diplomacy and develop-
10 ment priorities, joint military exercises and op-
11 erations, and other activities that promote
12 United States political, economic, and security
13 interests;

14 (D) outline efforts to support economic
15 connectivity in such region, including through
16 the United States-India-Japan Trilateral Infra-
17 structure Working Group, the Asia-Africa
18 Growth Corridor, and other efforts to expand
19 and enhance connectivity across the Indo-Pa-
20 cific, including with the countries of Southeast
21 Asia, that maintain high standards of invest-
22 ment and support for civil society and people-
23 to-people connectivity;

24 (E) describe how the United States can en-
25 gage with regional intergovernmental organiza-

1 tions and entities, including the Indian Ocean
2 Rim Association, to promote United States po-
3 litical, economic, and security interests in such
4 region;

5 (F) review the United States diplomatic
6 posture in such region, including an assessment
7 of United States diplomatic engagement in
8 countries without a permanent United States
9 embassy or diplomatic mission, and an assess-
10 ment of ways to improve the cooperation with
11 the Maldives, the Seychelles, and Comoros;

12 (G) review United States diplomatic agree-
13 ments with countries in such region that facili-
14 tate United States military operations in such
15 region, including bilateral and multilateral
16 agreements, and describe efforts to expand
17 United States cooperation with such countries
18 through the negotiation of additional agree-
19 ments; and

20 (H) include a security assistance strategy
21 for such region that outlines priorities, objec-
22 tives, and actions for United States security as-
23 sistance efforts to governments of countries in
24 such region to promote United States political,
25 economic, and security interests in such region.

1 (2) INCLUSION.—The strategy required under
2 paragraph (1) may be submitted as a part of any
3 other strategy relating to the Indo-Pacific.

4 (3) REPORT ON IMPLEMENTATION.—Not later
5 than one year after the submission of the strategy
6 required under paragraph (1) and one year there-
7 after, the Secretary of State shall submit to the ap-
8 propriate congressional committees a report on
9 progress made toward implementing such strategy.

10 (d) UNITED STATES-CHINA ECONOMIC AND SECUR-
11 RITY REVIEW COMMISSION.—

12 (1) IN GENERAL.—Subparagraph (E) of section
13 1238(e)(2) of the Floyd D. Spence National Defense
14 Authorization Act for Fiscal Year 2001 (22 U.S.C.
15 7002(e)(2)) is amended—

16 (A) by inserting “, including in the Indian
17 Ocean region” after “deployments of the Peo-
18 ple’s Republic of China military”; and

19 (B) by adding at the end the following new
20 sentence: “In this subparagraph, the term ‘In-
21 dian Ocean region’ means the Indian Ocean, in-
22 cluding the Arabian Sea and the Bay of Bengal,
23 and the littoral areas surrounding the Indian
24 Ocean.”.

1 (2) EFFECTIVE DATE.—The amendments made
2 by paragraph (1) shall take effect on the date of the
3 enactment of this Act and apply beginning with the
4 first report required under section 1238 of the Floyd
5 D. Spence National Defense Authorization Act for
6 Fiscal Year 2001 (as amended by such paragraph)
7 that is submitted after such date.

8 (e) DEFINITIONS.—In this section:

9 (1) APPROPRIATE COMMITTEES OF CON-
10 GRESS.—The term “appropriate committees of Con-
11 gress” means the Committee on Foreign Affairs and
12 the Committee on Armed Services of the House of
13 Representatives and the Committee on Foreign Re-
14 lations and the Committee on Armed Services of the
15 Senate.

16 (2) INDIAN OCEAN REGION.—The term “Indian
17 Ocean region” means the Indian Ocean, including
18 the Arabian Sea and the Bay of Bengal, and the lit-
19 toral areas surrounding the Indian Ocean.

PART 4—AFRICA**SEC. 30271. ASSESSMENT OF POLITICAL, ECONOMIC, AND SECURITY ACTIVITY OF THE PEOPLE’S REPUBLIC OF CHINA IN AFRICA.**

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

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

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

(b) INTELLIGENCE ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in coordination with the Director of National Intelligence, submit to the appropriate committees of Congress a report that assesses the nature and impact of the People’s Republic of China’s political, economic, socio-cultural, and security sector activity in Africa, and its impact on United States strategic interests, including information relating to—

(1) the amount and impact of direct investment, loans, development financing, oil-for-loans deals, and other preferential trading arrangements;

1 (2) the involvement of People’s Republic of
2 China (PRC) state-owned enterprises in Africa;

3 (3) the amount of African debt held by the
4 PRC;

5 (4) the involvement of PRC private security,
6 technology and media companies in Africa;

7 (5) the scale and impact of PRC arms sales to
8 African countries;

9 (6) the scope of PRC investment in and control
10 of African energy resources and minerals critical for
11 emerging and foundational technologies;

12 (7) an analysis on the linkages between PRC’s
13 aid and assistance to African countries and African
14 countries supporting PRC geopolitical goals in inter-
15 national fora;

16 (8) the methods, tools, and tactics used to fa-
17 cilitate illegal and corrupt activity, including trade in
18 counterfeit and illicit goods, to include smuggled ex-
19 tractive resources and wildlife products, between Af-
20 rica and the PRC;

21 (9) the methods and techniques that the PRC
22 uses to exert undue influence on African govern-
23 ments and facilitate corrupt activity in Africa, in-
24 cluding through the CCP’s party-to-party training

1 program, and to influence African multilateral orga-
2 nizations; and

3 (10) an analysis of the soft power, cultural and
4 educational activities undertaken by the PRC and
5 CCP to seek to expand its influence in Africa.

6 **SEC. 30272. INCREASING THE COMPETITIVENESS OF THE**
7 **UNITED STATES IN AFRICA.**

8 (a) **APPROPRIATE COMMITTEES OF CONGRESS DE-**
9 **FINED.**—In this section, the term “appropriate commit-
10 tees of Congress” means—

11 (1) the Committee on Foreign Relations, the
12 Committee on Appropriations, and the Committee on
13 Finance of the Senate; and

14 (2) the Committee on Foreign Affairs, the
15 Committee on Appropriations, and the Committee on
16 Ways and Means of the House of Representatives.

17 (b) **STRATEGY REQUIREMENT.**—Not later than 180
18 days after the date of the enactment of this Act, the Sec-
19 retary of State shall, in consultation with the Secretary
20 of the Treasury, the Secretary of Commerce, the Attorney
21 General, the United States Trade Representative, the Ad-
22 ministrator of the United States Agency for International
23 Development, and the leadership of the United States
24 International Development Finance Corporation, submit
25 to the appropriate committees of Congress a report setting

1 forth a multi-year strategy for increasing United States
2 economic competitiveness and promoting improvements in
3 the investment climate in Africa, including through sup-
4 port for—

5 (1) democratic institutions and the rule of law,
6 including property rights; and

7 (2) improved transparency, anti-corruption ef-
8 forts, and good governance.

9 (c) ELEMENTS.—The strategy submitted pursuant to
10 subsection (a) shall include—

11 (1) a description and assessment of barriers to
12 United States investment in Africa for United States
13 businesses, including a clear identification of the dif-
14 ferent barriers facing small-sized and medium-sized
15 businesses, and an assessment of whether existing
16 programs effectively address such barriers;

17 (2) a description and assessment of barriers to
18 African diaspora investment in Africa, and rec-
19 ommendations to overcome such barriers;

20 (3) an identification of the economic sectors in
21 the United States that have a comparative advan-
22 tage in African markets;

23 (4) an assessment of additional foreign assist-
24 ance needs, including democracy and governance and

1 rule of law support, to promote a conducive oper-
2 ating environment in priority countries;

3 (5) establishing a dialogue on security, develop-
4 ment, and environmental issues of mutual interest;
5 and

6 (6) a plan to regularly host a United States-Af-
7 rica Leaders Summit to promote strategic engage-
8 ment and security in Africa.

9 (d) ASSESSMENT OF UNITED STATES GOVERNMENT
10 HUMAN RESOURCES CAPACITY.—The Comptroller Gen-
11 eral of the United States shall—

12 (1) conduct a review of the number of Foreign
13 Commercial Service Officers and Department of
14 State Economic Officers at United States embassies
15 in sub-Saharan Africa; and

16 (2) develop and submit to the appropriate con-
17 gressional committees an assessment of whether
18 human resource capacity in such embassies is ade-
19 quate to meet the goals of the various trade and eco-
20 nomic programs and initiatives in Africa, including
21 the African Growth and Opportunity Act and Pros-
22 per Africa.

1 **SEC. 30273. DIGITAL SECURITY COOPERATION WITH RE-**
2 **SPECT TO AFRICA.**

3 (a) APPROPRIATE COMMITTEES OF CONGRESS DE-
4 FINED.—In this section, the term “appropriate commit-
5 tees of Congress” means—

6 (1) the Committee on Foreign Relations, the
7 Committee on Armed Services, the Select Committee
8 on Intelligence of the Senate, and the Committee on
9 Homeland Security and Governmental Affairs; and

10 (2) the Committee on Foreign Affairs, the
11 Committee on Armed Services, the Permanent Select
12 Committee on Intelligence, and the Committee on
13 Oversight and Reform of the House of Representa-
14 tives.

15 (b) INTERAGENCY WORKING GROUP TO COUNTER
16 PRC CYBER AGGRESSION IN AFRICA.—

17 (1) IN GENERAL.—The President shall establish
18 an interagency Working Group, which shall include
19 the National Cyber Director and representatives of
20 the Department of State, the Department of De-
21 fense, the Office of the Director of National Intel-
22 ligence, and such other agencies of the United States
23 Government as the President considers appropriate,
24 on means to counter PRC cyber aggression with re-
25 spect to Africa.

1 (2) DUTIES.—The Working Group established
2 pursuant to this subsection shall develop and submit
3 to the appropriate congressional committees a set of
4 recommendations, such as for—

5 (A) bolstering the capacity of governments
6 in Africa to ensure the integrity of their data
7 networks and critical infrastructure, where ap-
8 plicable;

9 (B) providing alternatives to Huawei;

10 (C) an action plan for United States em-
11 bassies in Africa to provide assistance to host-
12 country governments with respect to protecting
13 their vital digital networks and infrastructure
14 from PRC espionage, including an assessment
15 of staffing resources needed to implement the
16 action plan in embassies in Africa;

17 (D) utilizing interagency resources to
18 counter PRC disinformation and propaganda in
19 traditional and digital media targeted to Afri-
20 can audiences; and

21 (E) helping civil society in Africa counter
22 digital authoritarianism and identifying tools
23 and assistance to enhance and promote digital
24 democracy.

1 **SEC. 30274. SUPPORT FOR YOUNG AFRICAN LEADERS INI-**
2 **TIATIVE.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the Young African Leaders Initiative,
6 launched in 2010, is a signature effort to invest in
7 the next generation of African leaders;

8 (2) Africa is a continent of strategic importance
9 and it is vital for the United States to support
10 strong and enduring partnerships with the next gen-
11 eration of African leaders;

12 (3) the United States Government should
13 prioritize investments to build the capacity of emerg-
14 ing young African leaders in sub-Saharan Africa, in-
15 cluding through efforts to—

16 (A) enhance leadership skills;

17 (B) encourage entrepreneurship;

18 (C) strengthen public administration and
19 the role of civil society;

20 (D) enhance peace and security in their re-
21 spective countries of origin and across Africa;
22 and

23 (E) connect young African leaders con-
24 tinently and globally across the private, civic,
25 and public sectors;

1 (4) youth in Africa have a positive impact on
2 efforts to foster economic growth, improve public
3 sector transparency and governance, and counter ex-
4 tremism, and should be an area of focus for United
5 States outreach on the African continent; and

6 (5) the Secretary of State should—

7 (A) increase the number of fellows from
8 Africa participating in the Mandela Washington
9 Fellowship above the estimated 700 fellows who
10 participated during fiscal year 2021; and

11 (B) identify additional ways to connect
12 YALI alumni to United States public and pri-
13 vate resources and institutions.

14 (b) YOUNG AFRICAN LEADERS INITIATIVE PRO-
15 GRAM.—

16 (1) IN GENERAL.—There is established the
17 Young African Leaders Initiative (“YALI”), which
18 shall be carried out by the Secretary of State.

19 (2) PURPOSE.—YALI shall seek to build the ca-
20 pacity of young African leaders in sub-Saharan Afri-
21 ca in the areas of business, civic engagement, or
22 public administration, including through efforts to—

23 (A) support young African leaders by of-
24 fering professional development, training, and
25 networking opportunities, particularly in the

1 areas of leadership, innovation, civic engage-
2 ment, elections, human rights, entrepreneur-
3 ship, good governance, peace and security, and
4 public administration; and

5 (B) provide increased economic and tech-
6 nical assistance to young African leaders to pro-
7 mote economic growth, strengthen ties between
8 United States and African businesses, build re-
9 siliance to predatory lending practices, and im-
10 prove capacity in key economic areas such as
11 tendering, bidding, and contract negotiations,
12 budget management and oversight, anti-corrup-
13 tion, and establishment of clear policy and reg-
14 ulatory practices.

15 (3) FELLOWSHIPS.—

16 (A) IN GENERAL.—YALI shall support the
17 participation in the United States in the
18 Mandela Washington Fellowship for Young Af-
19 rican Leaders of fellows from Africa who—

20 (i) are between 25 and 35 years of
21 age;

22 (ii) have demonstrated strong capa-
23 bilities in entrepreneurship, innovation,
24 public service, and leadership; and

1 (iii) have had a positive impact in
2 their communities, organizations, or insti-
3 tutions.

4 (B) OVERSIGHT.—The fellowships de-
5 scribed in paragraph (1) shall be overseen by
6 the Secretary of State through the Bureau of
7 Education and Cultural Affairs.

8 (C) ELIGIBILITY.—The Secretary of State
9 shall establish and publish—

10 (i) eligibility criteria for participation
11 as a fellow under paragraph (1); and

12 (ii) criteria for determining which eli-
13 gible applicants will be selected.

14 (4) RECIPROCAL EXCHANGES.—Subject to the
15 approval of the Secretary of State, United States
16 citizens may—

17 (A) engage in reciprocal exchanges in con-
18 nection with alumni of the fellowship described
19 in subsection (c); and

20 (B) collaborate on projects with such fel-
21 lowship alumni.

22 (5) REGIONAL LEADERSHIP CENTERS AND NET-
23 WORKS.—The Administrator of the United States
24 Agency for International Development shall estab-
25 lish—

1 (A) not fewer than 4 regional leadership
2 centers in sub-Saharan Africa to offer in-person
3 and online training throughout the year on
4 business and entrepreneurship, civic leadership,
5 and public management to young African lead-
6 ers between 18 and 35 years of age who have
7 demonstrated strong capabilities in entrepre-
8 neurship, innovation, public service and leader-
9 ship, and peace-building and conflict resolution,
10 and who have had a positive impact in their
11 communities, organizations, or institutions; and

12 (B) an online network that provides infor-
13 mation and courses on, and connections with
14 leaders in, the private and public sectors of Af-
15 rica.

16 (6) ACTIVITIES.—

17 (A) UNITED STATES-BASED ACTIVITIES.—
18 The Secretary of State, in coordination with the
19 heads of relevant Federal departments and
20 agencies, shall oversee all United States-based
21 activities carried out under YALI, including—

22 (i) the participation of Mandela
23 Washington Fellows in a six-week Leader-
24 ship Institute at a United States edu-
25 cational institution in business, civic en-

1 gagement, or public management, includ-
2 ing academic sessions, site visits, profes-
3 sional networking opportunities, leadership
4 training, community service, and organized
5 cultural activities; and

6 (ii) the participation by Mandela
7 Washington fellows in an annual Mandela
8 Washington Fellowship Summit, to provide
9 such Fellows the opportunity to meet with
10 United States leaders from the private,
11 public, and non-profit sectors.

12 (B) AFRICA-BASED ACTIVITIES.—The Sec-
13 retary of State, in coordination with the Admin-
14 istrator for the United States Agency for Inter-
15 national Development and the heads of other
16 relevant Federal departments and agencies,
17 should continue to support YALI activities in
18 sub-Saharan Africa, including—

19 (i) continued leadership training and
20 other professional development opportuni-
21 ties for Mandela Washington Fellowship
22 for Young African Leaders alumni upon
23 their return to their home countries, in-
24 cluding online courses, technical assistance,
25 and access to funding;

1 (ii) training for young African leaders
2 at regional leadership centers established
3 in accordance with subsection (e), and
4 through online and in-person courses of-
5 fered by such centers; and

6 (iii) opportunities for networking and
7 engagement with—

8 (I) alumni of the Mandela Wash-
9 ington Fellowship for Young African
10 Leaders;

11 (II) alumni of programs at re-
12 gional leadership centers established
13 in accordance with subsection (e);

14 (III) United States and like-
15 minded diplomatic missions, business
16 leaders, and others as appropriate;
17 and

18 (IV) where practicable and ap-
19 propriate, other United States-funded
20 regional leadership programs, includ-
21 ing the Young Southeast Asian Lead-
22 ers Initiative (YSEALI), the Young
23 Leaders of the Americas Initiative
24 (YLAI), the Young Pacific Leaders
25 (YPL), and the Young Transatlantic

1 Innovation Leaders Initiative
2 (YTILI), and through Department of
3 State programs such as the Commu-
4 nity Engagement Exchange Program
5 and other initiatives.

6 (C) IMPLEMENTATION.—To carry out this
7 subsection, the Secretary of State, in coordina-
8 tion with the Administrator of the United
9 States Agency for International Development
10 and the heads of other relevant Federal depart-
11 ments and agencies shall seek to partner with
12 the private sector to pursue public-private part-
13 nerships, leverage private sector expertise, ex-
14 pand networking opportunities, and identify
15 funding opportunities as well as fellowship and
16 employment opportunities for YALI.

17 (7) IMPLEMENTATION PLAN.—Not later than
18 180 days after the date of the enactment of this Act,
19 the Secretary of State, in coordination with the Ad-
20 ministrator of the United States Agency for Inter-
21 national Development and the heads of other rel-
22 evant Federal departments and agencies, shall sub-
23 mit to the appropriate congressional committees a
24 plan for implementing YALI, including—

1 (A) a description of clearly defined pro-
2 gram goals, targets, and planned outcomes for
3 each year and for the duration of implementa-
4 tion of the program;

5 (B) a strategy to monitor and evaluate the
6 program and progress made toward achieving
7 such goals, targets, and planned outcomes; and

8 (C) a strategy to ensure the program is
9 promoting United States foreign policy goals in
10 Africa, including ensuring that the program is
11 clearly branded, paired with robust public diplo-
12 macy efforts, and incorporates diversity among
13 participants as practicable, including countries
14 and communities in Africa facing economic dis-
15 tress, civil conflict, marginalization, and other
16 challenges.

17 (8) REPORT.—Not later than 1 year after the
18 date of the enactment of this Act, and annually
19 thereafter for 5 years, the Secretary of State, in co-
20 ordination with the Administrator of the United
21 States Agency for International Development, shall
22 submit to the appropriate congressional committees
23 and publish in a publicly accessible, internet-based
24 form, a report that includes—

1 (A) a description of the progress made to-
2 ward achieving the goals, targets, and planned
3 outcomes described in subsection (g)(1), includ-
4 ing an overview of the program implemented in
5 the previous year and an estimated number of
6 beneficiaries;

7 (B) an assessment of how YALI is contrib-
8 uting to and promoting United States-Africa re-
9 lations, particularly in areas of increased pri-
10 vate sector investment, trade promotion, sup-
11 port to civil society, improved public adminis-
12 tration, promoting peace and security, and fos-
13 tering entrepreneurship and youth empower-
14 ment;

15 (C) recommendations for improvements or
16 changes to YALI and the implementation plan,
17 if any, that would improve their effectiveness
18 during subsequent years of YALI's implementa-
19 tion; and

20 (D) for the first report submitted under
21 this subsection, an assessment of the feasibility
22 of expanding YALI to Morocco, Algeria, Tuni-
23 sia, Libya, and Egypt.

1 (9) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES DEFINED.—In this section, the term “appro-
3 priate congressional committees” means—

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

6 (B) the Committee on Appropriations of
7 the Senate;

8 (C) the Committee on Foreign Affairs of
9 the House of Representatives; and

10 (D) the Committee on Appropriations of
11 the House of Representatives.

12 (10) SUNSET.—The requirements of this sec-
13 tion shall terminate on the date that is 5 years after
14 the date of the enactment of this Act.

15 **SEC. 30275. AFRICA BROADCASTING NETWORKS.**

16 Not later than 180 days after the date of the enact-
17 ment of this Act, the Chief Executive Officer of the United
18 States Agency for Global Media shall submit to the appro-
19 priate congressional committees a report on the resources
20 and timeline needed to establish within the Agency an or-
21 ganization the mission of which shall be to promote demo-
22 cratic values and institutions in Africa by providing objec-
23 tive, accurate, and relevant news and information to the
24 people of Africa and counter disinformation from malign
25 actors, especially in countries in which a free press is

1 banned by the government or not fully established, about
2 the region, the world, and the United States through un-
3 censored news, responsible discussion, and open debate.

4 **SEC. 30276. AFRICA ENERGY SECURITY AND DIVERSIFICA-**
5 **TION.**

6 (a) STATEMENT OF POLICY.—It is the policy of the
7 United States to support increased access to energy in Af-
8 rica and reduce Africa’s energy dependence on countries
9 that use energy reliance for undue political influence such
10 as the Russian Federation and the People’s Republic of
11 China.

12 (b) FINDINGS.—Congress finds the following:

13 (1) Lack of access to energy remains a signifi-
14 cant barrier to economic advancement and oppor-
15 tunity in Africa. As of 2018, an estimated
16 789,000,000 people, the vast majority of them in
17 sub-Saharan Africa, lacked access to any modern
18 electricity. Even in the region’s most advanced
19 economies, average annual per capita electricity con-
20 sumption is often under 200 kilowatt-hours, less
21 than what is needed to power a typical refrigerator.
22 Only a small fraction of the 12,000,000 young Afri-
23 cans who enter the job market each year find em-
24 ployment; and the cost and reliability of electricity

1 remain top constraints to job creation and economic
2 competitiveness.

3 (2) The United States' global strategic competi-
4 tors have stepped in to address this disparity and fi-
5 nance energy sector development across Africa.
6 China is the single largest trading partner for Afri-
7 can countries in aggregate, and the largest bilateral
8 lender for public sector loans across Africa. Approxi-
9 mately 65 percent of Chinese lending to Africa goes
10 to infrastructure, and between 2013–2020, the en-
11 ergy sector consistently accounted for the largest
12 share of all investment under China's Belt and Road
13 Initiative.

14 (3) Reliable, affordable, and sustainable power
15 is the foundation for all modern economies and nec-
16 essary for increasing growth and employment.

17 (4) Increasing energy supply in low- and lower
18 middle-income countries is necessary in the next dec-
19 ades in order to meet human, social, security, and
20 economic needs.

21 (5) Addressing energy poverty, powering inclu-
22 sive economies, and making energy systems resilient
23 in low- and lower middle-income countries will re-
24 quire diversified power systems and a mix of tech-

1 nologies that align with local conditions, resources,
2 and needs.

3 (c) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that countries in Africa continue to be important
5 partners to the United States and the DFC should con-
6 tinue to make investments in sub-Saharan Africa to facili-
7 tate technologies that contribute to energy security and
8 reliable, affordable, and sustainable power in low and
9 lower middle-income countries.

10 (d) AMENDMENT.—Section 3 of the Electrify Africa
11 Act of 2015 (Public Law 114–121; 22 U.S.C. 2293 note)
12 is amended—

13 (1) in paragraph (8), by striking “and” at the
14 end;

15 (2) in paragraph (9), by striking the period and
16 inserting a semicolon; and

17 (3) by inserting after paragraph (9) the fol-
18 lowing:

19 “(10) advance United States foreign policy and
20 development goals by assisting African countries to
21 reduce their dependence on energy resources from
22 countries that use energy dependence for undue po-
23 litical influence, such as the Russian Federation or
24 the People’s Republic of China, which have used en-

1 energy and financial resources to influence other coun-
2 tries;

3 “(11) promote the energy security of allies and
4 partners of the United States by encouraging the de-
5 velopment of accessible, transparent, and competitive
6 energy markets that provide diversified sources and
7 reliable, affordable, and sustainable power;

8 “(12) encourage United States public and pri-
9 vate sector investment in African energy infrastruc-
10 ture projects to bridge the gap between energy secu-
11 rity requirements and commercial demand in a way
12 that is consistent with the region’s capacity; and

13 “(13) help facilitate the export of United States
14 energy resources, technology, and expertise to global
15 markets in a way that benefits the energy security
16 of allies and partners of the United States, including
17 in Africa.”.

18 **PART 5—MIDDLE EAST AND NORTH AFRICA**

19 **SEC. 30281. STRATEGY TO COUNTER CHINESE INFLUENCE**
20 **IN, AND ACCESS TO, THE MIDDLE EAST AND**
21 **NORTH AFRICA.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that—

24 (1) the People’s Republic of China is upgrading
25 its influence in the Middle East and North Africa

1 through its energy and infrastructure investments,
2 technology transfer, and arms sales;

3 (2) the People’s Republic of China seeks to es-
4 tablish military or dual use facilities in geographi-
5 cally strategic locations in the Middle East and
6 North Africa to further its Belt and Road Initiative
7 at the expense of United States national security in-
8 terests; and

9 (3) the export of certain communications infra-
10 structure from the People’s Republic of China de-
11 grades the security of partner networks, exposes in-
12 tellectual property to theft, threatens the ability of
13 the United States to conduct security cooperation
14 with compromised regional partners, and furthers
15 China’s authoritarian surveillance model.

16 (b) STRATEGY REQUIRED.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary of State, in coordination with the Secretary of
20 Defense, the Administrator of the United States
21 Agency for International Development, and the
22 heads of other appropriate Federal agencies, shall
23 jointly develop and submit to the appropriate con-
24 gressional committees and the Committees on Armed
25 Services of the Senate and the House of Representa-

1 tives a strategy for countering and limiting the Peo-
2 ple's Republic of China's influence in, and access to,
3 the Middle East and North Africa.

4 (2) ELEMENTS.—The strategy required under
5 paragraph (1) shall include—

6 (A) an assessment of the People's Republic
7 of China's intent with regards to increased co-
8 operation with Middle East and North African
9 countries and how such cooperation fits into its
10 broader global strategic objectives;

11 (B) an assessment of how governments
12 across the region are responding to the People's
13 Republic of China's efforts to increase its mili-
14 tary presence in their countries;

15 (C) efforts to improve regional cooperation
16 through foreign military sales, financing, and
17 efforts to build partner capacity and increase
18 interoperability with the United States;

19 (D) an assessment of the People's Republic
20 of China's joint research and development with
21 the Middle East and North Africa, impacts on
22 the United States' national security interests,
23 and recommended steps to mitigate the People's
24 Republic of China's influence in such area;

1 (E) an assessment of arms sales and weap-
2 ons technology transfers from the People’s Re-
3 public of China to the Middle East and North
4 Africa, impacts on United States’ national secu-
5 rity interests, and recommended steps to miti-
6 gate the People’s Republic of China’s influence
7 in such area;

8 (F) an assessment of the People’s Republic
9 of China’s military sales to the region, including
10 lethal and non-lethal unmanned aerial systems;

11 (G) an assessment of People’s Republic of
12 China military basing and dual-use facility ini-
13 tiatives across the Middle East and North Afri-
14 ca, impacts on United States’ national security
15 interests, and recommended steps to mitigate
16 the People’s Republic of China’s influence in
17 such area;

18 (H) efforts to improve regional security co-
19 operation with United States allies and partners
20 with a focus on—

21 (i) maritime security in the Arabian
22 Gulf, the Red Sea, and the Eastern Medi-
23 terranean;

24 (ii) integrated air and missile defense;

25 (iii) cyber security;

- 1 (iv) border security; and
- 2 (v) critical infrastructure security, to
- 3 include energy security;
- 4 (I) increased support for government-to-
- 5 government engagement on critical infrastruc-
- 6 ture development projects, including ports and
- 7 water infrastructure;
- 8 (J) efforts to encourage United States pri-
- 9 vate sector and public-private partnerships in
- 10 healthcare technology and foreign direct invest-
- 11 ment in non-energy sectors;
- 12 (K) efforts to expand youth engagement
- 13 and professional education exchanges with key
- 14 partner countries;
- 15 (L) specific steps to counter increased in-
- 16 vestment from the People's Republic of China
- 17 in telecommunications infrastructure and diplo-
- 18 matic efforts to stress the political, economic,
- 19 and social benefits of a free and open internet;
- 20 (M) efforts to promote United States pri-
- 21 vate sector engagement in and public-private
- 22 partnerships on renewable energy development;
- 23 (N) the expansion of public-private part-
- 24 nership efforts on water, desalination, and irri-
- 25 gation projects;

1 (O) efforts to warn United States partners
2 in the Middle East and North Africa of the
3 risks associated with the People’s Republic of
4 China’s telecommunications infrastructure and
5 provide alternative “clean paths” to the Peo-
6 ple’s Republic of China’s technology; and

7 (P) opportunities of potential partnership
8 with Israel and other regional nations in areas
9 such as technological cooperation in areas crit-
10 ical to national security.

11 (c) FORM.—The strategy required under section (b)
12 shall be submitted in an unclassified form that can be
13 made available to the public, but may include a classified
14 annex as necessary.

15 **SEC. 30282. SENSE OF CONGRESS ON MIDDLE EAST AND**
16 **NORTH AFRICA ENGAGEMENT.**

17 (a) FINDINGS.—Congress makes the following find-
18 ings:

19 (1) The United States and the international
20 community have long-term interests in the stability,
21 security, and prosperity of the people of the Middle
22 East and North Africa.

23 (2) In addition to and apart from military and
24 security efforts, the United States should harness a
25 whole of government approach, including bilateral

1 and multilateral statecraft, economic lines of effort,
2 and public diplomacy to compete with and counter
3 PRC influence.

4 (3) A clearly articulated positive narrative of
5 United States engagement, transparent governance
6 structures, and active civil society engagement help
7 counter predatory foreign investment and influence
8 efforts.

9 (b) STATEMENT OF POLICY.—It is the policy of the
10 United States that the United States and the international
11 community should continue diplomatic and economic ef-
12 forts throughout the Middle East and North Africa that
13 support reform efforts to—

- 14 (1) promote greater economic opportunity;
- 15 (2) foster private sector development;
- 16 (3) strengthen civil society;
- 17 (4) promote transparent and democratic gov-
18 ernance and the rule of law; and
- 19 (5) promote greater regional integration and
20 intraregional cooperation, including with Israel.

21 **SEC. 30283. SENSE OF CONGRESS ON PEOPLE'S REPUBLIC**
22 **OF CHINA-IRAN RELATIONSHIP.**

23 It is the sense of Congress that the People's Republic
24 of China's economic relationship with Iran, including oil
25 purchases in violation of United States sanctions, under-

1 mines United States efforts to compel Iran to abandon
2 its malign activities.

3 **PART 6—ARCTIC REGION**

4 **SEC. 30285. ARCTIC DIPLOMACY.**

5 (a) SENSE OF CONGRESS ON ARCTIC SECURITY.—

6 It is the sense of Congress that—

7 (1) the rapidly changing Arctic environment—

8 (A) creates new national and regional secu-
9 rity challenges due to increased military activity
10 in the Arctic;

11 (B) heightens the risk of the Arctic emerg-
12 ing as a major theater of conflict in ongoing
13 strategic competition;

14 (C) threatens maritime safety as Arctic lit-
15 toral countries have inadequate capacity to pa-
16 trol the increased vessel traffic in this remote
17 region, which is a result of diminished annual
18 levels of sea ice;

19 (D) impacts public safety due to increased
20 human activity in the Arctic region where
21 search and rescue capacity remains very lim-
22 ited; and

23 (E) threatens the health of the Arctic's
24 fragile and pristine environment and the unique

1 and highly sensitive species found in the Arc-
2 tic's marine and terrestrial ecosystems; and

3 (2) the United States should reduce the con-
4 sequences described in paragraph (1) by—

5 (A) evaluating the wide variety and dy-
6 namic set of security and safety risks devel-
7 oping in the Arctic;

8 (B) developing policies and making prep-
9 arations to mitigate and respond to threats and
10 risks in the Arctic, including by continuing to
11 work with allies and partners in the Arctic re-
12 gion to deter potential aggressive activities and
13 build Arctic competencies;

14 (C) adequately funding the National Earth
15 System Prediction Capability to substantively
16 improve weather, ocean, and ice predictions on
17 the time scales necessary to ensure regional se-
18 curity and trans-Arctic shipping;

19 (D) investing in resources, including a sig-
20 nificantly expanded icebreaker fleet, to ensure
21 that the United States has adequate capacity to
22 prevent and respond to security threats in the
23 Arctic region; and

1 (E) pursuing diplomatic engagements with
2 all states in the Arctic region to reach an agree-
3 ment for—

4 (i) maintaining peace and stability in
5 the Arctic region;

6 (ii) fostering cooperation on steward-
7 ship and safety initiatives in the Arctic re-
8 gion;

9 (iii) ensuring safe and efficient man-
10 agement of commercial maritime traffic in
11 the Arctic;

12 (iv) promoting responsible natural re-
13 source management and economic develop-
14 ment; and

15 (v) countering China's Polar Silk
16 Road initiative;

17 (vi) examining the possibility of recon-
18 vening the Arctic Chiefs of Defense
19 Forum; and

20 (vii) reducing black carbon and meth-
21 ane emissions in the Arctic Region, includ-
22 ing by working with observers of the Arctic
23 Council, including India and the People's
24 Republic of China, to adopt mitigation
25 plans consistent with the findings and rec-

1 ommendations of the Arctic Council's
2 Framework for Action on Black Carbon
3 and Methane.

4 (b) STATEMENT OF POLICY.—It is the policy of the
5 United States—

6 (1) to recognize only the states specified in sub-
7 section (c)(1) as Arctic states, and to reject all other
8 claims to such status; and

9 (2) that the militarization of the Arctic poses a
10 serious threat to Arctic peace and stability, and the
11 interests of United States allies and partners.

12 (c) DEFINITIONS.—In this section:

13 (1) ARCTIC STATES.—The term “Arctic states”
14 means Russia, Canada, the United States, Norway,
15 Denmark (including Greenland), Finland, Sweden,
16 and Iceland.

17 (2) ARCTIC REGION.—The term “Arctic Re-
18 gion” means the geographic region north of the
19 66.56083 parallel latitude north of the equator.

20 (d) DESIGNATION OF AMBASSADOR AT LARGE FOR
21 ARCTIC AFFAIRS.—There is established within the De-
22 partment of State an Ambassador at Large for Arctic Af-
23 fairs (referred to in this section as the “Ambassador”),
24 appointed in accordance with paragraph (1).

1 (1) APPOINTMENT.—The Ambassador shall be
2 appointed by the President, by and with the advice
3 and consent of the Senate.

4 (2) DUTIES.—

5 (A) DIPLOMATIC REPRESENTATION.—Sub-
6 ject to the direction of the President and the
7 Secretary of State, the Ambassador is author-
8 ized to represent the United States in matters
9 and cases relevant to the Arctic Region in—

10 (i) contacts with foreign governments,
11 intergovernmental organizations, and spe-
12 cialized agencies of the United Nations,
13 the Arctic Council, and other international
14 organizations of which the United States is
15 a member; and

16 (ii) multilateral conferences and meet-
17 ings relating to Arctic affairs.

18 (B) CHAIR OF THE ARCTIC COUNCIL.—The
19 Ambassador shall serve as the Chair of the Arc-
20 tic Council when the United States holds the
21 Chairmanship of the Arctic Council.

22 (3) POLICIES AND PROCEDURES.—The Amba-
23 sador shall coordinate United States policies related
24 to the Arctic Region, including—

1 (A) meeting national security, economic,
2 and commercial needs pertaining to Arctic af-
3 fairs;

4 (B) protecting the Arctic environment and
5 conserving its biological resources;

6 (C) promoting environmentally sustainable
7 natural resource management and economic de-
8 velopment;

9 (D) strengthening institutions for coopera-
10 tion among the Arctic states;

11 (E) involving Arctic indigenous people in
12 decisions that affect them;

13 (F) enhancing scientific monitoring and re-
14 search on local, regional, and global environ-
15 mental issues;

16 (G) integrating scientific data on the cur-
17 rent and projected effects of climate change in
18 the Arctic Region and ensure that such data is
19 applied to the development of security strategies
20 for the Arctic Region;

21 (H) making available the methods and ap-
22 proaches on the integration of climate science
23 to other regional security planning programs in
24 the Department of State to better ensure that
25 broader decision-making processes may more

1 adequately account for the effects of climate
2 change; and

3 (I) reducing black carbon and methane
4 emissions in the Arctic Region.

5 (e) ARCTIC REGION SECURITY POLICY.—The Am-
6 bassador shall develop a policy, to be known as the “Arctic
7 Region Security Policy”, to assess, develop, budget for,
8 and implement plans, policies, and actions—

9 (1) to bolster the diplomatic presence of the
10 United States in Arctic states, including through en-
11 hancements to diplomatic missions and facilities,
12 participation in regional and bilateral dialogues re-
13 lated to Arctic security, and coordination of United
14 States initiatives and assistance programs across
15 agencies to protect the national security of the
16 United States and its allies and partners;

17 (2) to enhance the resilience capacities of Arctic
18 states to the effects of environmental change and in-
19 creased civilian and military activity by Arctic states
20 and other states that may result from increased ac-
21 cessibility of the Arctic Region;

22 (3) to assess specific added risks to the Arctic
23 Region and Arctic states that—

24 (A) are vulnerable to the changing Arctic
25 environment; and

1 (B) are strategically significant to the
2 United States;

3 (4) to coordinate the integration of environ-
4 mental change and national security risk and vulner-
5 ability assessments into the decision making process
6 on foreign assistance awards with Greenland;

7 (5) to advance principles of good governance by
8 encouraging and cooperating with Arctic states on
9 collaborative approaches—

10 (A) to responsibly manage natural re-
11 sources in the Arctic Region;

12 (B) to share the burden of ensuring mari-
13 time safety in the Arctic Region;

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

17 (D) to develop mutually agreed upon mul-
18 tilateral policies among Arctic states on the
19 management of maritime transit routes through
20 the Arctic Region and work cooperatively on the
21 transit policies for access to and transit in the
22 Arctic Region by non-Arctic states; and

23 (E) to facilitate the development of Arctic
24 Region Security Action Plans to ensure stability

1 and public safety in disaster situations in a hu-
2 mane and responsible fashion;

3 (6) to evaluate the vulnerability, security, sur-
4 vivability, and resiliency of United States interests
5 and non-defense assets in the Arctic Region; and

6 (7) to reduce black carbon and methane emis-
7 sions in the Arctic.

8 **SEC. 30286. STATEMENT OF POLICY REGARDING OBSERVER**
9 **STATUS FOR TAIWAN ON THE ARCTIC COUN-**
10 **CIL.**

11 It is the policy of the United States to urge that Tai-
12 wan be given observer status on the Arctic Council.

13 **PART 7—OCEANIA**

14 **SEC. 30291. STATEMENT OF POLICY ON UNITED STATES EN-**
15 **GAGEMENT IN OCEANIA.**

16 It shall be the policy of the United States—

17 (1) to elevate the countries of Oceania as a
18 strategic national security and economic priority of
19 the United States Government;

20 (2) to promote civil society, the rule of law, and
21 democratic governance across Oceania as part of a
22 free and open Indo-Pacific region;

23 (3) to broaden and deepen relationships with
24 the Freely Associated States of the Republic of
25 Palau, the Republic of the Marshall Islands, and the

1 Federated States of Micronesia through robust de-
2 fense, diplomatic, economic, and development ex-
3 changes that promote the goals of individual coun-
4 tries and the entire region;

5 (4) to work with the Governments of Australia,
6 New Zealand, and Japan to advance shared alliance
7 goals of the Oceania region concerning health, envi-
8 ronmental protection, disaster resilience and pre-
9 paredness, illegal, unreported and unregulated fish-
10 ing, maritime security, and economic development;

11 (5) to participate, wherever possible and appro-
12 priate, in existing regional organizations and inter-
13 national structures to promote the national security
14 and economic goals of the United States and coun-
15 tries of Oceania;

16 (6) to invest in a whole-of-government United
17 States strategy that will enhance youth engagement
18 and advance long-term growth and development
19 throughout the region, especially as such relates to
20 protecting marine resources that are critical to liveli-
21 hoods and strengthening the resilience of the coun-
22 tries of Oceania against current and future threats
23 resulting from extreme weather and severe changes
24 in the environment;

1 (7) to deter and combat acts of malign foreign
2 influence and corruption aimed at undermining the
3 political, environmental, social, and economic sta-
4 bility of the people and governments of the countries
5 of Oceania;

6 (8) to improve the local capacity of the coun-
7 tries of Oceania to address public health challenges
8 and improve global health security;

9 (9) to help the countries of Oceania access mar-
10 ket-based private sector investments that adhere to
11 best practices regarding transparency, debt sustain-
12 ability, and environmental and social safeguards as
13 an alternative to state-directed investments by au-
14 thoritarian governments;

15 (10) to ensure the people and communities of
16 Oceania remain safe from the risks of old and de-
17 grading munitions hazards and other debris that
18 threaten health and livelihoods;

19 (11) to cooperate with Taiwan by offering
20 United States support for maintaining Taiwan's dip-
21 lomatic partners in Oceania; and

22 (12) to work cooperatively with all governments
23 in Oceania to promote the dignified return of the re-
24 mains of members of the United States Armed

1 Forces who are missing in action from previous con-
2 flicts in the Indo-Pacific region.

3 **SEC. 30292. OCEANIA STRATEGIC ROADMAP.**

4 (a) OCEANIA STRATEGIC ROADMAP.—Not later than
5 180 days after the date of the enactment of this Act, the
6 Secretary of State shall submit to the appropriate congres-
7 sional committees a strategic roadmap for strengthening
8 United States engagement with the countries of Oceania,
9 including an analysis of opportunities to cooperate with
10 Australia, New Zealand, and Japan, to address shared
11 concerns and promote shared goals in pursuit of security
12 and resiliency in the countries of Oceania.

13 (b) ELEMENTS.—The strategic roadmap required by
14 subsection (a) shall include the following:

15 (1) A description of United States regional
16 goals and concerns with respect to Oceania and in-
17 creasing engagement with the countries of Oceania.

18 (2) An assessment, based on paragraph (1), of
19 United States regional goals and concerns that are
20 shared by Australia, New Zealand, and Japan, in-
21 cluding a review of issues related to anti-corruption
22 efforts, maritime and other security issues, environ-
23 mental protection, fisheries management, economic
24 growth and development, and disaster resilience and
25 preparedness.

1 (3) A review of ongoing programs and initia-
2 tives by the Governments of the United States, Aus-
3 tralia, New Zealand, and Japan in pursuit of shared
4 regional goals and concerns.

5 (4) A review of ongoing programs and initia-
6 tives by regional organizations and other related
7 intergovernmental structures aimed at addressing
8 shared regional goals and concerns.

9 (5) A plan for aligning United States programs
10 and resources in pursuit of shared regional goals
11 and concerns, as appropriate.

12 (6) Recommendations for additional United
13 States authorities, personnel, programs, or resources
14 necessary to execute the strategic roadmap.

15 (7) Any other elements the Secretary of State
16 considers appropriate.

17 **SEC. 30293. OCEANIA SECURITY DIALOGUE.**

18 (a) IN GENERAL.—Not later than one year after the
19 date of the enactment of this Act, the Secretary of State
20 shall brief the appropriate committees of Congress on the
21 feasibility and advisability of establishing a United States-
22 based public-private sponsored security dialogue (to be
23 known as the “Oceania Security Dialogue”) among the
24 countries of Oceania for the purposes of jointly exploring
25 and discussing issues affecting the economic, diplomatic,

1 and national security of the Indo-Pacific countries of Oce-
2 ania.

3 (b) REPORT REQUIRED.—The briefing required by
4 subsection (a) shall, at a minimum, include the following:

5 (1) A review of the ability of the Department
6 of State to participate in a public-private sponsored
7 security dialogue.

8 (2) An assessment of the potential locations for
9 conducting an Oceania Security Dialogue in the ju-
10 risdiction of the United States.

11 (3) Consideration of dates for conducting an
12 Oceania Security Dialogue that would maximize par-
13 ticipation of representatives from the Indo-Pacific
14 countries of Oceania.

15 (4) A review of the funding modalities available
16 to the Department of State to help finance an Oce-
17 ania Security Dialogue, including grant-making au-
18 thorities available to the Department of State.

19 (5) An assessment of any administrative, statu-
20 tory, or other legal limitations that would prevent
21 the establishment of an Oceania Security Dialogue
22 with participation and support of the Department of
23 State.

24 (6) An analysis of how an Oceania Security
25 Dialogue could help to advance the Boe Declaration

1 on Regional Security, including its emphasis on the
2 changing environment as the greatest existential
3 threat to countries of Oceania.

4 (7) An evaluation of how an Oceania Security
5 Dialogue could help amplify the issues and work of
6 existing regional structures and organizations dedi-
7 cated to the security of the Oceania region, such as
8 the Pacific Island Forum and Pacific Environmental
9 Security Forum.

10 (8) An analysis of how an Oceania Security
11 Dialogue would help with implementation of the
12 strategic roadmap required by section 30292 and
13 advance the National Security Strategy of the
14 United States.

15 (c) INTERAGENCY CONSULTATION.—To the extent
16 practicable, the Secretary of State may consult with the
17 Secretary of Defense and, where appropriate, evaluate the
18 lessons learned of the Regional Centers for Security Stud-
19 ies of the Department of Defense to determine the feasi-
20 bility and advisability of establishing the Oceania Security
21 Dialogue.

22 **SEC. 30294. OCEANIA PEACE CORPS PARTNERSHIPS.**

23 (a) IN GENERAL.—Not later than one year after the
24 date of the enactment of this Act, the Director of the
25 Peace Corps shall submit to the appropriate congressional

1 committees a report on strategies to reasonably and safely
2 expand the number of Peace Corps volunteers in Oceania,
3 with the goals of—

4 (1) expanding the presence of the Peace Corps
5 to all currently feasible locations in Oceania; and

6 (2) working with regional and international
7 partners of the United States to expand the presence
8 of Peace Corps volunteers in low-income Oceania
9 communities in support of climate resilience initia-
10 tives.

11 (b) ELEMENTS.—The report required by subsection
12 (a) shall—

13 (1) assess the factors contributing to the cur-
14 rent absence of the Peace Corps and its volunteers
15 in Oceania;

16 (2) examine potential remedies that include
17 working with United States Government agencies
18 and regional governments, including governments of
19 United States allies—

20 (A) to increase the health infrastructure
21 and medical evacuation capabilities of the coun-
22 tries of Oceania to better support the safety of
23 Peace Corps volunteers while in such countries;

1 (B) to address physical safety concerns
2 that have decreased the ability of the Peace
3 Corps to operate in Oceania; and

4 (C) to increase transportation infrastruc-
5 ture in the countries of Oceania to better sup-
6 port the travel of Peace Corps volunteers and
7 their access to necessary facilities;

8 (3) evaluate the potential to expand the deploy-
9 ment of Peace Corps Response volunteers to help the
10 countries of Oceania address social, economic, and
11 development needs of their communities that require
12 specific professional expertise; and

13 (4) explore potential new operational models to
14 address safety and security needs of Peace Corps
15 volunteers in the countries of Oceania, including—

16 (A) changes to volunteer deployment dura-
17 tions; and

18 (B) scheduled redeployment of volunteers
19 to regional or United States-based healthcare
20 facilities for routine physical and behavioral
21 health evaluation.

22 (c) VOLUNTEERS IN LOW-INCOME OCEANIA COMMU-
23 NITIES.—

24 (1) IN GENERAL.—In examining the potential
25 to expand the presence of Peace Corps volunteers in

1 low-income Oceania communities under subsection
2 (a)(2), the Director of the Peace Corps shall con-
3 sider the development of initiatives described in
4 paragraph (2).

5 (2) INITIATIVES DESCRIBED.—Initiatives de-
6 scribed in this paragraph are volunteer initiatives
7 that help the countries of Oceania address social,
8 economic, and development needs of their commu-
9 nities, including by—

10 (A) addressing, through appropriate resil-
11 ience-based interventions, the vulnerability that
12 communities in Oceania face as result of ex-
13 treme weather, severe environmental change,
14 and other climate related trends; and

15 (B) improving, through smart infrastruc-
16 ture principles, access to transportation and
17 connectivity infrastructure that will help ad-
18 dress the economic and social challenges that
19 communities in Oceania confront as a result of
20 poor or nonexistent infrastructure.

21 (d) OCEANIA DEFINED.—In this section, the term
22 “Oceania” includes the following:

- 23 (1) Easter Island of Chile.
24 (2) Fiji.
25 (3) French Polynesia of France.

- 1 (4) Kiribati.
- 2 (5) New Caledonia of France.
- 3 (6) Nieu of New Zealand.
- 4 (7) Papua New Guinea.
- 5 (8) Samoa.
- 6 (9) Vanuatu.
- 7 (10) The Ashmore and Cartier Islands of Aus-
- 8 tralia.
- 9 (11) The Cook Islands of New Zealand.
- 10 (12) The Coral Islands of Australia.
- 11 (13) The Federated States of Micronesia.
- 12 (14) The Norfolk Island of Australia.
- 13 (15) The Pitcairn Islands of the United King-
- 14 dom.
- 15 (16) The Republic of the Marshal Islands.
- 16 (17) The Republic of Palau.
- 17 (18) The Solomon Islands.
- 18 (19) Tokelau of New Zealand.
- 19 (20) Tonga.
- 20 (21) Tuvalu.
- 21 (22) Wallis and Futuna of France.

PART 8—PACIFIC ISLANDS**SEC. 30295. SHORT TITLE.**

This part may be cited as the “Boosting Long-term U.S. Engagement in the Pacific Act” or the “BLUE Pacific Act”.

SEC. 30296. FINDINGS.

Congress finds the following:

(1) The Pacific Islands—

(A) are home to roughly 10 million residents, including over 8.6 million in Papua New Guinea, constituting diverse and dynamic cultures and peoples;

(B) are spread across an expanse of the Pacific Ocean equivalent to 15 percent of the Earth’s surface, including the three sub-regions of Melanesia, Micronesia, and Polynesia; and

(C) face shared challenges in development that have distinct local contexts, including climate change and rising sea levels, geographic distances from major markets, and vulnerability to external shocks such as natural disasters.

(2) The United States is a Pacific country with longstanding ties and shared values and interests with the Pacific Islands, including through the Compacts of Free Association with the Freely Associated States, the Republic of the Marshall Islands, the

1 Federated States of Micronesia, and the Republic of
2 Palau.

3 (3) The United States has vital national secu-
4 rity interests in the Pacific Islands, including—

5 (A) protecting regional peace and security
6 that fully respects the sovereignty of all nations;

7 (B) advancing economic prosperity free
8 from coercion through sustainable development;
9 and

10 (C) supporting democracy, good govern-
11 ance, the rule of law, and human rights and
12 fundamental freedoms.

13 (4) Successive United States administrations
14 have recognized the importance of the Pacific region,
15 including the Pacific Islands, in high-level strategic
16 documents, including the following:

17 (A) The 2015 National Security Strategy,
18 which first declared the rebalance to Asia and
19 the Pacific, affirmed the United States as a Pa-
20 cific nation, and paved the way for subsequent
21 United States engagement with the Pacific Is-
22 lands, including several new policies focused on
23 conservation and resilience to climate change
24 announced in September 2016.

1 (B) The 2017 National Security Strategy,
2 which includes a commitment to “shore up
3 fragile partner states in the Pacific Islands re-
4 gion to reduce their vulnerability to economic
5 fluctuations and natural disasters”.

6 (C) The 2019 Indo-Pacific Strategy Re-
7 port, which identified the Pacific Islands as
8 “critical to U.S. strategy because of our shared
9 values, interests, and commitments” and com-
10 mitted the United States to “building capacity
11 and resilience to address maritime security; Ille-
12 gal, Unreported, and Unregulated fishing; drug
13 trafficking; and resilience to address climate
14 change and disaster response”.

15 (5) The United States has deepened its diplo-
16 matic engagement with the Pacific Islands through
17 several recent initiatives, including—

18 (A) the Pacific Pledge, which provided an
19 additional \$100,000,000 in 2019 and
20 \$200,000,000 in 2020, on top of the approxi-
21 mately \$350,000,000 that the United States
22 provides annually to the region to support
23 shared priorities in economic and human devel-
24 opment, climate change, and more; and

1 (B) the Small and Less Populous Island
2 Economies (SALPIE) Initiative launched in
3 March 2021 to strengthen United States col-
4 laboration with island countries and territories,
5 including in the Pacific Islands, on COVID–19
6 economic challenges, long-term economic devel-
7 opment, climate change, and other shared inter-
8 ests.

9 (6) The Boe Declaration on Regional Security,
10 signed by leaders of the Pacific Islands Forum in
11 2018, affirmed that climate change “remains the
12 single greatest threat to the livelihoods, security, and
13 wellbeing of the peoples of the Pacific” and asserted
14 “the sovereign right of every Member to conduct its
15 national affairs free of external interference and co-
16 ercion”.

17 (7) The Asian Development Bank has estimated
18 that the Pacific Islands region needs upwards of
19 \$2.8 billion a year in investment needs through
20 2030, in addition to \$300 million a year for climate
21 mitigation and adaptation over the same period.

22 (8) The Pacific Islands swiftly enacted effective
23 policies to prevent and contain the spread of the
24 Coronavirus Disease 2019 (commonly referred to as
25 “COVID–19”) pandemic to their populations. The

1 United States has provided over \$130,000,000 in as-
2 sistance to the Pacific Islands for their COVID–19
3 response. However, priorities must be met to ensure
4 continued success in preventing the spread of the
5 COVID–19 pandemic, achieving swift and wide-
6 spread vaccinations, and pursuing long-term eco-
7 nomic recovery in the Pacific Islands, including
8 through—

9 (A) expanding testing capacity and acquisi-
10 tion of needed medical supplies, including avail-
11 able COVID–19 vaccines and supporting vac-
12 cination efforts, through a reliable supply chain;

13 (B) planning for lifting of lockdowns and
14 reopening of economic and social activities; and

15 (C) mitigating and recovering from the im-
16 pacts of the COVID–19 pandemic on the health
17 system and the reliance on food and energy im-
18 ports as well as lost tourism revenue and other
19 economic and food security damages caused by
20 the pandemic.

21 (9) Since 1966, thousands of Peace Corps vol-
22 unteers have proudly served in the Pacific Islands,
23 building strong people-to-people relationships and
24 demonstrating the United States commitment to
25 peace and development in the region. Prior to the

1 COVID–19 pandemic, the Peace Corps maintained
2 presence in four countries of the Pacific Islands.
3 Peace Corps volunteers continue to be in high de-
4 mand in the Pacific Islands and have been requested
5 across the region.

6 **SEC. 30297. STATEMENT OF POLICY.**

7 It is the policy of the United States—

8 (1) to develop and commit to a comprehensive,
9 multifaceted, and principled United States policy in
10 the Pacific Islands that—

11 (A) promotes peace, security, and pros-
12 perity for all countries through a rules-based
13 regional order that respects the sovereignty and
14 political independence of all nations;

15 (B) preserves the Pacific Ocean as an open
16 and vibrant corridor for international maritime
17 trade and sustainable development that sup-
18 ports inclusive economic growth and autonomy
19 for all nations and addresses socioeconomic
20 challenges related to public health, education,
21 renewable energy, digital connectivity, and
22 more;

23 (C) supports regional efforts to address the
24 challenges posed by climate change, including
25 by strengthening resilience to natural disasters

1 and through responsible stewardship of natural
2 resources;

3 (D) improves civil society, strengthens
4 democratic governance and the rule of law, and
5 promotes human rights and the preservation of
6 the region's unique cultural heritages;

7 (E) assists the Pacific Islands in pre-
8 venting and containing the spread of the
9 COVID-19 pandemic and in pursuing long-
10 term economic recovery; and

11 (F) supports existing regional architecture
12 and international norms;

13 (2) to support the vision, values, and objectives
14 of existing regional multilateral institutions and
15 frameworks, such as the Pacific Islands Forum and
16 the Pacific Community, including—

17 (A) the 2014 Framework for Pacific Re-
18 gionalism;

19 (B) the 2018 Boe Declaration on Regional
20 Security; and

21 (C) the Boe Declaration Action Plan;

22 (3) to extend and renew the provisions of the
23 Compacts of Free Association and related United
24 States law that will expire in 2023 for the Republic
25 of the Marshall Islands and the Federated States of

1 Micronesia and in 2024 for the Republic of Palau
2 unless they are extended and renewed; and

3 (4) to work closely with United States allies
4 and partners with existing relationships and inter-
5 ests in the Pacific Islands, such as Australia, Japan,
6 New Zealand, and Taiwan, in advancing common
7 goals.

8 **SEC. 30298. DEFINITION.**

9 In this part, the terms “Pacific Islands” means the
10 Cook Islands, the Republic of Fiji, the Republic of
11 Kiribati, the Republic of the Marshall Islands, the Fed-
12 erated States of Micronesia, the Republic of Nauru, Niue,
13 the Republic of Palau, the Independent State of Papua
14 New Guinea, the Independent State of Samoa, the Sol-
15 omon Islands, the Kingdom of Tonga, Tuvalu, and the Re-
16 public of Vanuatu.

17 **SEC. 30299. AUTHORITY TO CONSOLIDATE REPORTS; FORM**
18 **OF REPORTS.**

19 (a) **AUTHORITY TO CONSOLIDATE REPORTS.**—Any
20 reports required to be submitted to the appropriate con-
21 gressional committees under this part that are subject to
22 deadlines for submission consisting of the same units of
23 time may be consolidated into a single report that is sub-
24 mitted to the appropriate congressional committees pursu-

1 ant to such deadlines and that contains all information
2 required under such reports.

3 (b) FORM OF REPORTS.—Each report required by
4 this part shall be submitted in unclassified form but may
5 contain a classified annex.

6 **SEC. 30299A. DIPLOMATIC PRESENCE IN THE PACIFIC IS-**
7 **LANDS.**

8 (a) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—

10 (1) the strategic importance of the Pacific Is-
11 lands necessitates an examination of whether United
12 States diplomatic, economic, and development en-
13 gagement and presence in the Pacific Islands region
14 is sufficient to effectively support United States ob-
15 jectives and meaningful participation in regional
16 fora;

17 (2) improving shared understanding of and
18 jointly combatting the transnational challenges perti-
19 nent to the Pacific Islands region with countries of
20 the Pacific Islands and regional partners such as
21 Australia, New Zealand, Japan, and Taiwan is vi-
22 tally important to our shared long-term interests of
23 stability, security, and prosperity;

24 (3) the United States should seek to participate
25 in and support efforts to coordinate a regional re-

1 sponse toward maritime security, including through
2 continued United States and Pacific Islands partici-
3 pation in the Pacific Fusion Centre in Vanuatu and
4 Information Fusion Centre in Singapore, and robust
5 cooperation with regional allies and partners; and

6 (4) the United States Government should com-
7 mit to sending appropriate levels of representation to
8 regional events.

9 (b) REPORT.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act and an-
12 nually thereafter for five years, the Secretary of
13 State, in consultation with the Secretary of Com-
14 merce and the Administrator of the United States
15 Agency for International Development, shall submit
16 to the appropriate congressional committees a report
17 on the diplomatic and development presence of the
18 United States in the Pacific Islands.

19 (2) ELEMENTS.—The report required by para-
20 graph (1) shall include the following:

21 (A) A description of the Department of
22 State, United States Agency for International
23 Development, United States International De-
24 velopment Finance Corporation, Millennium
25 Challenge Corporation, and United States Com-

1 mercial Service presence, staffing, program-
2 ming, and resourcing of operations in the Pa-
3 cific Islands, including programming and
4 resourcing not specifically allocated to the Pa-
5 cific Islands.

6 (B) A description of gaps in such presence,
7 including unfilled full-time equivalent positions.

8 (C) A description of limitations and chal-
9 lenges such gaps pose to United States stra-
10 tegic objectives, including—

11 (i) gaps in support of the Pacific Is-
12 lands due to operations being conducted
13 from the United States Agency for Inter-
14 national Development offices in Manila and
15 Suva; and

16 (ii) gaps in programming and
17 resourcing.

18 (D) A strategy to expand and elevate such
19 presence to fill such gaps, including by estab-
20 lishing new missions, expanding participation in
21 regional forums, and elevating United States
22 representation in regional forums.

23 (e) **AUTHORITY TO ENHANCE DIPLOMATIC AND ECO-**
24 **NOMIC ENGAGEMENT.**—The Secretary of State and the
25 Secretary of Commerce are authorized to hire locally em-

1 ployed staff in the Pacific Islands for the purpose of pro-
2 moting increased diplomatic engagement and economic
3 and commercial engagement between the United States
4 and the Pacific Islands.

5 (d) REGIONAL DEVELOPMENT COOPERATION STRAT-
6 EGY.—Not later than 180 days after the date of the enact-
7 ment of this Act, and every five years thereafter, the Ad-
8 ministrator of the United States Agency for International
9 Development shall submit to the appropriate congressional
10 committees a regional development cooperation strategy
11 for the Pacific Islands.

12 **SEC. 30299B. COORDINATION WITH REGIONAL ALLIES AND**
13 **PARTNERS.**

14 (a) IN GENERAL.—The Secretary of State shall con-
15 sult and coordinate with regional allies and partners, such
16 as Australia, Japan, New Zealand, Taiwan, and regional
17 institutions such as the Pacific Islands Forum and the Pa-
18 cific Community, with respect to programs to provide as-
19 sistance to the Pacific Islands, including programs estab-
20 lished by this Act, including for purposes of—

21 (1) deconflicting programming;

22 (2) ensuring that any programming does not
23 adversely affect the absorptive capacity of the Pa-
24 cific Islands; and

1 (3) ensuring complementary programs benefit
2 the Pacific Islands to the maximum extent prac-
3 ticable.

4 (b) FORMAL CONSULTATIVE PROCESS.—The Sec-
5 retary of State shall establish a formal consultative proc-
6 ess with such regional allies and partners to coordinate
7 with respect to such programs and future-years program-
8 ming.

9 (c) REPORT.—Not later than 180 days after the date
10 of the enactment of this Act and annually thereafter, the
11 Secretary of State shall submit to the appropriate congres-
12 sional committees and the Armed Services Committees of
13 the Senate and the House of Representatives a report that
14 includes—

15 (1) a review of ongoing efforts, initiatives, and
16 programs undertaken by regional allies and part-
17 ners, including multilateral organizations, to advance
18 priorities identified in this Act;

19 (2) a review of ongoing efforts, initiatives, and
20 programs undertaken by non-allied foreign actors
21 that are viewed as being potentially harmful or in
22 any way detrimental to one or more countries of the
23 Pacific Islands;

24 (3) an assessment of United States programs in
25 the Pacific Islands and their alignment and

1 complementarity with the efforts of regional allies
2 and partners identified in paragraph (1); and

3 (4) a review of the formal consultative process
4 required in subsection (b) to summarize engage-
5 ments held and identify opportunities to improve co-
6 ordination with regional allies and partners.

7 **SEC. 30299C. CLIMATE RESILIENT DEVELOPMENT IN THE**
8 **PACIFIC ISLANDS.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) the United States Government should lever-
12 age the full range of authorities and programs avail-
13 able to assist the Pacific Islands in achieving their
14 development goals;

15 (2) United States development assistance
16 should seek to build on existing public and private
17 sector investments while creating new opportunities
18 toward a favorable environment for additional such
19 investments; and

20 (3) United States development efforts should be
21 coordinated with and seek to build on existing ef-
22 forts by like-minded partners and allies and regional
23 and international multilateral organizations.

24 (b) STRATEGY.—The Secretary of State, in coordina-
25 tion with the Administrator of the United States Agency

1 for International Development, the Secretary of the Treas-
2 ury, and the Chief Executive Officer of the United States
3 International Development Finance Corporation, shall de-
4 velop and implement a strategy to—

5 (1) invest in and improve critical infrastructure,
6 including transport connectivity, information and
7 communications technology, food security, coastal
8 zone management, marine and water resource man-
9 agement, and energy security and access to elec-
10 tricity in the Pacific Islands, with an emphasis on
11 climate resiliency and sustainable development;

12 (2) provide technical assistance to assist local
13 government and civil society leaders assess risks to
14 local infrastructure, especially those posed by climate
15 change, consider and implement risk mitigation ef-
16 forts and policies to strengthen resilience, and evalu-
17 ate proposed projects and solutions for their efficacy
18 and sustainability; and

19 (3) support investment and improvement in eco-
20 system conservation and protection for the long-term
21 sustainable use of ecosystem services, especially
22 those that mitigate effects of climate change and
23 those that support food security and livelihoods.

24 (c) CONDUCT OF STRATEGY.—The strategy devel-
25 oped under this section shall be coordinated with like-

1 minded partners and allies, regional and international
2 multilateral organizations, and regional frameworks for
3 development in the Pacific Islands.

4 (d) INTERNATIONAL FINANCIAL INSTITUTIONS.—
5 The Secretary of the Treasury shall direct the representa-
6 tives of the United States to the World Bank Group, the
7 International Monetary Fund, and the Asian Development
8 Bank to use the voice and vote of the United States to
9 support climate resilient infrastructure projects in the Pa-
10 cific Islands.

11 (e) REPORT.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment this Act and annu-
14 ally thereafter, the Secretary of State shall submit
15 to the appropriate congressional committees, the
16 Committee on Natural Resources of the House of
17 Representatives, and the Committee on Energy and
18 Natural Resources of the Senate a report on foreign
19 infrastructure developments in the Pacific Islands.

20 (2) MATTERS TO BE INCLUDED.—The report
21 required by paragraph (1) shall include—

22 (A) a review of foreign infrastructure de-
23 velopments in the Pacific Islands by non-United
24 States allies and partners;

1 (B) assessments of the environmental im-
2 pact and sustainability of such developments;
3 and

4 (C) an analysis of the financial sustain-
5 ability of such developments and their impacts
6 on the debt of host countries in the Pacific Is-
7 lands.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated \$50,000,000 for each
10 of the fiscal years 2022 through 2026 to carry out this
11 section.

12 **SEC. 30299D. INTERNATIONAL LAW ENFORCEMENT ACAD-**
13 **EMY FOR THE PACIFIC ISLANDS.**

14 (a) IN GENERAL.—The Secretary of State shall de-
15 velop and implement a plan to expand coverage of the
16 International Law Enforcement Academies (ILEA) pro-
17 gram for the Pacific Islands, including by—

18 (1) expanding coverage of the regional program
19 located in Bangkok, Thailand, to the Pacific Islands;
20 or

21 (2) establishing a new regional program for the
22 Pacific Islands.

23 (b) MATTERS TO BE INCLUDED.—The plan required
24 by subsection (a) shall include consultation and coordina-
25 tion with existing regional law enforcement entities, in-

1 cluding the Pacific Islands Chiefs of Police and civil soci-
2 ety, including those focused on human rights and special-
3 izing in victim-centered approaches, and take into consid-
4 eration costs of implementation, effectiveness, and capac-
5 ity of the Pacific Islands to participate in the ILEA pro-
6 gram.

7 (c) BRIEFING REQUIRED.—Not later than 180 days
8 after the date of the enactment of this Act, the Secretary
9 of State shall provide the appropriate congressional com-
10 mittees a briefing on the plan developed under this section.

11 **SEC. 30299E. SECURITY ASSISTANCE FOR THE PACIFIC IS-**
12 **LANDS.**

13 (a) STRATEGY.—

14 (1) IN GENERAL.—The Secretary of State, with
15 the concurrence of the Secretary of Defense and in
16 coordination with the Secretary of Homeland Secu-
17 rity, shall develop and implement a comprehensive
18 strategy to provide assistance to and build the ca-
19 pacity of local civilian and national security institu-
20 tions of the Pacific Islands for purposes of—

21 (A) enhancing maritime security and mari-
22 time domain awareness to address challenges
23 such as illegal, unreported, and unregulated
24 fishing;

1 (B) assisting local law enforcement in de-
2 tecting, preventing, and combatting human and
3 drug trafficking and other forms of
4 transnational crime;

5 (C) participating in efforts by regional in-
6 stitutions and frameworks to coordinate and fa-
7 cilitate cooperation on shared security chal-
8 lenges; and

9 (D) expanding information sharing and to
10 work toward operational coordination and inter-
11 operability among Pacific Island maritime secu-
12 rity forces, including through regional fusion
13 centers.

14 (2) PROGRAMS AND AUTHORITIES DE-
15 SCRIBED.—The strategy required by this subsection
16 shall build on but not be limited to the following
17 programs and authorities:

18 (A) The International Military Education
19 and Training program.

20 (B) The Foreign Military Financing pro-
21 gram.

22 (C) The authority to build the capacity of
23 foreign security forces under section 333 of title
24 10, United States Code.

1 (D) The authority to provide excess de-
2 fense articles under section 516 of the Foreign
3 Assistance Act of 1961 (22 U.S.C. 2321j).

4 (E) The Department of Defense State
5 Partnership Program.

6 (3) NATIONAL POLICE FORCES AND COAST
7 GUARDS.—The national police forces and coast
8 guards of the Pacific Islands are eligible to receive
9 assistance under the programs and authorities de-
10 scribed in paragraph (2) (other than the programs
11 and authorities described in subparagraphs (A), (D),
12 and (F) of paragraph (2)) for purposes of the strat-
13 egy required by this subsection.

14 (b) MATTERS TO BE INCLUDED.—The strategy re-
15 quired by subsection (a) shall seek to preserve peace and
16 regional stability in the Pacific Islands and take into con-
17 sideration and seek to build upon but not duplicate exist-
18 ing assistance provided by United States allies and part-
19 ners.

20 (c) REPORT.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of the enactment of this Act, the Sec-
23 retary shall submit to the appropriate congressional
24 committees a report that contains the strategy devel-
25 oped under this section.

1 (2) MATTERS TO BE INCLUDED.—The report
2 required by paragraph (1) shall include—

3 (A) an assessment of security challenges to
4 the Pacific Islands;

5 (B) an analysis of demonstrated needs of
6 the Pacific Islands for assistance;

7 (C) a review of existing security assistance
8 programs in the Pacific Islands, including pro-
9 grams and efforts provided by United States al-
10 lies and partners;

11 (D) a plan for programs for training,
12 equipping, and sustainment, including excess
13 defense equipment and related materials;

14 (E) a list of militaries, national police
15 forces, coast guards, and other national security
16 forces of the Pacific Islands receiving assistance
17 under the strategy;

18 (F) a review of existing cross-border mari-
19 time law enforcement operations (commonly
20 known as “shiprider agreements”) with the Pa-
21 cific Islands, an assessment of additional
22 resourcing needs to enhance operational capac-
23 ity, and a plan to improve on these programs
24 and operations;

1 (G) a review of existing Department of De-
2 fense State Partnership Programs with the Pa-
3 cific Islands and an assessment of additional
4 opportunities to leverage Department of De-
5 fense State Partnership Programs to address
6 national security, law enforcement, disaster re-
7 lief and emergency management, and related
8 priorities;

9 (H) a review of current efforts and
10 progress in removing unexploded ordnance in
11 the Pacific Islands and an assessment of addi-
12 tional resourcing needed to ensure continued
13 progress, including to support coordination with
14 regional efforts and those of United States al-
15 lies and partners;

16 (I) a review of existing regional fusion cen-
17 ters and other cooperative intelligence sharing
18 efforts in the Pacific Islands to address mari-
19 time security, transnational crime, natural dis-
20 asters, and other security challenges and an as-
21 sessment of opportunities for the United States
22 to participate in such efforts, including by allo-
23 cating staff and supplying resourcing;

24 (J) measures to evaluate success for the
25 strategy;

1 (K) a detailed assessment of appropria-
2 tions required to achieve the objectives for the
3 strategy in future years; and

4 (L) an analysis of national security threats
5 posed to the Pacific Islands by climate change.

6 (3) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES DEFINED.—In this subsection, the term “ap-
8 propriate congressional committees” means—

9 (A) the Committee on Foreign Affairs, the
10 Committee on Armed Services, and the Com-
11 mittee on Transportation and Infrastructure of
12 the House of Representatives; and

13 (B) the Committee on Foreign Relations,
14 the Committee on Armed Services, and the
15 Committee on Commerce, Science, and Trans-
16 portation of the Senate.

17 **SEC. 30299F. COUNTERING TRANSNATIONAL CRIME.**

18 (a) RATIFICATION OF INTERNATIONAL LEGAL IN-
19 STRUMENTS.—

20 (1) IN GENERAL.—The Secretary of State shall
21 prioritize efforts to assist the Pacific Islands in rati-
22 fying and implementing international legal conven-
23 tions related to transnational crime, such as—

1 (A) the Convention on International Trade
2 in Endangered Species of Wildlife Fauna and
3 Flora;

4 (B) the Agreement on Port State Meas-
5 ures; and

6 (C) relevant protocols supplementing the
7 United Nations Convention Against
8 Transnational Organized Crime, such as—

9 (i) the Protocol to Prevent, Suppress,
10 and Punish Trafficking in Person, Espe-
11 cially Women and Children; and

12 (ii) the Protocol Against the Smug-
13 gling of Migrants by Land, Sea, and Air.

14 (2) BIENNIAL REPORT.—Not later than 180
15 days after the date of the enactment of this Act and
16 every two years thereafter as appropriate, the Sec-
17 retary of State shall submit to the appropriate con-
18 gressional committees a report on—

19 (A) the status of the progress of each
20 country of the Pacific Islands toward ratifying
21 and implementing international legal conven-
22 tions related to transnational crime; and

23 (B) United States plans for assisting those
24 countries that have yet to fully ratify such con-

1 ventions with their respective ratification ef-
2 forts.

3 (b) UPDATES OF CERTAIN REPORTS.—The Secretary
4 of State, in coordination with other Federal agencies as
5 appropriate, shall identify and update existing reports to
6 include forms of transnational crime affecting the Pacific
7 Islands, such as—

8 (1) the International Narcotics Control Strat-
9 egy report;

10 (2) the Improving International Fisheries Man-
11 agement report; and

12 (3) the Trafficking in Persons report.

13 (c) ILLEGAL LOGGING AND ASSOCIATED TRADE.—

14 (1) IN GENERAL.—Not later than 180 days
15 after the date of the enactment of this Act and an-
16 nually thereafter, the Secretary of State, in coordi-
17 nation with the heads of relevant Federal agencies,
18 shall submit to appropriate congressional committees
19 a report that identifies countries of the Pacific Is-
20 lands that are countries of concern with respect to
21 illegal logging and associated trade.

22 (2) ELEMENTS.—The report required by para-
23 graph (1) shall include the following:

24 (A) A description of the impact illegal log-
25 ging and associated trade have had on local

1 communities, good governance, and biodiversity,
2 including an identification of those foreign
3 countries that may be financing or in any other
4 manner supporting illegal logging activities.

5 (B) A description of efforts taken by coun-
6 tries identified under paragraph (1) to comply
7 and take appropriate corrective action to miti-
8 gate illegal logging, and an evaluation of the
9 progress of those efforts.

10 (C) A description of steps taken by the
11 heads of relevant Federal agencies to assist the
12 Pacific Islands in adopting and implementing
13 international measures comparable to those of
14 the United States, such as the Lacey Act, to re-
15 duce impacts of illicit logging.

16 (3) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES DEFINED.—In this subsection, the term “ap-
18 propriate congressional committees” means—

19 (A) the Committee on Foreign Affairs and
20 the Committee on Ways and Means of the
21 House of Representatives; and

22 (B) the Committee on Foreign Relations
23 and the Committee on Finance of the Senate.

24 (d) ILLEGAL, UNREPORTED, AND UNREGULATED
25 FISHING.—Section 3553 of the National Defense Author-

1 ization Act for Fiscal Year 2020 (16 U.S.C. 8033) is
2 amended—

3 (1) in paragraph (7), by striking “and” at the
4 end;

5 (2) by redesignating paragraph (8) as para-
6 graph (9); and

7 (3) by inserting after paragraph (7) (as amend-
8 ed) the following:

9 “(8) an assessment of gaps or limitations in the
10 ability of the United States to effectively assist pri-
11 ority regions and priority flag states relating to IUU
12 fishing due to resource constraints and the addi-
13 tional resources necessary to overcome those con-
14 straints; and”.

15 **SEC. 30299G. EMERGENCY PREPAREDNESS INITIATIVE FOR**
16 **THE PACIFIC ISLANDS.**

17 (a) IN GENERAL.—The Administrator of the United
18 States Agency for International Development shall develop
19 and implement an initiative to assist the Pacific Islands
20 in enhancing their preparedness for and resilience to nat-
21 ural disasters and other emergencies.

22 (b) CONDUCT OF PROGRAM.—The program devel-
23 oped under this section shall include—

24 (1) education and training programs on natural
25 disaster prevention and preparedness for emergency

1 management professionals in the Pacific Islands, in-
2 cluding by leveraging the expertise of nonprofit orga-
3 nizations and institutions of higher education in the
4 United States;

5 (2) technical assistance, including through
6 grants and cooperative agreements for qualified
7 United States and local nongovernmental organiza-
8 tions, to enhance early warning systems, emergency
9 management and preparedness procedures, and post-
10 disaster relief and recovery; and

11 (3) coordination of existing disaster mitigation
12 and response plans in the region, including by
13 United States allies and partners in the region.

14 (c) REPORT.—

15 (1) IN GENERAL.—Not later than one year
16 after the date of the enactment of this Act, the Ad-
17 ministrators shall submit to the appropriate congres-
18 sional committees a report on the program developed
19 under this section.

20 (2) MATTERS TO BE INCLUDED.—The report
21 required by paragraph (1) shall include—

22 (A) an assessment of disaster risks in the
23 Pacific Islands and existing local and regional
24 capacity to respond to such risks;

1 (B) a review of existing efforts by United
2 States allies and partners to provide assistance
3 and training for natural disaster preparedness
4 and emergency management; and

5 (C) objectives, means of implementation,
6 and measures of success for the initiative.

7 (3) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES DEFINED.—In this subsection, the term “ap-
9 propriate congressional committees” means—

10 (A) the Committee on Foreign Affairs and
11 the Committee on Natural Resources of the
12 House of Representatives; and

13 (B) the Committee on Foreign Relations
14 and the Committee on Energy and Natural Re-
15 sources of the Senate.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated \$40,000,000 for each
18 of the fiscal years 2022 through 2026 to carry out this
19 section.

20 **SEC. 30299H. PEACE CORPS IN THE PACIFIC ISLANDS.**

21 (a) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) the presence of the Peace Corps in the Pa-
24 cific Islands should be expanded and the Peace
25 Corps should reopen its programs in as many of the

1 Pacific Islands as possible, including where it has
2 previously operated but has suspended operations;

3 (2) consulting like-minded regional allies and
4 partners, such as Australia, New Zealand, Japan,
5 and Taiwan is crucial for identifying and overcoming
6 challenges for increased Peace Corps presence in the
7 Pacific Islands;

8 (3) the Peace Corps, whose mission is to pro-
9 mote world peace and friendship in part by helping
10 the people of interested countries in meeting their
11 need for trained men and women, provides an in-
12 valuable opportunity to connect the American people
13 with the people of the Republic of the Marshall Is-
14 lands, the Federated States of Micronesia, and the
15 Republic of Palau; and

16 (4) the Peace Corps should promptly reopen its
17 programs in the Republic of the Marshall Islands,
18 the Federated States of Micronesia, and the Repub-
19 lic of Palau.

20 (b) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act, the Director of the Peace
22 Corps shall submit to the appropriate congressional com-
23 mittees a report that includes—

24 (1) a comparative analysis of the Peace Corps
25 presence in the Pacific Islands region to other re-

1 regions of the world, including a cost-benefit analysis
2 of placement in the region versus elsewhere globally;

3 (2) analysis of current impediments to Peace
4 Corps expansion in the Pacific Islands region;

5 (3) outcomes of consultations among United
6 States agencies, and with regional allies and part-
7 ners, on areas in which cooperation can reduce fac-
8 tors limiting Peace Corps expansion, particularly
9 those related to medical transportation and personal
10 safety; and

11 (4) a plan and timeline for implementing out-
12 comes identified in paragraph (3) to facilitate expan-
13 sion of Peace Corps presence in the region, where
14 appropriate.

15 **SEC. 30299I. PACIFIC ISLANDS LEADERSHIP DEVELOPMENT**
16 **INITIATIVE.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that routinized people-to-people exchange programs
19 to bring Pacific Islands religious leaders, journalists, civil
20 society members, politicians, and others to the United
21 States strengthens existing relationships and advances
22 United States interests and shared values in the region.

23 (b) IN GENERAL.—The Secretary of State shall de-
24 velop and implement a program to promote educational
25 and professional development for young adult leaders and

1 professionals in the Pacific Islands with a demonstrated
2 passion to contribute to the continued development of the
3 Pacific Islands.

4 (c) CONDUCT OF PROGRAM.—The program developed
5 under this section shall be implemented on a routine basis
6 and may be carried out through—

7 (1) grants provided on a competitive basis to
8 qualified organizations with demonstrated expertise
9 relating to the Pacific Islands;

10 (2) grants in amounts not to exceed \$50,000
11 provided on a competitive basis to qualified young
12 leaders from the Pacific Islands for the purpose of
13 carrying out projects dedicated to the improvement
14 of their communities in the Pacific Islands;

15 (3) regional workshops and professional and
16 academic fellowships; and

17 (4) people-to-people exchanges.

18 (d) REPORT.—

19 (1) IN GENERAL.—Not later than 180 days
20 after the date of the enactment of this Act, the Sec-
21 retary of State, acting through the Assistant Sec-
22 retary of State for Educational and Cultural Affairs,
23 shall submit to the appropriate congressional com-
24 mittees a report on exchange programs for the Pa-
25 cific Islands region.

1 (2) ELEMENTS.—The report required by para-
2 graph (1) shall include—

3 (A) an assessment of factors constraining
4 the number and frequency of International Vis-
5 itor Leadership Program participants from
6 countries of the Pacific Islands;

7 (B) an identification of resources that are
8 necessary to address the factors described in
9 subparagraph (A); and

10 (C) a strategy for connecting alumni and
11 participants of the Department of State’s pro-
12 fessional development exchange programs in
13 East Asia, such as the Young Southeast Asian
14 Leaders Initiative (YSEALI) and the Young
15 Pacific Leaders programs, to enhance inter and
16 intra region people-to-people ties.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated \$10,000,000 for each
19 of the fiscal years 2022 through 2026 to carry out this
20 section.

1 **TITLE III—INVESTING IN OUR**
2 **VALUES**

3 **SEC. 30301. SENSE OF CONGRESS ON THE CONTINUED VIO-**
4 **LATION OF RIGHTS AND FREEDOMS OF THE**
5 **PEOPLE OF HONG KONG.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) Despite international condemnation, the
8 Government of the People’s Republic of China
9 (“PRC”) continues to disregard its international
10 legal obligations under the Joint Declaration of the
11 Government of the United Kingdom of Great Britain
12 and Northern Ireland and the Government of the
13 People’s Republic of China on the Question of Hong
14 Kong (“Joint Declaration”), in which the PRC com-
15 mitted that—

16 (A) Hong Kong would enjoy a high degree
17 of autonomy;

18 (B) for at least 50 years the “social and
19 economic systems in Hong Kong” would remain
20 unchanged; and

21 (C) the personal rights and freedoms of
22 the people of Hong Kong would be protected by
23 law.

24 (2) As part of its continued efforts to under-
25 mine the established rights of the Hong Kong peo-

1 ple, the PRC National People’s Congress Standing
2 Committee (“Standing Committee”) passed and im-
3 posed upon Hong Kong oppressive and intentionally
4 vague national security legislation on June 30, 2020,
5 that grants Beijing sweeping powers to punish acts
6 of “separating the country, subverting state power,
7 and organizing terroristic activities”.

8 (3) The legislative process by which the Stand-
9 ing Committee imposed the national security law on
10 Hong Kong bypassed Hong Kong’s local government
11 in a potential violation of the Basic Law of the
12 Hong Kong Special Administrative Region of the
13 People’s Republic of China (“Basic Law”), and in-
14 volved unusual secrecy, as demonstrated by the fact
15 that the legislation was only the second law since
16 2008 that the Standing Committee has passed with-
17 out releasing a draft for public comment.

18 (4) On July 30, 2020, election officials of the
19 Hong Kong Special Administrative Region
20 (HKSAR) disqualified twelve pro-democracy can-
21 didates from participating in the September 6 Legis-
22 lative Council elections, which were subsequently
23 postponed for a year until September 5, 2021, by
24 citing the public health risk of holding elections dur-
25 ing the COVID–19 pandemic.

1 (5) On July 31, 2020, in an attempt to assert
2 extraterritorial jurisdiction, the HKSAR Govern-
3 ment announced indictments of and arrest warrants
4 for six Hong Kong activists living overseas, includ-
5 ing United States citizen Samuel Chu, for alleged
6 violations of the national security law.

7 (6) On November 11, 2020, the HKSAR Gov-
8 ernment removed four lawmakers from office for al-
9 legedly violating the law after the Standing Com-
10 mittee passed additional legislation barring those
11 who promoted or supported Hong Kong independ-
12 ence and refused to acknowledge PRC sovereignty
13 over Hong Kong, or otherwise violates the national
14 security law, from running for or serving in the Leg-
15 islative Council.

16 (7) On December 2, 2020, pro-democracy activ-
17 ists Joshua Wong, Agnes Chow, and Ivan Lam were
18 sentenced to prison for participating in 2019 pro-
19 tests.

20 (8) Ten of the twelve Hong Kong residents
21 (also known as “the Hong Kong 12”) who sought to
22 flee by boat from Hong Kong to Taiwan on August
23 23, 2020, were taken to mainland China and sen-
24 tenced on December 30, 2020, to prison terms rang-

1 ing from seven months to three years for illegal bor-
2 der crossing.

3 (9) On December 31, 2020, Hong Kong’s high-
4 est court revoked bail for Jimmy Lai Chee-Ying, a
5 pro-democracy figure and publisher, who was
6 charged on December 12 with colluding with foreign
7 forces and endangering national security under the
8 national security legislation.

9 (10) On January 4, 2021, the Departments of
10 Justice in Henan and Sichuan province threatened
11 to revoke the licenses of two lawyers hired to help
12 the Hong Kong 12.

13 (11) On January 5, 2021, the Hong Kong Po-
14 lice Force arrested more than fifty opposition fig-
15 ures, including pro-democracy officials, activists, and
16 an American lawyer, for their involvement in an in-
17 formal July 2020 primary to select candidates for
18 the general election originally scheduled for Sep-
19 tember 2020, despite other political parties having
20 held similar primaries without retribution.

21 (12) On April 22, 2021, a Hong Kong court
22 convicted Choy Yuk-ling, a video producer with
23 Radio Television Hong Kong, in relation to her in-
24 vestigative reporting on the Hong Kong police.

1 (13) On June 24, 2021, Apple Daily, Hong
2 Kong’s only surviving pro-democracy newspaper,
3 published its final edition following months of intimi-
4 dation and repression by the HKSAR Government,
5 including through the arrest of its senior editors, po-
6 lice raids on its offices, and the freezing of its finan-
7 cial assets.

8 (b) STATEMENT OF CONGRESS.—Congress—

9 (1) condemns the actions taken by the Govern-
10 ment of the People’s Republic of China (“PRC”)
11 and the Government of the Hong Kong Special Ad-
12 ministrative Region (“HKSAR”), including the
13 adoption and implementation of national security
14 legislation for Hong Kong through irregular proce-
15 dures, that violate the rights and freedoms of the
16 people of Hong Kong that are guaranteed by the
17 Joint Declaration and its implementing document,
18 the Basic Law;

19 (2) reaffirms its support for the people of Hong
20 Kong, who face grave threats to their rights and
21 freedoms;

22 (3) calls on the Governments of the PRC and
23 HKSAR to—

24 (A) respect and uphold—

1 (i) commitments made to the inter-
2 national community and the people of
3 Hong Kong under the Joint Declaration;
4 and

5 (ii) the judicial independence of the
6 Hong Kong legal system; and

7 (B) release pro-democracy activists and
8 politicians arrested under the national security
9 law; and

10 (4) encourages the President, the Secretary of
11 State, and the Secretary of the Treasury to coordi-
12 nate with allies and partners and continue United
13 States efforts to respond to developments in Hong
14 Kong, including by—

15 (A) providing protection for Hong Kong
16 residents who fear persecution;

17 (B) supporting those who may seek to file
18 a case before the International Court of Justice
19 to hold the Government of the PRC accountable
20 for violating its binding legal commitments
21 under the Joint Declaration;

22 (C) encouraging allies and partner coun-
23 tries to instruct, as appropriate, their respective
24 representatives to the United Nations to use
25 their voice, vote, and influence to press for the

1 appointment of a United Nations special man-
2 date holder to monitor and report on human
3 rights developments in Hong Kong;

4 (D) ensuring the private sector, particu-
5 larly United States companies with economic in-
6 terests in Hong Kong, is aware of risks the na-
7 tional security legislation poses to the security
8 of United States citizens and to the medium
9 and long-term interest of United States busi-
10 nesses in Hong Kong;

11 (E) continuing to implement sanctions au-
12 thorities, especially authorities recently enacted
13 to address actions undermining the rights and
14 freedoms of the Hong Kong people, such as the
15 Hong Kong Autonomy Act (Public Law 116–
16 149) and the Hong Kong Human Rights and
17 Democracy Act of 2019 (Public Law 116–76),
18 with respect to officials of the Chinese Com-
19 munist Party, the Government of the PRC, or
20 the Government of the HKSAR who are respon-
21 sible for undermining such rights and freedoms;
22 and

23 (F) coordinating with allies and partners
24 to ensure that such implementation of sanctions
25 is multilateral.

1 **SEC. 30302. AUTHORIZATION OF APPROPRIATIONS FOR**
2 **PROMOTION OF DEMOCRACY IN HONG KONG.**

3 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
4 authorized to be appropriated \$10,000,000 for fiscal year
5 2022 for the Bureau of Democracy, Human Rights, and
6 Labor of the Department of State to promote democracy
7 in Hong Kong.

8 (b) **ADMINISTRATION.**—The Secretary of State shall
9 designate an office with the Department of State to ad-
10 minister and coordinate the provision of such funds de-
11 scribed in subsection (a) within the Department of State
12 and across the United States Government.

13 **SEC. 30303. HONG KONG PEOPLE’S FREEDOM AND CHOICE.**

14 (a) **DEFINITIONS.**—For purposes of this section:

15 (1) **JOINT DECLARATION.**—The term “Joint
16 Declaration” means the Joint Declaration of the
17 Government of the United Kingdom of Great Britain
18 and Northern Ireland and the Government of the
19 People’s Republic of China on the Question of Hong
20 Kong, signed on December 19, 1984, and entered
21 into force on May 27, 1985.

22 (2) **PRIORITY HONG KONG RESIDENT.**—The
23 term “Priority Hong Kong resident” means—

24 (A) a permanent resident of Hong Kong
25 who—

1 (i) holds no right to citizenship in any
2 country or jurisdiction other than the Peo-
3 ple’s Republic of China (referred to in this
4 section as the “PRC”), Hong Kong, or
5 Macau as of the date of enactment of this
6 Act;

7 (ii) has resided in Hong Kong for not
8 less than the last ten years as of the date
9 of enactment of this Act; and

10 (iii) has been designated by the Sec-
11 retary of State or Secretary of Homeland
12 Security as having met the requirements of
13 this subparagraph, in accordance with the
14 procedures described in subsection (f) of
15 this section; or

16 (B) the spouse of a person described in
17 subparagraph (A), or the child of such person
18 as such term is defined in section 101(b)(1) of
19 the Immigration and Nationality Act (8 U.S.C.
20 1101(b)(1)), except that a child shall be an un-
21 married person under twenty-seven years of
22 age.

23 (3) HONG KONG NATIONAL SECURITY LAW.—
24 The term “Hong Kong National Security Law”
25 means the Law of the People’s Republic of China on

1 Safeguarding National Security in the Hong Kong
2 Special Administrative Region that was passed
3 unanimously by the National People’s Congress and
4 signed by President Xi Jinping on June 30, 2020,
5 and promulgated in the Hong Kong Special Admin-
6 istrative Region (referred to in this section as
7 “Hong Kong SAR”) on July 1, 2020.

8 (4) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the Committee on Foreign Affairs and
12 the Committee on the Judiciary of the House of
13 Representatives; and

14 (B) the Committee on Foreign Relations
15 and the Committee on the Judiciary of the Sen-
16 ate.

17 (b) FINDINGS.—Congress finds the following:

18 (1) The Hong Kong National Security Law pro-
19 mulgated on July 1, 2020—

20 (A) contravenes the Basic Law of the
21 Hong Kong Special Administrative Region (re-
22 ferred to in this Act as “the Basic Law”) that
23 provides in Article 23 that the Legislative
24 Council of Hong Kong shall enact legislation re-
25 lated to national security;

1 (B) violates the PRC's commitments under
2 international law, as defined by the Joint Dec-
3 laration; and

4 (C) causes severe and irreparable damage
5 to the "one country, two systems" principle and
6 further erodes global confidence in the PRC's
7 commitment to international law.

8 (2) On July 14, 2020, in response to the pro-
9 mulgation of the Hong Kong National Security Law,
10 President Trump signed an Executive order on
11 Hong Kong normalization that, among other policy
12 actions, suspended the special treatment of Hong
13 Kong persons under U.S. law with respect to the
14 issuance of immigrant and nonimmigrant visas.

15 (3) The United States has a long and proud
16 history as a destination for refugees and asylees flee-
17 ing persecution based on race, religion, nationality,
18 political opinion, or membership in a particular so-
19 cial group.

20 (4) The United States also shares deep social,
21 cultural, and economic ties with the people of Hong
22 Kong, including a shared commitment to democracy,
23 to the rule of law, and to the protection of human
24 rights.

1 (5) The United States has sheltered, protected,
2 and welcomed individuals who have fled authori-
3 tarian regimes, including citizens from the PRC fol-
4 lowing the violent June 4, 1989, crackdown in
5 Tiananmen Square, deepening ties between the peo-
6 ple of the United States and those individuals seek-
7 ing to contribute to a free, open society founded on
8 democracy, human rights, and the respect for the
9 rule of law.

10 (6) The United States has reaped enormous
11 economic, cultural, and strategic benefits from wel-
12 coming successive generations of scientists, doctors,
13 entrepreneurs, artists, intellectuals, and other free-
14 dom-loving people fleeing fascism, communism, vio-
15 lent Islamist extremism, and other repressive
16 ideologies, including in the cases of Nazi Germany,
17 the Soviet Union, and Soviet-controlled Central Eu-
18 rope, Cuba, Vietnam, and Iran.

19 (7) A major asymmetric advantage of the
20 United States in its long-term strategic competition
21 with the Communist Party of China is the ability of
22 people from every country in the world, irrespective
23 of their race, ethnicity, or religion, to immigrate to
24 the United States and become American citizens.

1 (c) STATEMENT OF POLICY.—It is the policy of the
2 United States—

3 (1) to reaffirm the principles and objectives set
4 forth in the United States-Hong Kong Policy Act of
5 1992 (Public Law 102–383), specifically that—

6 (A) the United States has “a strong inter-
7 est in the continued vitality, prosperity, and
8 stability of Hong Kong”;

9 (B) “support for democratization is a fun-
10 damental principle of United States foreign pol-
11 icy”, and therefore “naturally applies to United
12 States policy toward Hong Kong”;

13 (C) “the human rights of the people of
14 Hong Kong are of great importance to the
15 United States and are directly relevant to
16 United States interests in Hong Kong and
17 serve as a basis for Hong Kong’s continued eco-
18 nomic prosperity”; and

19 (D) Hong Kong must remain sufficiently
20 autonomous from the PRC to “justify treat-
21 ment under a particular law of the United
22 States, or any provision thereof, different from
23 that accorded the People’s Republic of China”;

1 (2) to continue to support the high degree of
2 autonomy and fundamental rights and freedoms of
3 the people of Hong Kong, as enumerated by—

4 (A) the Joint Declaration;

5 (B) the International Covenant on Civil
6 and Political Rights, done at New York, De-
7 cember 19, 1966; and

8 (C) the Universal Declaration of Human
9 Rights, done at Paris, December 10, 1948;

10 (3) to continue to support the democratic aspi-
11 rations of the people of Hong Kong, including the
12 “ultimate aim” of the selection of the Chief Execu-
13 tive and all members of the Legislative Council by
14 universal suffrage, as articulated in the Basic Law;

15 (4) to urge the Government of the PRC, despite
16 its recent actions, to uphold its commitments to
17 Hong Kong, including allowing the people of Hong
18 Kong to govern Hong Kong with a high degree of
19 autonomy and without undue interference, and en-
20 suring that Hong Kong voters freely enjoy the right
21 to elect the Chief Executive and all members of the
22 Hong Kong Legislative Council by universal suf-
23 frage;

24 (5) to support the establishment of a genuine
25 democratic option to freely and fairly nominate and

1 elect the Chief Executive of Hong Kong, and the es-
2 tablishment of open and direct democratic elections
3 for all members of the Hong Kong Legislative Coun-
4 cil;

5 (6) to support the robust exercise by residents
6 of Hong Kong of the rights to free speech, the press,
7 and other fundamental freedoms, as provided by the
8 Basic Law, the Joint Declaration, and the Inter-
9 national Covenant on Civil and Political Rights;

10 (7) to support freedom from arbitrary or unlaw-
11 ful arrest, detention, or imprisonment for all Hong
12 Kong residents, as provided by the Basic Law, the
13 Joint Declaration, and the International Covenant
14 on Civil and Political Rights;

15 (8) to draw international attention to any viola-
16 tions by the Government of the PRC of the funda-
17 mental rights of the people of Hong Kong, as pro-
18 vided by the International Covenant on Civil and Po-
19 litical Rights, and any encroachment upon the au-
20 tonomy guaranteed to Hong Kong by the Basic Law
21 and the Joint Declaration;

22 (9) to protect United States citizens and long-
23 term permanent residents living in Hong Kong, as
24 well as people visiting and transiting through Hong
25 Kong;

1 (10) to maintain the economic and cultural ties
2 that provide significant benefits to both the United
3 States and Hong Kong, including the reinstatement
4 of the Fulbright exchange program with regard to
5 Hong Kong at the earliest opportunity;

6 (11) to coordinate with allies, including the
7 United Kingdom, Australia, Canada, Japan, and the
8 Republic of Korea, to promote democracy and
9 human rights in Hong Kong; and

10 (12) to welcome and protect in the United
11 States residents of Hong Kong fleeing persecution or
12 otherwise seeking a safe haven from violations by
13 the Government of the PRC of the fundamental
14 rights of the people of Hong Kong.

15 (d) TEMPORARY PROTECTED STATUS FOR HONG
16 KONG RESIDENTS IN THE UNITED STATES.—

17 (1) DESIGNATION.—

18 (A) IN GENERAL.—For purposes of section
19 244 of the Immigration and Nationality Act (8
20 U.S.C. 1254a), Hong Kong shall be treated as
21 if it had been designated under subsection
22 (b)(1)(C) of such section, subject to the provi-
23 sions of this section.

24 (B) PERIOD OF DESIGNATION.—The initial
25 period of the designation referred to in sub-

1 paragraph (A) shall be for the 18-month period
2 beginning on the date of enactment of this Act.

3 (2) ALIENS ELIGIBLE.—As a result of the des-
4 ignation made under subsection (a), an alien is
5 deemed to satisfy the requirements under paragraph
6 (1) of section 244(c) of the Immigration and Nation-
7 ality Act (8 U.S.C. 1254a(c)), subject to paragraph
8 (3) of such section, if the alien—

9 (A) was a permanent resident of Hong
10 Kong at the time such individual arrived into
11 the United States and is a national of the PRC
12 (or in the case of an individual having no na-
13 tionality, is a person who last habitually resided
14 in Hong Kong);

15 (B) has been continuously physically
16 present in the United States since the date of
17 the enactment of this Act;

18 (C) is admissible as an immigrant, except
19 as otherwise provided in paragraph (2)(A) of
20 such section, and is not ineligible for temporary
21 protected status under paragraph (2)(B) of
22 such section; and

23 (D) registers for temporary protected sta-
24 tus in a manner established by the Secretary of
25 Homeland Security.

1 (3) CONSENT TO TRAVEL ABROAD.—

2 (A) IN GENERAL.—The Secretary of
3 Homeland Security shall give prior consent to
4 travel abroad, in accordance with section
5 244(f)(3) of the Immigration and Nationality
6 Act (8 U.S.C. 1254a(f)(3)), to an alien who is
7 granted temporary protected status pursuant to
8 the designation made under paragraph (1) if
9 the alien establishes to the satisfaction of the
10 Secretary of Homeland Security that emergency
11 and extenuating circumstances beyond the con-
12 trol of the alien require the alien to depart for
13 a brief, temporary trip abroad.

14 (B) TREATMENT UPON RETURN.—An alien
15 returning to the United States in accordance
16 with an authorization described in subpara-
17 graph (A) shall be treated as any other return-
18 ing alien provided temporary protected status
19 under section 244 of the Immigration and Na-
20 tionality Act (8 U.S.C. 1254a).

21 (e) TREATMENT OF HONG KONG RESIDENTS FOR
22 IMMIGRATION PURPOSES.—Notwithstanding any other
23 provision of law, during the five fiscal year period begin-
24 ning on the first day of the first full fiscal year after the
25 date of enactment of this Act, Hong Kong shall continue

1 to be considered a foreign state separate and apart from
2 the PRC as mandated under section 103 of the Immigra-
3 tion and Nationality Act of 1990 (Public Law 101–649)
4 for purposes of the numerical limitations on immigrant
5 visas under sections 201, 202, and 203 of the Immigration
6 and Nationality Act (8 U.S.C. 1151, 1152, and 1153).

7 (f) VERIFICATION OF PRIORITY HONG KONG RESI-
8 DENTS.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the Sec-
11 retary of State, in consultation with the Secretary of
12 Homeland Security, shall publish in the Federal
13 Register, an interim final rule establishing proce-
14 dures for designation of Priority Hong Kong Resi-
15 dents. Notwithstanding section 553 of title 5, United
16 States Code, the rule shall be effective, on an in-
17 terim basis, immediately upon publication, but may
18 be subject to change and revision after public notice
19 and opportunity for comment. The Secretary of
20 State shall finalize such rule not later than one year
21 after the date of the enactment of this Act. Such
22 rule shall establish procedures—

23 (A) for individuals to register with any
24 United States embassy or consulate outside of
25 the United States, or with the Department of

1 Homeland Security in the United States, and
2 request designation as a Priority Hong Kong
3 Resident; and

4 (B) for the appropriate Secretary to verify
5 the residency of registered individuals and des-
6 ignate those who qualify as Priority Hong Kong
7 Residents.

8 (2) DOCUMENTATION.—The procedures de-
9 scribed in paragraph (1) shall include the collection
10 of—

11 (A) biometric data;

12 (B) copies of birth certificates, residency
13 cards, and other documentation establishing
14 residency; and

15 (C) other personal information, data, and
16 records deemed appropriate by the Secretary.

17 (3) GUIDANCE.—Not later than 90 days after
18 the date of the enactment of this Act, the Secretary
19 of State shall issue guidance outlining actions to en-
20 hance the ability of the Secretary to efficiently send
21 and receive information to and from the United
22 Kingdom and other like-minded allies and partners
23 for purposes of rapid verification of permanent resi-
24 dency in Hong Kong and designation of individuals
25 as Priority Hong Kong Residents.

1 (4) REPORT.—Not later than 90 days after the
2 date of the enactment of this Act, the Secretary of
3 State shall submit to the appropriate congressional
4 committees, the Committee on the Judiciary of the
5 House of Representatives, and the Committee on the
6 Judiciary of the Senate a report detailing plans to
7 implement the requirements described in this sub-
8 section.

9 (5) PROTECTION FOR REFUGEES.—Nothing in
10 this section may be construed to prevent a Priority
11 Hong Kong Resident from seeking refugee status
12 under section 207 of the Immigration and Nation-
13 ality Act (8 U.S.C. 1157) or requesting asylum
14 under section 208 of such Act (8 U.S.C. 1158).

15 (g) REPORTING REQUIREMENTS.—

16 (1) IN GENERAL.—On an annual basis, the Sec-
17 retary of State and the Secretary of Homeland Secu-
18 rity, in consultation with other Federal agencies, as
19 appropriate, shall submit to the appropriate congress-
20 sional committees, the Committee on the Judiciary
21 of the House of Representatives, and the Committee
22 on the Judiciary of the Senate a report detailing for
23 the previous fiscal year—

24 (A) the number of Hong Kong SAR resi-
25 dents who have applied for United States visas

1 or immigration benefits, disaggregated by visa
2 type or immigration benefit, including asylum,
3 refugee status, temporary protected status, and
4 lawful permanent residence;

5 (B) the number of approvals, denials, or
6 rejections of applicants for visas or immigration
7 benefits described in subparagraph (A),
8 disaggregated by visa type or immigration ben-
9 efit and basis for denial;

10 (C) the number of pending refugee and
11 asylum applications for Hong Kong SAR resi-
12 dents, and the length of time and reason for
13 which such applications have been pending; and

14 (D) other matters determined relevant by
15 the Secretaries relating to efforts to protect and
16 facilitate the resettlement of refugees and vic-
17 tims of persecution in Hong Kong.

18 (2) FORM.—Each report under paragraph (1)
19 shall be submitted in unclassified form and pub-
20 lished on a text-searchable, publicly available website
21 of the Department of State and the Department of
22 Homeland Security.

23 (h) STRATEGY FOR INTERNATIONAL COOPERATION
24 ON HONG KONG.—

1 (1) IN GENERAL.—It is the policy of the United
2 States—

3 (A) to support the people of Hong Kong by
4 providing safe haven to Hong Kong SAR resi-
5 dents who are nationals of the PRC following
6 the enactment of the Hong Kong National Se-
7 curity Law that places certain Hong Kong per-
8 sons at risk of persecution; and

9 (B) to encourage like-minded nations to
10 make similar accommodations for Hong Kong
11 people fleeing persecution by the Government of
12 the PRC.

13 (2) PLAN.—The Secretary of State, in consulta-
14 tion with the heads of other Federal agencies, as ap-
15 propriate, shall develop a plan to engage with other
16 countries, including the United Kingdom, on cooper-
17 ative efforts to—

18 (A) provide refugee and asylum protections
19 for victims of, and individuals with a fear of,
20 persecution in Hong Kong, either by Hong
21 Kong authorities or other authorities acting on
22 behalf of the PRC;

23 (B) enhance protocols to facilitate the re-
24 settlement of refugees and displaced persons
25 from Hong Kong;

1 (C) identify and prevent the exploitation of
2 immigration and visa policies and procedures by
3 corrupt officials; and

4 (D) expedite the sharing of information, as
5 appropriate, related to the refusal of individual
6 applications for visas or other travel documents
7 submitted by residents of the Hong Kong SAR
8 based on—

9 (i) national security or related
10 grounds under section 212(a)(3) of the Im-
11 migration and Nationality Act (8 U.S.C.
12 1182(a)(3)); or

13 (ii) fraud or misrepresentation under
14 section 212(a)(6)(C) of the Immigration
15 and Nationality Act (8 U.S.C.
16 1182(a)(6)(C)).

17 (3) REPORT.—Not later than 90 days after the
18 date of the enactment of this Act, the Secretary of
19 State, in consultation with the heads of other Fed-
20 eral agencies, as appropriate, shall submit to the ap-
21 propriate congressional committees, the Committee
22 on the Judiciary of the House of Representatives,
23 and the Committee on the Judiciary of the Senate
24 a report on the plan described in paragraph (2).

1 (i) REFUGEE STATUS FOR CERTAIN RESIDENTS OF
2 HONG KONG.—

3 (1) IN GENERAL.—Aliens described in para-
4 graph (2) may establish, for purposes of admission
5 as a refugee under sections 207 of the Immigration
6 and Nationality Act (8 U.S.C. 1157) or asylum
7 under section 208 of such Act (8 U.S.C. 1158), that
8 such alien has a well-founded fear of persecution on
9 account of race, religion, nationality, membership in
10 a particular social group, or political opinion by as-
11 serting such a fear and a credible basis for concern
12 about the possibility of such persecution.

13 (2) ALIENS DESCRIBED.—

14 (A) IN GENERAL.—An alien is described in
15 this subsection if such alien—

16 (i) is a Priority Hong Kong Resident
17 and—

18 (I) had a significant role in a
19 civil society organization supportive of
20 the protests in 2019 and 2020 related
21 to the Hong Kong National Security
22 Law and the encroachment on the au-
23 tonomy of Hong Kong by the PRC;

24 (II) was arrested, charged, de-
25 tained, or convicted of an offense aris-

1 ing from their participation in an ac-
2 tion as described in section 206(b)(2)
3 of the United States-Hong Kong Pol-
4 icy Act of 1992 (22 U.S.C.
5 5726(b)(2)) that was not violent in
6 nature; or

7 (III) has had their citizenship,
8 nationality, or residency revoked for
9 having submitted to any United
10 States Government agency a nonfrivo-
11 lous application for refugee status,
12 asylum, or any other immigration ben-
13 efit under the immigration laws (as
14 defined in section 101(a) of the Immi-
15 gration and Nationality Act (8 U.S.C.
16 1101(a)));

17 (ii) is a Priority Hong Kong Resident
18 spouse or child of an alien described in
19 clause (i); or

20 (iii) is the parent of an alien described
21 in clause (i), if such parent is a citizen of
22 the PRC and no other foreign state.

23 (B) OTHER CATEGORIES.—The Secretary
24 of Homeland Security, in consultation with the
25 Secretary of State, may designate other cat-

1 egories of aliens for purposes of establishing a
2 well-founded fear of persecution under para-
3 graph (1) if such aliens share common charac-
4 teristics that identify them as targets of perse-
5 cution in the PRC on account of race, religion,
6 nationality, membership in a particular social
7 group, or political opinion.

8 (C) SIGNIFICANT ROLE.—For purposes of
9 subclause (I) of paragraph (2)(A)(i), a signifi-
10 cant role shall include, with respect to the pro-
11 tests described in such clause—

12 (i) an organizing role;

13 (ii) a first aid responder;

14 (iii) a journalist or member of the
15 media covering or offering public com-
16 mentary;

17 (iv) a provider of legal services to one
18 or more individuals arrested for partici-
19 pating in such protests; or

20 (v) a participant who during the pe-
21 riod beginning on June 9, 2019, and end-
22 ing on June 30, 2020, was arrested,
23 charged, detained, or convicted as a result
24 of such participation.

1 (3) AGE OUT PROTECTIONS.—For purposes of
2 this subsection, a determination of whether an alien
3 is a child shall be made using the age of the alien
4 on the date an application for refugee or asylum sta-
5 tus in which the alien is a named beneficiary is filed
6 with the Secretary of Homeland Security.

7 (4) EXCLUSION FROM NUMERICAL LIMITA-
8 TIONS.—Aliens provided refugee status under this
9 subsection shall not be counted against the numer-
10 ical limitation on refugees established in accordance
11 with the procedures described in section 207 of the
12 Immigration and Nationality Act (8 U.S.C. 1157).

13 (5) REPORTING REQUIREMENTS.—

14 (A) IN GENERAL.—Not later than 90 days
15 after the date of the enactment of this Act and
16 every 90 days thereafter, the Secretary of State
17 and the Secretary of Homeland Security shall
18 submit to the appropriate congressional com-
19 mittees, the Committee on the Judiciary of the
20 House of Representatives, and the Committee
21 on the Judiciary of the Senate a report on the
22 matters described in subparagraph (B).

23 (B) MATTERS TO BE INCLUDED.—Each
24 report required by subparagraph (A) shall in-

1 clude, with respect to applications submitted
2 under this section—

3 (i) the total number of refugee and
4 asylum applications that are pending at
5 the end of the reporting period;

6 (ii) the average wait-times for all ap-
7 plicants for refugee status or asylum pend-
8 ing—

9 (I) a prescreening interview with
10 a resettlement support center;

11 (II) an interview with United
12 States Citizenship and Immigration
13 Services; and

14 (III) the completion of security
15 checks;

16 (iii) the number of approvals, referrals
17 including the source of the referral, denials
18 of applications for refugee status or asy-
19 lum, disaggregated by the reason for each
20 such denial; and

21 (iv) the number of refugee circuit
22 rides to interview populations that would
23 include Hong Kong SAR completed in the
24 last 90 days, and the number planned for
25 the subsequent 90-day period.

1 (C) FORM.—Each report required by sub-
2 paragraph (A) shall be submitted in unclassi-
3 fied form, but may include a classified annex.

4 (D) PUBLIC REPORTS.—The Secretary of
5 State shall make each report submitted under
6 this paragraph available to the public on the
7 internet website of the Department of State.

8 (j) ADMISSION FOR CERTAIN HIGHLY SKILLED
9 HONG KONG RESIDENTS.—

10 (1) IN GENERAL.—Subject to subsection (c),
11 the Secretary of Homeland Security, or, notwith-
12 standing any other provision of law, the Secretary of
13 State in consultation with the Secretary of Home-
14 land Security, may provide an alien described in sub-
15 section (b) with the status of a special immigrant
16 under section 101(a)(27) of the Immigration and
17 Nationality Act (8 U.S.C. 1101(a)(27)), if the
18 alien—

19 (A) or an agent acting on behalf of the
20 alien, submits a petition for classification under
21 section 203(b)(4) of such Act (8 U.S.C.
22 1153(b)(4));

23 (B) is otherwise eligible to receive an im-
24 migrant visa;

1 (C) is otherwise admissible to the United
2 States for permanent residence (excluding the
3 grounds for inadmissibility specified in section
4 212(a)(4) of such Act (8 U.S.C. (a)(4))); and

5 (D) clears a background check and appro-
6 priate screening, as determined by the Sec-
7 retary of Homeland Security.

8 (2) ALIENS DESCRIBED.—

9 (A) PRINCIPAL ALIENS.—An alien is de-
10 scribed in this subsection if—

11 (i) the alien—

12 (I) is a Priority Hong Kong Resi-
13 dent; and

14 (II) has earned a bachelor's or
15 higher degree from an institution of
16 higher education; and

17 (ii) the Secretary of Homeland Secu-
18 rity determines that such alien's relocation
19 to the United States would provide a sig-
20 nificant benefit to the United States.

21 (B) SPOUSES AND CHILDREN.—An alien is
22 described in this subsection if the alien is the
23 spouse or child of a principal alien described in
24 paragraph (1).

25 (3) NUMERICAL LIMITATIONS.—

1 (A) IN GENERAL.—The total number of
2 principal aliens who may be provided special
3 immigrant status under this section may not
4 exceed 5,000 per year for each of the five fiscal
5 years beginning after the date of the enactment
6 of this Act. The Secretary of Homeland Secu-
7 rity may, in consultation with the Secretary of
8 State, prioritize the issuance of visas to individ-
9 uals with a bachelor’s or higher degree in
10 science, technology, engineering, mathematics,
11 medicine, or health care.

12 (B) EXCLUSION FROM NUMERICAL LIMITA-
13 TIONS.—Aliens provided immigrant status
14 under this section shall not be counted against
15 any numerical limitation under section 201,
16 202, 203, or 207 of the Immigration and Na-
17 tionality Act (8 U.S.C. 1151, 1152, 1153, and
18 1157).

19 (4) ELIGIBILITY FOR ADMISSION UNDER OTHER
20 CLASSIFICATION.—No alien shall be denied the op-
21 portunity to apply for admission under this section
22 solely because such alien qualifies as an immediate
23 relative or is eligible for any other immigrant classi-
24 fication.

1 (5) TIMELINE FOR PROCESSING APPLICA-
2 TIONS.—

3 (A) IN GENERAL.—The Secretary of State
4 and the Secretary of Homeland Security shall
5 ensure that all steps under the control of the
6 United States Government incidental to the ap-
7 proval of such applications, including required
8 screenings and background checks, are com-
9 pleted not later than one year after the date on
10 which an eligible applicant submits an applica-
11 tion under subsection (a).

12 (B) EXCEPTION.—Notwithstanding para-
13 graph (1), the relevant Federal agencies may
14 take additional time to process applications de-
15 scribed in paragraph (1) if satisfaction of na-
16 tional security concerns requires such additional
17 time, provided that the Secretary of Homeland
18 Security, or the designee of the Secretary, has
19 determined that the applicant meets the re-
20 quirements for status as a special immigrant
21 under this section and has so notified the appli-
22 cant.

23 (k) TERMINATION.—Except as provided in section
24 30300(f) of this Act, this section shall cease to have effect

1 on the date that is five years after the date of the enact-
2 ment of this Act.

3 **SEC. 30304. EXPORT PROHIBITION OF MUNITIONS ITEMS TO**
4 **THE HONG KONG POLICE FORCE.**

5 Section 3 of the Act entitled “An Act to prohibit the
6 commercial export of covered munitions items to the Hong
7 Kong Police Force”, approved November 27, 2019 (Public
8 Law 116–77; 133 Stat. 1173), is amended by striking “on
9 December 31, 2021.” and inserting the following: “on the
10 date on which the President certifies to the appropriate
11 congressional committees that—

12 “(1) the Secretary of State has, on or after the
13 date of the enactment of this paragraph, certified
14 under section 205 of the United States-Hong Kong
15 Policy Act of 1992 that Hong Kong warrants treat-
16 ment under United States law in the same manner
17 as United States laws were applied to Hong Kong
18 before July 1, 1997;

19 “(2) the Hong Kong Police have not engaged in
20 gross violations of human rights during the 1-year
21 period ending on the date of such certification; and

22 “(3) there has been an independent examina-
23 tion of human rights concerns related to the crowd
24 control tactics of the Hong Kong Police and the
25 Government of the Hong Kong Special Administra-

1 tive Region has adequately addressed those con-
2 cerns.”.

3 **SEC. 30305. SENSE OF CONGRESS ON TREATMENT OF**
4 **UYGHURS AND OTHER ETHNIC MINORITIES**
5 **IN THE XINJIANG UYGHUR AUTONOMOUS RE-**
6 **GION.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) The Uyghurs are one of several predomi-
10 nantly Muslim Turkic groups living in the Xinjiang
11 Uyghur Autonomous Region (XUAR) in the north-
12 west of the People’s Republic of China (PRC).

13 (2) Following Uyghur demonstrations and un-
14 rest in 2009 and clashes with government security
15 personnel and other violent incidents in subsequent
16 years, PRC leaders sought to “stabilize” the XUAR
17 through large-scale arrests and extreme security
18 measures, under the pretext of combatting alleged
19 terrorism, religious extremism, and ethnic sepa-
20 ratism.

21 (3) In May 2014, the PRC launched its “Strike
22 Hard Against Violent Extremism” campaign, which
23 placed further restrictions on and facilitated addi-
24 tional human rights violations against minorities in
25 the XUAR under the pretext of fighting terrorism.

1 (4) In August 2016, Chinese Communist Party
2 (CCP) Politburo member Chen Quanguo, former
3 Tibet Autonomous Region (TAR) Party Secretary,
4 known for overseeing intensifying security operations
5 and human rights abuses in the TAR, was appointed
6 as Party Secretary of the XUAR.

7 (5) Beginning in 2017, XUAR authorities have
8 sought to forcibly “assimilate” Uyghurs and other
9 Turkic minorities into Chinese society through a pol-
10 icy of cultural erasure known as “Sinicization”.

11 (6) Since 2018, credible reporting including
12 from the BBC, France24, and the New York Times
13 has shown that the Government of the PRC has
14 built mass internment camps in the XUAR, which it
15 calls “vocational training” centers, and detained
16 Uyghurs and other groups in them and other facili-
17 ties.

18 (7) Since 2015, XUAR authorities have arbi-
19 trarily detained an estimated 1,500,000 Uyghurs—
20 12.5 percent of the XUAR’s official Uyghur popu-
21 lation of 12,000,000—and a smaller number of
22 other ethnic minorities in the “vocational training”
23 centers and other detention and pre-detention facili-
24 ties.

1 (8) In 2017, the XUAR accounted for less than
2 two percent of the PRC's total population but 21
3 percent of all arrests in China.

4 (9) The Atlantic, Radio Free Asia, and other
5 sources have revealed that detainees are forced to re-
6 nounce many of their Islamic beliefs and customs
7 and repudiate Uyghur culture, language, and iden-
8 tity.

9 (10) Investigations by Human Rights Watch
10 and other human rights organizations have docu-
11 mented how detainees are subject to political indoc-
12 trination, forced labor, crowded and unsanitary con-
13 ditions, involuntary biometric data collection, both
14 medical neglect and intrusive medical interventions,
15 food and water deprivation, beatings, sexual violence,
16 and torture.

17 (11) Research by the Australian Strategic Pol-
18 icy Institute suggests that, since late 2019, many
19 detainees have been placed in higher security facili-
20 ties and convicted of formal crimes.

21 (12) Human Rights Watch has reported that
22 the PRC uses data collection programs, including fa-
23 cial recognition technology, to surveil Uyghurs in the
24 XUAR and to identify individuals whom authorities
25 may detain.

1 (13) PRC authorities have placed countless
2 children whose parents are detained or in exile in
3 state-run institutions and boarding schools without
4 the consent of their parents.

5 (14) New York Times reporting revealed that
6 numerous local PRC officials who did not agree with
7 the policies carried out in XUAR have been fired
8 and imprisoned.

9 (15) Associated Press reporting documented
10 widespread and systemic efforts by PRC authorities
11 to force Uyghur women to take contraceptives or to
12 subject them to sterilization or abortion, threatening
13 to detain those who do not comply.

14 (16) PRC authorities prohibit family members
15 and advocates inside and outside China from having
16 regular communications with relatives and friends
17 imprisoned in the XUAR, such as journalist and en-
18 trepreneur Ekpar Asat.

19 (17) PRC authorities have imposed pervasive
20 restrictions on the peaceful practice of Islam in the
21 XUAR, to the extent that Human Rights Watch as-
22 serts the PRC “has effectively outlawed the practice
23 of Islam”.

24 (18) Individuals who are not detained in camps
25 have been forced to attend political indoctrination

1 sessions, subjected to movement restrictions, mass
2 surveillance systems, involuntary biometric data col-
3 lection, and other human rights abuses.

4 (19) International media, nongovernmental or-
5 ganizations, scholars, families, and survivors have
6 reported on the systemic nature of many of these
7 abuses.

8 (20) On June 26, 2020, a group of 50 inde-
9 pendent United Nations experts jointly expressed
10 alarm over China’s deteriorating human rights
11 record, including its repression in Xinjiang, and
12 called on the international community “to act collec-
13 tively and decisively to ensure China respects human
14 rights and abides by its international obligations”.

15 (21) On October 6, 2020, 39 United Nations
16 member countries issued a public statement con-
17 demning human rights violations by PRC authorities
18 and calling on the PRC to allow the United Nations
19 High Commissioner for Human Rights unfettered
20 access to Xinjiang.

21 (22) The United States Congress passed the
22 Uyghur Human Rights Policy Act of 2020 (Public
23 Law 116–145).

24 (23) The United States Congress passed the
25 Global Magnitsky Human Rights Accountability Act

1 (subtitle F of title XII of Public Law 114–328; 22
2 U.S.C. 2656 note), which has been used to sanction
3 PRC officials and entities for their activities in the
4 XUAR.

5 (24) The United States Government has imple-
6 mented additional targeted restrictions on trade with
7 Xinjiang and imposed visa and economic sanctions
8 on PRC officials and entities for their activities in
9 the XUAR.

10 (25) The United States Government has docu-
11 mented human rights abuses and violations of indi-
12 vidual freedoms in the XUAR, including in the 2019
13 Department of State Report on International Reli-
14 gious Freedom.

15 (26) On January 19, 2021, during his con-
16 firmation hearing, Secretary of State Antony
17 Blinken testified that “forcing men, women, and
18 children into concentration camps, trying to in effect
19 reeducate them to be adherents to the Chinese Com-
20 munist Party—all of that speaks to an effort to
21 commit genocide”.

22 (27) On January 19, 2021, Secretary of the
23 Treasury Janet L. Yellen, during her confirmation
24 hearing, publicly stated that China is guilty of “hor-
25 rendous human rights abuses”.

1 (28) On January 27, 2021, in response to a
2 question from the press regarding the Uyghurs, Sec-
3 retary Blinken stated that his “judgement remains
4 that genocide was committed against the Uyghurs”.

5 (29) On March 10, 2021, in response to a ques-
6 tion on Xinjiang during his testimony before the
7 Committee on Foreign Affairs of the House of Rep-
8 resentatives, Secretary Blinken reiterated, “We’ve
9 been clear, and I’ve been clear, that I see it as geno-
10 cide, other egregious abuses of human rights, and
11 we’ll continue to make that clear.”.

12 (30) The 2020 Department of State Country
13 Reports on Human Rights Practices: China states
14 that “[g]enocide and crimes against humanity oc-
15 curred during the year against the predominantly
16 Muslim Uyghurs and other ethnic and religious mi-
17 nority groups in Xinjiang”.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that—

20 (1) the atrocities committed by the PRC
21 against Uyghurs and other predominantly Muslim
22 Turkic groups in Xinjiang, including forced labor,
23 sexual violence, the internment of over 1,000,000 in-
24 dividuals, and other horrific abuses must be con-
25 demned;

1 (2) the President, the Secretary of State, and
2 the United States Ambassador to the United Na-
3 tions should speak publicly about the ongoing
4 human rights abuses in the XUAR, including in for-
5 mal speeches at the United Nations and other inter-
6 national fora;

7 (3) the President, the Secretary of State, and
8 the United States Ambassador to the United Na-
9 tions should appeal to the United Nations Secretary-
10 General to take a more proactive and public stance
11 on the situation in the XUAR, including by sup-
12 porting calls for an investigation and accountability
13 for individuals and entities involved in abuses
14 against the people of the XUAR;

15 (4) the United States should continue to use
16 targeted sanctions and all diplomatic tools available
17 to hold those responsible for the atrocities in
18 Xinjiang to account;

19 (5) United States agencies engaged with China
20 on trade, climate, defense, or other bilateral issues
21 should include human rights abuses in the XUAR as
22 a consideration in developing United States policy;

23 (6) the United States supports Radio Free Asia
24 Uyghur, the only Uyghur-language news service in

1 the world independent of Chinese government influ-
2 ence; and

3 (7) the United States recognizes the repeated
4 requests from the United Nations High Commis-
5 sioner for Human Rights for unfettered access to
6 the XUAR and the PRC's refusal to comply, and
7 therefore—

8 (A) PRC authorities must allow unfettered
9 access by the United Nations Office of the High
10 Commissioner for Human Rights to the XUAR;

11 (B) the United States should urge collabo-
12 rative action between the United States Govern-
13 ment and international partners to pressure
14 PRC authorities to allow unfettered access to
15 the XUAR;

16 (C) the President, the Secretary of State,
17 and the United States Ambassador to the
18 United Nations should simultaneously outline a
19 strategy to investigate the human rights abuses
20 and crimes that have taken place in the XUAR,
21 collect evidence, and transfer the evidence to a
22 competent court; and

23 (D) United States partners and allies
24 should undertake similar strategies in an effort
25 to build an international investigation outside of

1 the PRC if PRC authorities do not comply with
2 a United Nations investigation in the XUAR.

3 **SEC. 30306. UYGHUR HUMAN RIGHTS PROTECTION.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Uyghur Human Rights Protection Act”.

6 (b) **FINDINGS.**—Congress makes the following find-
7 ings:

8 (1) The Government of the People’s Republic of
9 China (PRC) has a long history of repressing Turkic
10 Muslims and other Muslim minority groups, particu-
11 larly Uyghurs, in the Xinjiang Uyghur Autonomous
12 Region (commonly referred to as “Xinjiang” or
13 “XUAR”), also known as East Turkestan. Central
14 and regional PRC government policies have system-
15 atically discriminated against these minority groups
16 by denying them a range of civil and political rights,
17 particularly freedom of religion. Senior Chinese
18 Communist Party (CCP) officials bear direct respon-
19 sibility for these gross human rights violations.

20 (2) PRC government abuses include the arbi-
21 trary detention of more than 1,000,000 Uyghurs,
22 ethnic Kazakhs, Kyrgyz, and members of other Mus-
23 lim minority groups, separation of working age
24 adults from their children and elderly parents, and
25 the integration of forced labor into supply chains.

1 Those held in detention facilities and internment
2 camps in the XUAR have described forced political
3 indoctrination, torture, beatings, food deprivation,
4 sexual assault, coordinated campaigns to reduce
5 birth rates among Uyghurs and other Turkic Mus-
6 lims through forced sterilization, and denial of reli-
7 gious, cultural, and linguistic freedoms. Recent
8 media reports indicate that since 2019, the PRC
9 government has newly constructed, expanded, or for-
10 tified at least 60 detention facilities with higher se-
11 curity or prison-like features in Xinjiang.

12 (3) The PRC government's actions against
13 Uyghurs, ethnic Kazakhs, Kyrgyz, and members of
14 other Muslim minority groups in the XUAR violate
15 international human rights laws and norms, includ-
16 ing—

17 (A) the International Convention on the
18 Elimination of All Forms of Racial Discrimina-
19 tion, to which the PRC has acceded;

20 (B) the Convention against Torture and
21 Other Cruel, Inhuman or Degrading Treatment
22 or Punishment, which the PRC has signed and
23 ratified;

1 (C) the Convention on the Prevention and
2 Punishment of the Crime of Genocide, which
3 the PRC has signed and ratified;

4 (D) the International Covenant on Civil
5 and Political Rights, which the PRC has signed;
6 and

7 (E) the Universal Declaration of Human
8 Rights and the International Labor Organiza-
9 tion's Force Labor Convention (no. 29) and the
10 Abolition of Forced Labor Convention (no.
11 105).

12 (c) REFUGEE PROTECTIONS FOR CERTAIN RESI-
13 DENTS OF THE XUAR.—

14 (1) POPULATIONS OF SPECIAL HUMANITARIAN
15 CONCERN.—The Secretary of State, in consultation
16 with the Secretary of Homeland Security, shall des-
17 ignate, as Priority 2 refugees of special humani-
18 tarian concern—

19 (A) aliens who were nationals of the PRC
20 and residents of the XUAR on January 1,
21 2021;

22 (B) aliens who fled the XUAR after June
23 30, 2009, and reside in other provinces of the
24 PRC or in a third country where such alien is
25 not firmly resettled; and

1 (C) the spouses, children, and parents (as
2 such terms are defined in subsections (a) and
3 (b) of section 101 of the Immigration and Na-
4 tionality Act (8 U.S.C. 1101)) of individuals de-
5 scribed in subparagraphs (A) and (B), except
6 that a child shall be an unmarried person under
7 27 years of age.

8 (2) PROCESSING OF XUAR REFUGEES.—The
9 processing of individuals described in paragraph (1)
10 for classification as refugees may occur in the PRC
11 or a third country.

12 (3) ELIGIBILITY FOR ADMISSION AS A REF-
13 UGEE.—

14 (A) IN GENERAL.—Aliens described in sub-
15 paragraph (B) may establish, for purposes of
16 admission as a refugee under section 207 of the
17 Immigration and Nationality Act (8 U.S.C.
18 1157) or asylum under section 208 of such Act
19 (8 U.S.C. 1158), that such alien has a well-
20 founded fear of persecution on account of race,
21 religion, nationality, membership in a particular
22 social group, or political opinion by asserting
23 such a fear and asserting a credible basis for
24 concern about the possibility of such persecu-
25 tion.

1 (B) ALIENS DESCRIBED.—An alien is de-
2 scribed in this subsection if such alien has been
3 identified as a person of special humanitarian
4 concern pursuant to paragraph (1) and—

5 (i) has experienced persecution in the
6 XUAR by the PRC government, includ-
7 ing—

8 (I) forced and arbitrary detention
9 including in an internment or re-edu-
10 cation camp;

11 (II) forced political indoctrina-
12 tion, torture, beatings, food depriva-
13 tion, and denial of religious, cultural,
14 and linguistic freedoms;

15 (III) forced labor;

16 (IV) forced separation from fam-
17 ily members;

18 (V) other forms of systemic
19 threats, harassment, and gross human
20 rights violations; or

21 (VI) has been formally charged,
22 detained, or convicted on account of
23 their peaceful actions as described in
24 the Uyghur Human Rights Policy Act
25 of 2020 (Public Law 116–145);

1 (ii) is currently a national of the PRC
2 whose residency in the XUAR, or any
3 other area within the jurisdiction of the
4 PRC, was revoked for having submitted to
5 any United States Government agency a
6 nonfrivolous application for refugee status,
7 asylum, or any other immigration benefit
8 under United States law.

9 (C) ELIGIBILITY FOR ADMISSION UNDER
10 OTHER CLASSIFICATION.—An alien may not be
11 denied the opportunity to apply for admission
12 as a refugee or asylum under this section solely
13 because such alien qualifies as an immediate
14 relative of a national of the United States or is
15 eligible for admission to the United States
16 under any other immigrant classification.

17 (4) PRIORITY.—The Secretary of State shall
18 prioritize bilateral diplomacy with third countries
19 hosting former residents of the XUAR and who face
20 significant diplomatic pressures from the PRC gov-
21 ernment.

22 (5) REPORTING REQUIREMENTS.—

23 (A) IN GENERAL.—Not later than 180
24 days after the date of the enactment of this Act
25 and every 90 days thereafter, the Secretary of

1 State and the Secretary of Homeland Security
2 shall submit to the appropriate congressional
3 committees, the Committee on the Judiciary of
4 the House of Representatives, and the Com-
5 mittee on the Judiciary of the Senate a report
6 on the matters described in subparagraph (B).

7 (B) MATTERS TO BE INCLUDED.—Each
8 report required by subparagraph (A) shall in-
9 clude, with respect to applications submitted
10 under this section—

11 (i) the total number of applications
12 that are pending at the end of the report-
13 ing period;

14 (ii) the average wait-times and num-
15 ber of applicants who are currently pend-
16 ing—

17 (I) a pre-screening interview with
18 a resettlement support center;

19 (II) an interview with United
20 States Citizenship and Immigration
21 Services;

22 (III) the completion of security
23 checks;

24 (IV) receipt of a final decision
25 after completion of an interview with

1 United States Citizenship and Immi-
2 gration Services; and

3 (iii) the number of denials of applica-
4 tions for refugee status, disaggregated by
5 the reason for each such denial.

6 (C) FORM.—Each report required by para-
7 graph (1) shall be submitted in unclassified
8 form, but may include a classified annex.

9 (D) PUBLIC REPORTS.—The Secretary of
10 State shall make each report submitted under
11 this subsection available to the public on the
12 internet website of the Department of State.

13 (6) EXEMPTION FROM NUMERICAL LIMITA-
14 TIONS.—The numerical limitations established in ac-
15 cordance with section 207 of the Immigration and
16 Nationality Act (8 U.S.C. 1157) in any fiscal year
17 shall not apply to aliens seeking refugee status pur-
18 suant to such section who are nationals of the PRC
19 and residents of the XUAR.

20 (d) STATEMENT OF POLICY ON ENCOURAGING AL-
21 LIES AND PARTNERS TO MAKE SIMILAR ACCOMMODA-
22 TIONS.—It is the policy of the United States to encourage
23 United States allies and partners to make accommoda-
24 tions similar to the accommodations made in this section

1 for residents of the XUAR who are fleeing oppression by
2 the PRC Government.

3 (e) TERMINATION.—This section shall terminate on
4 the date that is ten years after the date of the enactment
5 of this Act.

6 **SEC. 30307. REMOVAL OF MEMBERS OF THE UNITED NA-**
7 **TIONS HUMAN RIGHTS COUNCIL THAT COM-**
8 **MIT HUMAN RIGHTS ABUSES.**

9 The President shall direct the Permanent Represent-
10 ative of the United States to the United Nations to use
11 the voice, vote, and influence of the United States to—

12 (1) reform the process for removing Member
13 States of the United Nations Human Rights Council
14 that commit gross and systemic violations of human
15 rights, including—

16 (A) lowering the threshold vote at the
17 United Nations General Assembly for removal
18 to a simple majority;

19 (B) ensuring information detailing the
20 Member State’s human rights record is publicly
21 available before the vote on removal; and

22 (C) making the vote of each country on the
23 removal from the United Nations Human
24 Rights Council publicly available;

1 (2) remove Israel as a permanent agenda item
2 and to bring an end to the “Commission of Inquiry”
3 to investigate the State of Israel;

4 (3) reform the rules on electing members to the
5 United Nations Human Rights Council to ensure
6 United Nations Member States that have committed
7 gross and systemic violations of human rights are
8 not elected to the Human Rights Council; and

9 (4) oppose the election to the United Nations
10 Human Rights Council of any United Nations Mem-
11 ber State—

12 (A) currently designated as a country en-
13 gaged in a consistent pattern of gross violations
14 of internationally recognized human rights pur-
15 suant to section 116 or section 502B of the
16 Foreign Assistance Act of 1961 (22 U.S.C.
17 2151n or 2304);

18 (B) the government of which the Secretary
19 of State currently determines has repeatedly
20 provided support for international terrorism
21 pursuant to—

22 (i) section 1754(e) of the National
23 Defense Authorization Act for Fiscal Year
24 2019;

1 (ii) section 620A of the Foreign As-
2 sistance Act of 1961 (22 U.S.C. 2371);

3 (iii) section 40 of the Arms Export
4 Control Act (22 U.S.C. 2779A); or

5 (iv) any other provision of law;

6 (C) currently designated as a Tier 3 coun-
7 try under the Trafficking Victims Protection
8 Act of 2000 (22 U.S.C. 7101 et seq.);

9 (D) the government of which is identified
10 on the list published by the Secretary of State
11 pursuant to section 404(b) of the Child Soldiers
12 Prevention Act of 2008 (22 U.S.C. 2370c–1(b))
13 as a government that recruits and uses child
14 soldiers; or

15 (E) the government of which the United
16 States determines to have committed genocide
17 or crimes against humanity.

18 **SEC. 30308. POLICY WITH RESPECT TO TIBET.**

19 (a) RANK OF UNITED STATES SPECIAL COORDI-
20 NATOR FOR TIBETAN ISSUES.—Section 621 of the Ti-
21 betan Policy Act of 2002 (22 U.S.C. 6901 note) is amend-
22 ed—

23 (1) by redesignating subsections (b), (c), (d),
24 and (e), as subsections (c), (d), (e), and (f), respec-
25 tively; and

1 (2) by inserting after subsection (a) the fol-
2 lowing new subsection:

3 “(b) RANK.—The Special Coordinator shall either be
4 appointed by the President, with the advice and consent
5 of the Senate, or shall be an individual holding the rank
6 of Under Secretary of State or higher.”.

7 (b) TIBET UNIT AT UNITED STATES EMBASSY IN
8 BEIJING.—

9 (1) IN GENERAL.—The Secretary of State shall
10 establish a Tibet Unit in the Political Section of the
11 United States Embassy in Beijing, People’s Republic
12 of China (PRC).

13 (2) OPERATION.—The Tibet Unit established
14 under paragraph (1) shall operate until such time as
15 the Government of the PRC permits—

16 (A) the United States Consulate General
17 in Chengdu, PRC, to reopen; or

18 (B) a United States Consulate General in
19 Lhasa, Tibet, to open.

20 (3) STAFF.—

21 (A) IN GENERAL.—The Secretary shall—

22 (i) assign not fewer than two United
23 States direct-hire personnel to the Tibet
24 Unit established under paragraph (1); and

1 (ii) hire not fewer than one locally en-
2 gaged staff member for such unit.

3 (B) LANGUAGE TRAINING.—The Secretary
4 shall make Tibetan language training available
5 to the personnel assigned under subparagraph
6 (A), consistent with the Tibetan Policy Act of
7 2002 (22 U.S.C. 6901 note).

8 **SEC. 30309. UNITED STATES POLICY AND INTERNATIONAL**
9 **ENGAGEMENT ON THE SUCCESSION OR REIN-**
10 **CARNATION OF THE DALAI LAMA AND RELI-**
11 **GIUS FREEDOM OF TIBETAN BUDDHISTS.**

12 (a) REAFFIRMATION OF POLICY.—It is the policy of
13 the United States, as provided under section 342(b) of di-
14 vision FF of the Consolidated Appropriations Act, 2021
15 (Public Law 116–260), that any “interference by the Gov-
16 ernment of the People’s Republic of China or any other
17 government in the process of recognizing a successor or
18 reincarnation of the 14th Dalai Lama and any future
19 Dalai Lamas would represent a clear abuse of the right
20 to religious freedom of Tibetan Buddhists and the Tibetan
21 people”.

22 (b) INTERNATIONAL EFFORTS TO PROTECT RELI-
23 GIUS FREEDOM OF TIBETAN BUDDHISTS.—The Sec-
24 retary of State should engage with United States allies
25 and partners to—

1 (1) support Tibetan Buddhist religious leaders’
2 sole religious authority to identify and install the
3 15th Dalai Lama;

4 (2) oppose claims by the Government of the
5 People’s Republic of China (PRC) that the PRC has
6 the authority to decide for Tibetan Buddhists the
7 15th Dalai Lama; and

8 (3) reject interference by the Government of the
9 PRC in the religious freedom of Tibetan Buddhists.

10 **SEC. 30310. DEVELOPMENT AND DEPLOYMENT OF INTER-**
11 **NET FREEDOM AND GREAT FIREWALL CIR-**
12 **CUMVENTION TOOLS FOR THE PEOPLE OF**
13 **HONG KONG.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) The People’s Republic of China (PRC) has
17 repeatedly violated its obligations under the Joint
18 Declaration by suppressing the basic rights and free-
19 doms of the people of Hong Kong.

20 (2) On June 30, 2020, the National People’s
21 Congress passed a “National Security Law” that
22 further erodes Hong Kong’s autonomy and enables
23 authorities to suppress dissent.

24 (3) The Government of the PRC continues to
25 utilize the National Security Law to undermine the

1 fundamental rights of the Hong Kong people
2 through suppression of the freedom of speech, as-
3 sembly, religion, and the press.

4 (4) Article 9 of the National Security Law au-
5 thorizes unprecedented regulation and supervision of
6 internet activity in Hong Kong, including expanded
7 police powers to force internet service providers to
8 censor content, hand over user information, and
9 block access to platforms.

10 (5) On January 13, 2021, the Hong Kong
11 Broadband Network blocked public access to HK
12 Chronicles, a website promoting pro-democracy view-
13 points, under the authorities of the National Secu-
14 rity Law.

15 (6) On February 12, 2021, internet service pro-
16 viders blocked access to the Taiwan Transitional
17 Justice Commission website in Hong Kong.

18 (7) Major tech companies, including Facebook,
19 Twitter, WhatsApp and Google, have stopped review-
20 ing requests for user data from Hong Kong authori-
21 ties.

22 (8) On February 28, 2021, 47 pro-democracy
23 activists in Hong Kong were arrested and charged
24 under the National Security Law on the charge of
25 “conspiracy to commit subversion”.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the United States should—

3 (1) support the ability of the people of Hong
4 Kong to maintain their freedom to access informa-
5 tion online; and

6 (2) focus on investments in technologies that
7 facilitate the unhindered exchange of information in
8 Hong Kong in advance of any future efforts by the
9 Chinese Communist Party—

10 (A) to suppress internet access;

11 (B) to increase online censorship; or

12 (C) to inhibit online communication and
13 content-sharing by the people of Hong Kong.

14 (c) HONG KONG INTERNET FREEDOM PROGRAM.—

15 (1) WORKING GROUP.—

16 (A) IN GENERAL.—The Secretary of State
17 is authorized to establish a working group to
18 develop a strategy to bolster internet resiliency
19 and online access in Hong Kong.

20 (B) MEMBERSHIP.—The working group
21 under subparagraph (A) shall consist of—

22 (i) the Under Secretary of State for
23 Civilian Security, Democracy, and Human
24 Rights;

1 (ii) the Assistant Secretary of State
2 for East Asian and Pacific Affairs;

3 (iii) the Chief Executive Officer of the
4 United States Agency for Global Media
5 and the President of the Open Technology
6 Fund of the Agency; and

7 (iv) the Administrator of the United
8 States Agency for International Develop-
9 ment.

10 (2) HONG KONG INTERNET FREEDOM PRO-
11 GRAMS.—

12 (A) DEPARTMENT OF STATE.—The Sec-
13 retary of State shall establish a Hong Kong
14 Internet Freedom Program in the Bureau of
15 Democracy, Human Rights, and Labor in the
16 Department of State.

17 (B) OPEN TECHNOLOGY FUND.—The
18 President of the Open Technology Fund of the
19 United States Agency for Global Media is au-
20 thorized to establish a Hong Kong Internet
21 Freedom Program.

22 (C) OPERATION.—The Programs referred
23 to in subparagraphs (A) and (B) shall operate
24 independently, but in strategic coordination
25 with other entities in the working group under

1 paragraph (1). The Open Technology Fund
2 shall remain independent from Department of
3 State direction in its implementation of the
4 Program of such Fund, and any other internet
5 freedom programs.

6 (3) INDEPENDENCE.—During the period begin-
7 ning on the date of the enactment of this Act and
8 ending on September 30, 2023, the Hong Kong
9 Internet Freedom Programs described in paragraph
10 (2) shall be carried out independently from any
11 other internet freedom programs relating to the Peo-
12 ple’s Republic of China carried out by the Depart-
13 ment of State or the Open Technology Fund of the
14 United States Agency for Global Media, as the case
15 may be, in order that such Hong Kong Internet
16 Freedom Programs may focus on supporting lib-
17 erties presently enjoyed by the people of Hong Kong.

18 (4) CONSOLIDATION OF DEPARTMENT OF
19 STATE PROGRAM.—Beginning on October 1, 2023,
20 the Secretary of State may—

21 (A) consolidate the Hong Kong Internet
22 Freedom Program of the Department of State
23 with any other internet freedom programs relat-
24 ing to the People’s Republic of China carried

1 out by the Bureau of Democracy, Human
2 Rights, and Labor; or

3 (B) continue to carry out the Program in
4 accordance with paragraph (3).

5 (5) CONSOLIDATION OF OPEN TECHNOLOGY
6 FUND PROGRAM.—Beginning on October 1, 2023,
7 the President of the Open Technology Fund of the
8 United States Agency for Global Media may—

9 (A) consolidate the Hong Kong Internet
10 Freedom Program of the Fund with any other
11 internet freedom programs relating to the Peo-
12 ple’s Republic of China carried out by the
13 Fund; or

14 (B) continue to carry out the Program in
15 accordance with paragraph (3).

16 (d) SUPPORT FOR INTERNET FREEDOM TECH-
17 NOLOGY PROGRAMS.—

18 (1) GRANTS AUTHORIZED.—

19 (A) IN GENERAL.—The Secretary of State,
20 working through the Bureau of Democracy,
21 Human Rights, and Labor, and President of
22 the Open Technology Fund of the United
23 States Agency for Global Media, are each sepa-
24 rately and independently authorized to award
25 grants and contracts to private organizations to

1 support and develop programs in Hong Kong
2 that promote or expand—

3 (i) an open, interoperable, reliable and
4 secure internet; and

5 (ii) the online exercise of human
6 rights and fundamental freedoms of indi-
7 vidual citizens, activists, human rights de-
8 fenders, independent journalists, civil soci-
9 ety organizations, and marginalized popu-
10 lations in Hong Kong.

11 (B) GOALS.—The goals of the programs
12 developed pursuant to grants awarded pursuant
13 to subparagraph (A) should be—

14 (i) to make the internet available in
15 Hong Kong;

16 (ii) to increase the number of the
17 tools in the technology portfolio;

18 (iii) to promote the availability of such
19 technologies and tools in Hong Kong;

20 (iv) to encourage the adoption of such
21 technologies and tools by the people of
22 Hong Kong;

23 (v) to scale up the distribution of such
24 technologies and tools throughout Hong
25 Kong;

1 (vi) to prioritize the development of
2 tools, components, code, and technologies
3 that are fully open-source, to the extent
4 practicable;

5 (vii) to conduct research on repressive
6 tactics that undermine internet freedom in
7 Hong Kong;

8 (viii) to ensure digital safety guidance
9 and support is available to repressed indi-
10 vidual citizens, human rights defenders,
11 independent journalists, civil society orga-
12 nizations and marginalized populations in
13 Hong Kong; and

14 (ix) to engage United States private
15 industry, including e-commerce firms and
16 social networking companies, on the impor-
17 tance of preserving internet access in Hong
18 Kong.

19 (C) GRANT RECIPIENTS.—Grants awarded
20 pursuant to subparagraph (A) shall be distrib-
21 uted to multiple vendors and suppliers through
22 an open, fair, competitive, and evidence-based
23 decision process—

24 (i) to diversify the technical base; and

1 (ii) to reduce the risk of misuse by
2 bad actors.

3 (D) SECURITY AUDITS.—New technologies
4 developed using grants awarded pursuant to
5 subparagraph (A) shall undergo comprehensive
6 security audits to ensure such technologies are
7 secure and have not been compromised in a
8 manner detrimental to the interests of the
9 United States or to individuals or organizations
10 benefitting from programs supported by the
11 Open Technology Fund.

12 (2) FUNDING SOURCE.—The Secretary of State
13 is authorized to expend funds made available to the
14 Human Rights and Democracy Fund of the Bureau
15 of Democracy, Human Rights, and Labor of the De-
16 partment of State for each of fiscal years 2022 and
17 2023 for grants authorized under paragraph (1) by
18 any entity in the working group established under
19 subsection (c)(1).

20 (3) AUTHORIZATION OF APPROPRIATIONS.—

21 (A) OPEN TECHNOLOGY FUND.—In addi-
22 tion to the funds authorized to be expended
23 pursuant to paragraph (2), there are authorized
24 to be appropriated to the Open Technology
25 Fund of the United States Agency for Global

1 Media \$5,000,000 for each of fiscal years 2022
2 and 2023 for grants to carry out this sub-
3 section. Such amounts are in addition to any
4 amounts authorized to be appropriated for the
5 Open Technology Fund under section 1299P of
6 the National Defense Authorization Act for Fis-
7 cal Year 2021 (Public Law 116–283).

8 (B) BUREAU OF DEMOCRACY, HUMAN
9 RIGHTS, AND LABOR.—In addition to the funds
10 authorized to be expended pursuant to para-
11 graph (2), there are authorized to be appro-
12 priated to the Office of Internet Freedom Pro-
13 grams of the Bureau of Democracy, Human
14 Rights, and Labor of the Department of State
15 \$10,000,000 for each of fiscal years 2022 and
16 2023 to carry out this subsection.

17 (C) AVAILABILITY.—Amounts authorized
18 to be appropriated pursuant to subparagraphs
19 (A) and (B) shall remain available until ex-
20 pended.

21 (e) STRATEGIC PLANNING REPORT.—Not later than
22 120 days after the date of the enactment of this Act, the
23 Secretary of State and the working group under sub-
24 section (c)(1) shall submit to the appropriate congres-
25 sional committees a classified report that—

1 (1) describes the Federal Government’s plan to
2 bolster and increase the availability of Great Fire-
3 wall circumvention and internet freedom technology
4 in Hong Kong during fiscal year 2022;

5 (2) outlines a plan for—

6 (A) supporting the preservation of an
7 open, interoperable, reliable, and secure internet
8 in Hong Kong;

9 (B) increasing the supply of the technology
10 referred to in paragraph (1);

11 (C) accelerating the dissemination of such
12 technology;

13 (D) promoting the availability of internet
14 freedom in Hong Kong;

15 (E) utilizing presently-available tools in the
16 existing relevant portfolios for further use in
17 the unique context of Hong Kong;

18 (F) expanding the portfolio of tools in
19 order to diversify and strengthen the effective-
20 ness and resiliency of the circumvention efforts;

21 (G) providing training for high-risk groups
22 and individuals in Hong Kong; and

23 (H) detecting analyzing, and responding to
24 new and evolving censorship threats;

1 (3) includes a detailed description of the tech-
2 nical and fiscal steps necessary to safely implement
3 the plans referred to in paragraphs (1) and (2), in-
4 cluding an analysis of the market conditions in
5 Hong Kong;

6 (4) describes the Federal Government’s plans
7 for awarding grants to private organizations for the
8 purposes described in subsection (d)(1)(A);

9 (5) outlines the working group’s consultations
10 regarding the implementation of this section to en-
11 sure that all Federal efforts are aligned and well co-
12 ordinated; and

13 (6) outlines the Department of State’s strategy
14 to influence global internet legal standards at inter-
15 national organizations and multilateral fora.

16 (f) DEFINITIONS.—In this section:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Foreign Relations,
21 the Committee on Appropriations, and the Se-
22 lect Committee on Intelligence of the Senate;
23 and

24 (B) the Committee on Foreign Affairs, the
25 Committee on Appropriations, and the Perma-

1 nent Select Committee on Intelligence of the
2 House of Representatives.

3 (2) JOINT DECLARATION.—The term “Joint
4 Declaration” means the Joint Declaration of the
5 Government of the United Kingdom of Great Britain
6 and Northern Ireland and the Government of the
7 People’s Republic of China on the Question of Hong
8 Kong, done at Beijing on December 19, 1984.

9 **SEC. 30311. AUTHORIZATION OF APPROPRIATIONS FOR**
10 **PROTECTING HUMAN RIGHTS IN THE PEOP-**
11 **LE’S REPUBLIC OF CHINA.**

12 (a) IN GENERAL.—Amounts authorized to be appro-
13 priated or otherwise made available to carry out section
14 409 of the Asia Reassurance Initiative Act of 2019 (Public
15 Law 115–409) should include programs that prioritize the
16 protection and advancement of the freedoms of associa-
17 tion, assembly, religion, and expression for women, human
18 rights activists, and ethnic and religious minorities in the
19 People’s Republic of China (PRC).

20 (b) USE OF FUNDS.—Amounts appropriated pursu-
21 ant to section 409 of the Asia Reassurance Initiative Act
22 of 2019 (Public Law 115–409) may be used to fund non-
23 governmental agencies within the Indo-Pacific region that
24 are focused on the issues described in subsection (a).

1 (c) CONSULTATION REQUIREMENT.—In carrying out
2 this section, the Assistant Secretary of Democracy,
3 Human Rights and Labor shall consult with the appro-
4 priate congressional committees and representatives of
5 civil society regarding—

6 (1) strengthening the capacity of the organiza-
7 tions referred to in subsection (b);

8 (2) protecting members of the groups referred
9 to in subsection (a) who have been targeted for ar-
10 rest, harassment, forced sterilizations, coercive abor-
11 tions, forced labor, or intimidation, including mem-
12 bers residing outside of the PRC; and

13 (3) messaging efforts to reach the broadest pos-
14 sible audiences within the PRC about United States
15 Government efforts to protect freedom of associa-
16 tion, expression, assembly, and the rights of ethnic
17 minorities.

18 **SEC. 30312. MODIFICATIONS TO AND REAUTHORIZATION OF**
19 **SANCTIONS WITH RESPECT TO HUMAN**
20 **RIGHTS VIOLATIONS.**

21 (a) DEFINITIONS.—Section 1262 of the Global
22 Magnitsky Human Rights Accountability Act (Subtitle F
23 of title XII of Public Law 114–328; 22 U.S.C. 2656 note)
24 is amended by striking paragraph (2).

1 (b) SENSE OF CONGRESS.—(1) The Global
2 Magnitsky Human Rights Accountability Act (Subtitle F
3 of title XII of Public Law 114–328; 22 U.S.C. 2656 note)
4 is amended by inserting after section 1262 the following
5 new section:

6 **“SEC. 1262A. SENSE OF CONGRESS.**

7 “It is the sense of Congress that the President should
8 establish and regularize information sharing and sanc-
9 tions-related decision making with like-minded govern-
10 ments possessing human rights and anti-corruption sanc-
11 tions programs similar in nature to those authorized under
12 this subtitle.”; and

13 (2) The table of contents in section 2(b) and in title
14 XII of division A of the National Defense Authorization
15 Act for Fiscal Year 2017 (Public Law 114–328) are each
16 amended by inserting after the items relating to section
17 1262 the following:

“Sec. 1262A. Sense of Congress.”.

18 (c) IMPOSITION OF SANCTIONS.—

19 (1) IN GENERAL.—Subsection (a) of section
20 1263 of the Global Magnitsky Human Rights Ac-
21 countability Act (Subtitle F of title XII of Public
22 Law 114–328; 22 U.S.C. 2656 note) is amended to
23 read as follows:

24 “(a) IN GENERAL.—The President may impose the
25 sanctions described in subsection (b) with respect to any

1 foreign person that the President determines, based on
2 credible information—

3 “(1) is responsible for or complicit in, or has di-
4 rectly or indirectly engaged in, serious human rights
5 abuse or any violation of internationally recognized
6 human rights;

7 “(2) is a current or former government official,
8 or a person acting for or on behalf of such an offi-
9 cial, who is responsible for or complicit in, or has di-
10 rectly or indirectly engaged in—

11 “(A) corruption; or

12 “(B) the transfer or facilitation of the
13 transfer of the proceeds of corruption;

14 “(3) is or has been a leader or official of—

15 “(A) an entity, including a government en-
16 tity, that has engaged in, or whose members
17 have engaged in, any of the activities described
18 in subparagraph (A) or (B) related to the ten-
19 ure of the leader or official; or

20 “(B) an entity whose property and inter-
21 ests in property are blocked pursuant to this
22 section as a result of activities related to the
23 tenure of the leader or official;

1 “(4) has materially assisted, sponsored, or pro-
2 vided financial, material, or technological support
3 for, or goods or services to or in support of—

4 “(A) an activity described in subparagraph
5 (A) or (B) that is conducted by a foreign per-
6 son;

7 “(B) a person whose property and inter-
8 ests in property are blocked pursuant to this
9 section; or

10 “(C) an entity, including a government en-
11 tity, that has engaged in, or whose members
12 have engaged in, an activity described in sub-
13 paragraph (A) or (B) conducted by a foreign
14 person; or

15 “(5) is owned or controlled by, or acts or is
16 purported to act for or on behalf of, directly or indi-
17 rectly, a person whose property and interests in
18 property are blocked pursuant to this section.”.

19 (2) CONSIDERATION OF CERTAIN INFORMA-
20 TION.—Subsection (c)(2) of such section is amended
21 by inserting “corruption and” after “monitor”.

22 (3) REQUESTS BY CONGRESS.—Subsection (d)
23 of such section is amended—

1 (A) in paragraph (1), in the matter pre-
2 ceding subparagraph (A), by striking “sub-
3 section (a)” and inserting “subsection (a)(1)”;

4 (B) in paragraph (2)—

5 (i) in subparagraph (A)—

6 (I) in the subparagraph heading,
7 by striking “HUMAN RIGHTS VIOLA-
8 TIONS” and inserting “SERIOUS
9 HUMAN RIGHTS ABUSE OR VIOLA-
10 TIONS OF INTERNATIONALLY RECOG-
11 NIZED HUMAN RIGHTS”; and

12 (II) by striking “described in
13 paragraph (1) or (2) of subsection
14 (a)” and inserting “described in sub-
15 section (a)(1) relating to serious
16 human rights abuse or any violation
17 of internationally recognized human
18 rights”; and

19 (ii) in subparagraph (B)—

20 (I) in the matter preceding clause
21 (i), by striking “described in para-
22 graph (3) or (4) of subsection (a)”
23 and inserting “described in subsection
24 (a)(1) relating to corruption or the

1 transfer or facilitation of the transfer
2 of the proceeds of corruption”; and

3 (II) by striking “ranking member
4 of” and all that follows through the
5 period at the end and inserting “rank-
6 ing member of one of the appropriate
7 congressional committees.”.

8 (d) REPORTS TO CONGRESS.—Section 1264(a) of the
9 Global Magnitsky Human Rights Accountability Act (Sub-
10 title F of title XII of Public Law 114–328; 22 U.S.C.
11 2656 note) is amended—

12 (1) in paragraph (5), by striking “; and” and
13 inserting a semicolon;

14 (2) in paragraph (6), by striking the period at
15 the end and inserting “;”; and

16 (3) by adding at the end the following:

17 “(7) a description of additional steps taken by
18 the President through diplomacy, international en-
19 gagement, and assistance to foreign or security sec-
20 tors to address persistent underlying causes of seri-
21 ous human rights abuse, violations of internationally
22 recognized human rights, and corruption in each
23 country in which foreign persons with respect to
24 which sanctions have been imposed under section
25 1263 are located; and

1 scapegoating and scare-mongering” and urged gov-
2 ernments to “act now to strengthen the immunity of
3 our societies against the virus of hate”.

4 (2) Over 2 million Asian Americans and Pacific
5 Islanders are working on the front lines of the
6 COVID–19 pandemic in healthcare, law enforce-
7 ment, first responders, transportation, super-
8 markets, and other service industries. AAPI workers
9 also make up a large share—between 6 percent and
10 12 percent based on sector—of the bio medical field.

11 (3) The United States Census Bureau notes
12 that Americans of Asian descent made up 7.2 per-
13 cent of the population according to the 2020 decen-
14 nial census, and that Asian Americans are the fast-
15 est-growing racial group in the United States, pro-
16 jected to represent 14 percent of the United States
17 population by 2065.

18 (4) Since January 2020, there has been a dra-
19 matic increase in reports of hate crimes and inci-
20 dents against those of Asian descent.

21 (5) According to reports, there are over 10,000
22 reported cases of anti-Asian American hate incidents
23 and discrimination related to COVID–19 between
24 March 19, 2020 and September 30, 2021.

1 (6) Local police departments are reporting an
2 exponential increase in anti-Asian hate incidents and
3 crimes. The New York Police Department reported
4 a 343 percent spike in anti-Asian crime in 2021
5 from 2020, and the San Francisco Police Depart-
6 ment reported anti-AAPI hate crimes increased by
7 567 percent from 2020 to 2021.

8 (7) Multiple incidents of anti-Asian violence oc-
9 curred since March 2020, including a woman wear-
10 ing a mask who was kicked and punched at a New
11 York City subway station, two children and two
12 adults were stabbed at a wholesale grocery store in
13 Midland, Texas, a couple was assaulted and robbed
14 by a group of attackers in Philadelphia, and a 16-
15 year-old boy was sent to the hospital after being at-
16 tacked by bullies in Los Angeles, California.

17 (8) Anti-Asian discrimination and hate since
18 the start of the COVID–19 outbreak has continued
19 throughout the pandemic.

20 (9) Since the start of 2021, there has been a
21 surge in anti-Asian attacks targeting predominately
22 elderly Asian Americans.

23 (10) On January 30, 2021, an 84-year-old Thai
24 man, Vicha Ratanapakdee, died from injuries sus-

1 tained from an unprovoked assault while on his rou-
2 tine morning walk in San Francisco, California.

3 (11) In January 2021, a series of attacks oc-
4 curred in Oakland’s Chinatown targeting Asian
5 American seniors, the victims included a 91-year-old
6 man, a 60-year-old man, and a 55-year-old woman,
7 who were all violently shoved to the ground in three
8 separate incidents.

9 (12) In February 2021, victims of anti-Asian
10 violence included a 61-year-old Filipino man who
11 was attacked and slashed across his face on a New
12 York City subway, a Filipino woman in her 80s who
13 was punched in an unprovoked attack while riding a
14 trolley in San Diego, and a 52-year-old Asian
15 woman who was attacked and forcefully shoved while
16 waiting in line outside of a bakery in Flushing, New
17 York.

18 (13) In December 2021, a 61-year-old Chinese
19 man, Yao Pan Ma, died from injuries sustained from
20 an unprovoked assault in April of 2021 in New York
21 City.

22 (14) Anti-Asian racism has also resulted in
23 Asian American businesses being targeted for van-
24 dalism.

1 (15) There are approximately 2 million Asian
2 American-owned businesses that generate over \$700
3 billion in annual revenue and employ millions of
4 workers.

5 (16) More than 1,900,000 Asian American and
6 Pacific Islander older adults, particularly those older
7 adults who are recent immigrants or have limited
8 English proficiency, may face even greater chal-
9 lenges in dealing with the COVID–19 pandemic, in-
10 cluding discrimination, economic insecurity, and lan-
11 guage isolation.

12 (17) The World Health Organization (WHO)
13 and the Centers for Disease Control and Prevention
14 (CDC) recognize that naming COVID–19 by its geo-
15 graphic location or linking it to a specific ethnicity
16 perpetuates stigma.

17 (18) In 2015, the WHO issued guidance calling
18 on media outlets, scientists, and national authorities
19 to avoid naming infectious diseases for locations to
20 avoid stigmatizing groups of people.

21 (19) On February 27, 2020, the Secretary of
22 Health and Human Services stated, “ethnicity is not
23 what causes the novel coronavirus” and that it is in-
24 appropriate and inaccurate to call COVID–19 the
25 “Chinese virus”.

1 (20) On February 28, 2020, Dr. Mitch Wolfe,
2 the Chief Medical Officer of the CDC, said, “Stigma
3 is the enemy of public health”.

4 (21) On March 10, 2020, Dr. Robert Redfield,
5 the Director of the CDC, testified that use of the
6 term “Chinese coronavirus” is wrong and inappro-
7 priate.

8 (22) On January 26, 2021, President Biden
9 issued a Presidential Memorandum “Condemning
10 and Combating Racism, Xenophobia, and Intoler-
11 ance Against Asian Americans and Pacific Islanders
12 in the United States”.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress as follows:

15 (1) The use of anti-Asian terminology and rhet-
16 oric related to COVID–19, such as the “Chinese
17 Virus”, “Wuhan Virus”, and “Kung-flu”, has per-
18 petuated anti-Asian stigma.

19 (2) The use of anti-Asian rhetoric has resulted
20 in Asian Americans being harassed, assaulted, and
21 scapegoated for the COVID–19 pandemic.

22 (3) The reprehensible attacks on people of
23 Asian descent and the concerning increase in anti-
24 Asian sentiment and racism in the United States

1 and around the world have no place in a peaceful,
2 civilized, and tolerant world.

3 (4) The United States is a diverse country with
4 a proud tradition of immigration, and the strength
5 and vibrancy of the United States is enhanced by
6 the diverse ethnic backgrounds and tolerance of its
7 citizens, including Asian Americans and Pacific Is-
8 landers.

9 (5) The United States Government should en-
10 courage foreign governments to use the official and
11 scientific names for the COVID–19 pandemic, as
12 recommended by the World Health Organization and
13 the Centers for Disease Control and Prevention.

14 (6) The United States Government and other
15 governments around the world must actively oppose
16 racism and intolerance, and use all available and ap-
17 propriate tools to combat the spread of anti-Asian
18 racism and discrimination.

19 **SEC. 30314. ANNUAL REPORTING ON CENSORSHIP OF FREE**
20 **SPEECH WITH RESPECT TO INTERNATIONAL**
21 **ABUSES OF HUMAN RIGHTS.**

22 Section 116(d) of the Foreign Assistance Act of 1961
23 (227 U.S.C. 2151n(d)) is amended—

24 (1) in paragraph (11)(C), by striking “and” at
25 the end;

1 (2) in paragraph (12)(C)(ii), by striking the pe-
2 riod at the end and inserting a semicolon; and

3 (3) by adding at the end the following:

4 “(13) wherever applicable, instances in which
5 the government of each country has attempted to
6 extraterritorially intimidate or pressure a company
7 or entity to censor or self-censor the speech of its
8 employees, contractors, customers, or associated
9 staff with regards to the abuse of human rights in
10 such country, or sought retaliation against such em-
11 ployees or contractors for the same, including any
12 instance in which the Government of the People’s
13 Republic of China has sought to extraterritorially
14 censor or punish speech that is otherwise legal in the
15 United States on the topics of—

16 “(A) repression and violation of funda-
17 mental freedoms in Hong Kong;

18 “(B) repression and persecution of reli-
19 gious and ethnic minorities in China, including
20 in the Xinjiang Uyghur Autonomous Region
21 and the Tibet Autonomous Region;

22 “(C) efforts to proliferate and use surveil-
23 lance technologies to surveil activists, journal-
24 ists, opposition politicians, or to profile persons
25 of different ethnicities; and

1 “(D) other gross violations of human
2 rights; and

3 “(14) wherever applicable, instances in which a
4 company or entity located in or based in a third
5 country has censored or self-censored the speech of
6 its employees, contractors, customers, or associated
7 staff on the topic of abuse of human rights in each
8 country or sought to retaliate against such employ-
9 ees for the same, due to intimidation or pressure
10 from or the fear of intimidation by the foreign gov-
11 ernment.”.

12 **SEC. 30315. POLICY TOWARD THE XXIV OLYMPIC WINTER**
13 **GAMES AND THE XIII PARALYMPIC WINTER**
14 **GAMES.**

15 (a) FINDINGS.—Congress finds the following:

16 (1) In October 2020, 39 countries at the
17 United Nations Third Committee of the General As-
18 sembly appealed for action on the mass arbitrary de-
19 tentions and other crimes against the Uyghur Mus-
20 lim population of the Xinjiang Uyghur Autonomous
21 Region.

22 (2) The 2018 concluding observations of the
23 United Nations Committee on the Elimination of
24 Racial Discrimination decried reports of mass arbi-
25 trary detention of Uyghurs.

1 (3) Over 400 international nongovernmental or-
2 ganizations have joined together to decry the mass
3 arbitrary detentions of Uyghurs in the Xinjiang
4 Uyghur Autonomous Region.

5 (4) The Olympic Charter states that the prac-
6 tice of sport “is a human right” that “shall be se-
7 cured without discrimination of any kind, such as
8 race, colour, sex, sexual orientation, language, reli-
9 gion, political or other opinion, national or social ori-
10 gin, property, birth or other status”, a right that by
11 definition cannot be secured in a country in which
12 over 1,000,000 people are imprisoned in camps be-
13 cause of their race, language, and religion.

14 (5) The 2008 Olympics in Beijing were accom-
15 panied by widespread tracking, arrest, and intimidat-
16 ion of foreign journalists and bloggers, as well as
17 restrictions on movement of journalists, contrary to
18 explicit commitments made by the Government of
19 the People’s Republic of China (PRC) to the Inter-
20 national Olympic Committee.

21 (6) The Government of the PRC denied visas
22 for some journalists granted press accreditation for
23 the 2008 Olympic Games, and the Beijing
24 Organising Committee of the Olympic Games repeat-

1 edly refused to address incidents involving freedom
2 of expression.

3 (7) The International Olympic Committee faced
4 broad criticism for failing to adequately anticipate
5 infringements by the Government of the PRC's on
6 freedom of expression and press for international
7 media and 2008 Olympics participants, and failing
8 to hold the Government of the PRC to their own
9 commitments to safeguard human rights during the
10 2008 games.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that the International Olympic Committee should—

13 (1) consider that the Olympic Charter's prin-
14 ciples of solidarity and nondiscrimination are hard to
15 reconcile with holding the 2022 Winter Games in a
16 country the government of which stands credibly ac-
17 cused of perpetrating crimes against humanity and
18 genocide against ethnic and religious minorities;

19 (2) take into account the recent precedent of
20 the 2008 games, at which Olympic athletes, spec-
21 tators, and international media had their funda-
22 mental freedoms severely challenged, and the likely
23 limitations the Government of the PRC will seek to
24 enforce on participants speaking out about ongoing
25 persecution of the Uyghurs and other human rights

1 abuses in the PRC, despite repeated commitments
2 by the Government of the PRC;

3 (3) emphasize that the International Olympic
4 Committee is not opposed to moving an Olympic
5 competition in all circumstances, and should imme-
6 diately rebid the 2022 Winter Olympic Games to be
7 hosted by a country that recognizes and respects
8 human rights;

9 (4) develop a framework for reprimanding or
10 disqualifying host cities and the countries in which
11 they are located if the governments of such countries
12 are actively committing mass atrocities—

13 (A) during the Olympic and Paralympic
14 bidding process; or

15 (B) between a city's election as a host city
16 and the duration of the Olympic and
17 Paralympic Games that its government is
18 hosting;

19 (5) affirm the International Olympic Commit-
20 tee's—

21 (A) desire to stay above politics does not
22 permit turning a blind eye to mass atrocity
23 crimes, which cannot and should not be dis-
24 missed as mere political concerns; and

1 (B) commitment to the fundamental rights
2 instruments of the international system, which
3 are beyond partisan or domestic policy, and
4 upon which the success of the entire Olympic
5 project depends;

6 (6) not hold future Olympic games in countries
7 that are committing genocide;

8 (7) propose a set of clear, executable actions to
9 be taken by the International Olympic Committee
10 upon infringement of freedom of expression by a
11 host country's government during any Olympics
12 event, including the 2022 Winter Olympics, against
13 athletes, participants, and international media; and

14 (8) rescind Rule 50 of the Olympic Charter,
15 which restricts the freedom of expression by athletes
16 when competing during Olympics events, and affirm
17 the rights of athletes to political and other speech
18 during athletic competitions, including speech that is
19 critical of their host countries.

20 (c) STATEMENT OF POLICY.—It shall be the policy
21 of the United States—

22 (1) to implement a presidential and cabinet
23 level diplomatic boycott of the XXIV Olympic Winter
24 Games and the XIII Paralympic Winter Games in
25 the PRC;

1 (2) to encourage other nations, especially demo-
2 cratic partners and allies, to do the same; and

3 (3) to call for an end to the Chinese Communist
4 Party's ongoing human rights abuses, including the
5 Uyghur genocide.

6 **SEC. 30316. REVIEW AND CONTROLS ON EXPORT OF ITEMS**
7 **WITH CRITICAL CAPABILITIES TO ENABLE**
8 **HUMAN RIGHTS ABUSES.**

9 (a) STATEMENT OF POLICY.—It is the policy of the
10 United States to use export controls to the extent nec-
11 essary to further the protection of internationally recog-
12 nized human rights.

13 (b) REVIEW OF ITEMS WITH CRITICAL CAPABILITIES
14 TO ENABLE HUMAN RIGHTS ABUSES.—Not later than
15 180 days after the date of the enactment of this Act, and
16 as appropriate thereafter, the Secretary, in coordination
17 with the Secretary of State, the Director of National Intel-
18 ligence, and the heads of other Federal agencies as appro-
19 priate, shall conduct a review of items subject to controls
20 for crime control reasons pursuant to section 742.7 of the
21 Export Administration Regulations.

22 (c) CONTROLS.—In furtherance of the policy set forth
23 in subsection (a), not later than 60 days after completing
24 the review required by subsection (b), the Secretary, in
25 coordination with the heads of other Federal agencies as

1 appropriate, shall determine whether additional export
2 controls are needed to protect human rights, including
3 whether—

4 (1) controls for crime control reasons pursuant
5 to section 742.7 of the Export Administration Regu-
6 lations should be imposed on additional items, in-
7 cluding items with critical capabilities to enable
8 human rights abuses involving—

9 (A) censorship or social control;

10 (B) surveillance, interception, or restriction
11 of communications;

12 (C) monitoring or restricting access to or
13 use of the internet;

14 (D) identification of individuals through
15 facial or voice recognition or biometric indica-
16 tors; or

17 (E) DNA sequencing; or

18 (2) end-use and end-user controls should be im-
19 posed on the export, reexport, or in-country transfer
20 of certain items with critical capabilities to enable
21 human rights abuses that are subject to the Export
22 Administration Regulations if the person seeking to
23 export, reexport, or transfer the item has knowledge,
24 or the Secretary determines and so informs that per-

1 son, that the end-user or ultimate consignee will use
2 the item to enable human rights abuses.

3 (d) COOPERATION OF OTHER AGENCIES.—Upon re-
4 quest from the Secretary, the head of a Federal agency
5 shall provide full support and cooperation to the Secretary
6 in carrying out this section.

7 (e) INTERNATIONAL COORDINATION ON CONTROLS
8 TO PROTECT HUMAN RIGHTS.—It shall be the policy of
9 the United States to seek to secure the cooperation of
10 other governments to impose export controls that are con-
11 sistent, to the extent possible, with the controls imposed
12 under this section.

13 (f) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Secretary shall submit
15 to the appropriate committees of Congress (including the
16 Permanent Select Committee on Intelligence of the House
17 of Representatives and the Select Committee on Intel-
18 ligence of the Senate) a report on the matters covered by
19 this section. The report shall be submitted in unclassified
20 form, but may include a classified annex.

21 (g) CONFORMING AMENDMENT.—Section 1752(2)(A)
22 of the Export Control Reform Act of 2018 (50 U.S.C. 20
23 4811(2)(A)) is amended—

24 (1) in clause (iv), by striking “; or” and insert-
25 ing a semicolon;

1 (2) in clause (v), by striking the period and in-
2 serting “; or”; and

3 (3) by adding at the end the following:

4 “(vi) serious human rights abuses.”.

5 (h) DEFINITIONS.—In this section:

6 (1) END-USER; KNOWLEDGE; ULTIMATE CON-
7 SIGNEE.—The terms “end-user”, “knowledge”, and
8 “ultimate consignee” have the meanings given those
9 terms in section 772.1 of the Export Administration
10 Regulations.

11 (2) EXPORT; EXPORT ADMINISTRATION REGU-
12 LATIONS; IN-COUNTRY TRANSFER; ITEM; REEX-
13 PORT.—The terms “export”, “Export Administra-
14 tion Regulations”, “in-country transfer”, “item”,
15 and “reexport” have the meanings given those terms
16 in section 1742 of the Export Control Reform Act
17 of 2018 (50 U.S.C. 4801).

18 (3) SECRETARY.—The term “Secretary” means
19 the Secretary of Commerce.

20 **SEC. 30317. SENSE OF CONGRESS ON COMMERCIAL EXPORT**
21 **CONTROL POLICY.**

22 It is the sense of Congress that the President should
23 reexamine United States commercial export control policy
24 for any country, including the People’s Republic of China,
25 that is known to supply arms or dual use items to any

1 country the government of which has been designated pur-
2 suant to any applicable provision of law as a state sponsor
3 of terrorism or to any entity designated by the Secretary
4 of State as a foreign terrorist organization.

5 **SEC. 30318. IMPOSITION OF SANCTIONS WITH RESPECT TO**
6 **SYSTEMATIC RAPE, COERCIVE ABORTION,**
7 **FORCED STERILIZATION, OR INVOLUNTARY**
8 **CONTRACEPTIVE IMPLANTATION IN THE**
9 **XINJIANG UYGHUR AUTONOMOUS REGION.**

10 (a) IN GENERAL.—Section 6(a)(1) of the Uyghur
11 Human Rights Policy Act of 2020 (Public Law 116–145;
12 22 U.S.C. 6901 note) is amended by inserting after sub-
13 paragraph (E) the following:

14 “(F) Systematic rape, coercive abortion,
15 forced sterilization, or involuntary contraceptive
16 implantation policies and practices.”

17 (b) EFFECTIVE DATE; APPLICABILITY.—The amend-
18 ment made by subsection (a)—

19 (1) takes effect on the date of the enactment of
20 this Act; and

21 (2) applies with respect to the first report re-
22 quired by section 6(a)(1) of the Uyghur Human
23 Rights Policy Act of 2020 submitted after such date
24 of enactment.

1 **SEC. 30319. SENSE OF CONGRESS REGARDING CENSORSHIP**
2 **OF POLITICAL SPEECH.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) The People’s Republic of China censors po-
5 litical speech of throughout the country through
6 many means including through mass censorship of
7 the Internet, the Great Firewall, radical curtailment
8 of the freedom of the press.

9 (2) The PRC employs several other means to
10 stifle dissent including instigating private person to
11 target dissenting individuals and private companies
12 to target offending companies.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) censorship of political speech in China is
16 contrary to the human rights of the Chinese people;

17 (2) censorship of political speech, whether con-
18 ducted by the government, or private or quasi-pri-
19 vate entities is antithetical to United States values
20 and interests; and

21 (3) the democratic way to conduct political dis-
22 putes is through argument and persuasion, not force
23 or political speech.

1 **SEC. 30320. REPORT ON MANNER AND EXTENT TO WHICH**
2 **THE GOVERNMENT OF CHINA EXPLOITS**
3 **HONG KONG TO CIRCUMVENT UNITED**
4 **STATES LAWS AND PROTECTIONS.**

5 Title III of the United States-Hong Kong Policy Act
6 of 1992 (22 U.S.C. 5731 et seq.) is amended by adding
7 at the end the following:

8 **“SEC. 303. REPORT ON MANNER AND EXTENT TO WHICH**
9 **THE GOVERNMENT OF CHINA EXPLOITS**
10 **HONG KONG TO CIRCUMVENT UNITED**
11 **STATES LAWS AND PROTECTIONS.**

12 “(a) IN GENERAL.—Not later than 180 days after
13 the date of the enactment of this section, the Secretary
14 of State shall submit to the appropriate congressional
15 committees a report on the manner and extent to which
16 the Government of China uses the status of Hong Kong
17 to circumvent the laws and protections of the United
18 States.

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

21 “(1) In consultation with the Secretary of Com-
22 merce, the Secretary of Homeland Security, and the
23 Director of National Intelligence—

24 “(A) an assessment of how the Govern-
25 ment of China uses Hong Kong to circumvent
26 United States export controls; and

1 “(B) a list of all significant incidents in
2 which the Government of China used Hong
3 Kong to circumvent such controls during the re-
4 porting period.

5 “(2) In consultation with the Secretary of the
6 Treasury and the Secretary of Commerce—

7 “(A) an assessment of how the Govern-
8 ment of China uses Hong Kong to circumvent
9 duties on merchandise exported to the United
10 States from the People’s Republic of China; and

11 “(B) a list of all significant incidents in
12 which the Government of China used Hong
13 Kong to circumvent such duties during the re-
14 porting period.

15 “(3) In consultation with the Secretary of the
16 Treasury, the Secretary of Homeland Security, and
17 the Director of National Intelligence—

18 “(A) an assessment of how the Govern-
19 ment of China uses Hong Kong to circumvent
20 sanctions imposed by the United States or pur-
21 suant to multilateral regimes; and

22 “(B) a list of all significant incidents in
23 which the Government of China used Hong
24 Kong to circumvent such sanctions during the
25 reporting period.

1 “(4) In consultation with the Secretary of
2 Homeland Security and the Director of National In-
3 telligence, an assessment of how the Government of
4 China uses formal or informal means to extradite or
5 coercively move individuals, including United States
6 persons, from Hong Kong to the People’s Republic
7 of China.

8 “(5) In consultation with the Secretary of De-
9 fense, the Director of National Intelligence, and the
10 Director of Homeland Security—

11 “(A) an assessment of how the intelligence,
12 security, and law enforcement agencies of the
13 Government of China, including the Ministry of
14 State Security, the Ministry of Public Security,
15 and the People’s Armed Police, use the Hong
16 Kong Security Bureau and other security agen-
17 cies in Hong Kong to conduct espionage on for-
18 eign nationals, including United States persons,
19 conduct influence operations, or violate civil lib-
20 erties guaranteed under the laws of Hong
21 Kong; and

22 “(B) a list of all significant incidents of
23 such espionage, influence operations, or viola-
24 tions of civil liberties during the reporting pe-
25 riod.

1 “(c) FORM OF REPORT; AVAILABILITY.—

2 “(1) FORM.—The report required by subsection
3 (a) shall be submitted in unclassified form, but may
4 include a classified index.

5 “(2) AVAILABILITY.—The unclassified portion
6 of the report required by subsection (a) shall be
7 posted on a publicly available internet website of the
8 Department of State.

9 “(d) DEFINITIONS.—In this section:

10 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term ‘appropriate congressional com-
12 mittees’ means—

13 “(A) the Committee on Foreign Relations,
14 the Committee on Banking, Housing, and
15 Urban Affairs, the Committee on Finance, and
16 the Select Committee on Intelligence of the
17 Senate; and

18 “(B) the Committee on Foreign Affairs,
19 the Committee on Financial Services, the Per-
20 manent Select Committee on Intelligence, and
21 the Committee on Ways and Means of the
22 House of Representatives.

23 “(2) FOREIGN NATIONAL.—The term ‘foreign
24 national’ means a person that is neither—

1 “(A) an individual who is a citizen or na-
2 tional of the People’s Republic of China; or

3 “(B) an entity organized under the laws of
4 the People’s Republic of China or of a jurisdic-
5 tion within the People’s Republic of China.

6 “(3) REPORTING PERIOD.—The term ‘reporting
7 period’ means the 5-year period preceding submis-
8 sion of the report required by subsection (a).

9 “(4) UNITED STATES PERSON.—The term
10 ‘United States person’ means—

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

14 “(B) an entity organized under the laws of
15 the United States or of any jurisdiction within
16 the United States, including a foreign branch of
17 such an entity.”.

18 **SEC. 30321. SENSE OF CONGRESS REGARDING ANNUAL**
19 **COUNTRY REPORTS ON HUMAN RIGHTS**
20 **PRACTICES.**

21 It is the sense of Congress that the Department of
22 State’s annual Country Reports on Human Rights Prac-
23 tices should include relevant information regarding wheth-
24 er a particular country has provided assistance to the PRC
25 or any entity under the influence of the Chinese Com-

1 munist Party in its genocide against the Uyghurs, includ-
2 ing through the forcible repatriation of Uyghurs to the
3 PRC without reasonable opportunity for them to be as-
4 sessed and protected as refugees.

5 **SEC. 30322. SENSE OF CONGRESS REGARDING PRESS FREE-**
6 **DOM IN THE PEOPLE'S REPUBLIC OF CHINA.**

7 (a) FINDINGS.—Congress finds that the People's Re-
8 public of China maintains one of the worst media environ-
9 ments in the world and seeks to curtail political speech
10 inside and outside the country, including by—

11 (1) targeting independent and foreign media in
12 China through systematic harassment including the
13 denial of visas to foreign journalists, imprisonment,
14 the denial of medical care to imprisoned journalists,
15 and curtailing access to legal representation;

16 (2) pervasively monitoring and censoring online
17 and social media content, including through the ban-
18 ning of virtual private networks;

19 (3) using the full force of the State to stifle in-
20 ternal dissent including dissent online, particularly
21 dissent that could lead to political change and con-
22 tent that criticizes China's leaders, however trivial,
23 reportedly even to the point of censoring compari-
24 sons of Xi Jinping's looks with Winnie the Pooh;

1 (4) spreading propaganda to foreign audiences
2 through the United Front Work Department and re-
3 lated activities;

4 (5) seeking to intimidate American-based jour-
5 nalists working for Radio Free Asia and reporting
6 on gross human rights violations in China's Xinjiang
7 Uyghur Autonomous Region by jailing or otherwise
8 harassing members of their families; and

9 (6) championing a "sovereign Internet" model
10 and exporting technology to enhance the ability of
11 like-minded authoritarian regimes to suppress dis-
12 sent online and monitor the activity of their people.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) the freedom of the press is an unalienable
16 right that is necessary for citizens to hold their gov-
17 ernment to account;

18 (2) the PRC should cease its repression of jour-
19 nalists, citizen journalists, news organizations; and

20 (3) the PRC should cease the censorship of po-
21 litical satire, including comparisons of Xi Jinping's
22 looks with Winnie the Pooh.

1 **SEC. 30323. UNITED STATES SPECIAL ENVOY FOR XINJIANG**
2 **PROVINCE.**

3 (a) **IN GENERAL.**—The Secretary of State shall es-
4 tablish within the Department of State the position of
5 United States Special Envoy for Xinjiang Province (in this
6 section referred to as the “Special Envoy”).

7 (b) **APPOINTMENT.**—The Secretary may appoint an
8 individual to the position of Special Envoy from among
9 officers and employees of the Department of State. The
10 Secretary may allow such officer or employee to retain the
11 position (and the responsibilities associated with such po-
12 sition) held by such officer or employee prior to the ap-
13 pointment of such officer or employee to the position of
14 Special Envoy.

15 (c) **DUTIES.**—The Special Envoy shall coordinate
16 diplomatic, political, public diplomacy, financial assist-
17 ance, sanctions, counterterrorism, security resources, and
18 congressional reporting requirements within the United
19 States Government to respond to the gross violations of
20 universally recognized human rights occurring in Xinjiang
21 Province of the People’s Republic of China, including by
22 addressing—

23 (1) the mass detentions of Uyghurs and other
24 predominantly Muslim ethnic minorities;

25 (2) the deployment of technologically advanced
26 surveillance and police detection methods; and

1 (3) the counterterrorism and counter-radicalism
2 claims used to justify the policies of the Chinese
3 Government in Xinjiang Province.

4 **SEC. 30324. CHINA CENSORSHIP MONITOR AND ACTION**
5 **GROUP.**

6 (a) REPORT ON CENSORSHIP AND INTIMIDATION OF
7 UNITED STATES PERSONS BY THE GOVERNMENT OF THE
8 PEOPLE'S REPUBLIC OF CHINA.—

9 (1) REPORT.—

10 (A) IN GENERAL.—Not later than 90 days
11 after the date of the enactment of this Act, the
12 Secretary of State shall select and seek to enter
13 into an agreement with a qualified research en-
14 tity that is independent of the Department of
15 State to write a report on censorship and in-
16 timidation in the United States and its posses-
17 sions and territories of United States persons,
18 including United States companies that conduct
19 business in the People's Republic of China,
20 which is directed or directly supported by the
21 Government of the People's Republic of China.

22 (B) MATTERS TO BE INCLUDED.—The re-
23 port required under subparagraph (A) shall—

24 (i) assess major trends, patterns, and
25 methods of the Government of the People's

1 Republic of China's efforts to direct or di-
2 rectly support censorship and intimidation
3 of United States persons, including United
4 States companies that conduct business in
5 the People's Republic of China, which are
6 exercising their right to freedom of speech;

7 (ii) assess, including through the use
8 of illustrative examples, as appropriate, the
9 impact on and consequences for United
10 States persons, including United States
11 companies that conduct business in the
12 People's Republic of China, that criticize—

13 (I) the Government of the Peo-
14 ple's Republic of China;

15 (II) the Chinese Communist
16 Party;

17 (III) the authoritarian model of
18 government of the People's Republic
19 of China; or

20 (IV) a particular policy advanced
21 by the Chinese Communist Party or
22 the Government of the People's Re-
23 public of China;

1 (iii) identify the implications for the
2 United States of the matters described in
3 clauses (i) and (ii);

4 (iv) assess the methods and evaluate
5 the efficacy of the efforts by the Govern-
6 ment of the People’s Republic of China to
7 limit freedom of expression in the private
8 sector, including with respect to media, so-
9 cial media, film, education, travel, financial
10 services, sports and entertainment, tech-
11 nology, telecommunication, and internet in-
12 frastructure interests;

13 (v) include policy recommendations
14 for the United States Government, includ-
15 ing recommendations regarding collabora-
16 tion with United States allies and partners,
17 to address censorship and intimidation by
18 the Government of the People’s Republic of
19 China; and

20 (vi) include policy recommendations
21 for United States persons, including
22 United States companies that conduct
23 business in China, to address censorship
24 and intimidation by the Government of the
25 People’s Republic of China.

1 (C) APPLICABILITY TO UNITED STATES
2 ALLIES AND PARTNERS.—To the extent prac-
3 ticable, the report required under subparagraph
4 (A) should identify implications and policy rec-
5 ommendations that are relevant to United
6 States allies and partners facing censorship and
7 intimidation directed or directly supported by
8 the Government of the People’s Republic of
9 China.

10 (2) SUBMISSION OF REPORT.—

11 (A) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act, the
13 Secretary of State shall submit the report writ-
14 ten by the qualified research entity selected
15 pursuant to paragraph (1)(A) to the appro-
16 priate congressional committees.

17 (B) PUBLICATION.—The report referred to
18 in subparagraph (A) shall be made accessible to
19 the public online through relevant United
20 States Government websites.

21 (3) FEDERAL GOVERNMENT SUPPORT.—The
22 Secretary of State and other Federal agencies se-
23 lected by the President shall provide the qualified re-
24 search entity selected pursuant to paragraph (1)(A)
25 with timely access to appropriate information, data,

1 resources, and analyses necessary for such entity to
2 write the report described in paragraph (1) in a
3 thorough and independent manner.

4 (b) CHINA CENSORSHIP MONITOR AND ACTION
5 GROUP.—

6 (1) CERTIFICATION.—Upon receipt and review
7 of the report described in subsection (a), the Presi-
8 dent shall make a determination on whether the
9 Government of the People’s Republic of China en-
10 engages in the censorship and intimidation of United
11 States persons, including United States companies
12 that conduct business in the People’s Republic of
13 China, which are exercising their right to freedom of
14 speech, taking into account the contents of the re-
15 port and other information available to the govern-
16 ment of the United States.

17 (2) IN GENERAL.—If there is a determination
18 under paragraph (1) that the Government of the
19 People’s Republic of China engages in the censorship
20 and intimidation of United States persons, including
21 United States companies that conduct business in
22 the People’s Republic of China, which are exercising
23 their right to freedom of speech, the President shall
24 establish an interagency task force, which shall be
25 known as the “China Censorship Monitor and Action

1 Group” (referred to in this section as the “Task
2 Force”).

3 (3) MEMBERSHIP.—If, upon receipt and review
4 of the report described in subsection (a), he deems
5 it in the national interest, the President shall—

6 (A) appoint the chair of the Task Force
7 from among the staff of the National Security
8 Council;

9 (B) appoint the vice chair of the Task
10 Force from among the staff of the National
11 Economic Council; and

12 (C) direct the head of each of the following
13 executive branch agencies to appoint personnel
14 to participate in the Task Force:

15 (i) The Department of State.

16 (ii) The Department of Commerce.

17 (iii) The Department of the Treasury.

18 (iv) The Department of Justice.

19 (v) The Office of the United States
20 Trade Representative.

21 (vi) The Office of the Director of Na-
22 tional Intelligence, and other appropriate
23 elements of the intelligence community (as
24 defined in section 3 of the National Secu-
25 rity Act of 1947 (50 U.S.C. 3003)).

1 (vii) The Federal Communications
2 Commission.

3 (viii) The United States Agency for
4 Global Media.

5 (ix) Other agencies designated by the
6 President.

7 (4) RESPONSIBILITIES.—The Task Force
8 shall—

9 (A) oversee the development and execution
10 of an integrated Federal Government strategy
11 to monitor and address the impacts of efforts
12 directed, or directly supported, by the Govern-
13 ment of the People’s Republic of China to cen-
14 sor or intimidate, in the United States or in
15 any of its territories, any United States person,
16 including United States companies that conduct
17 business in the People’s Republic of China,
18 which are exercising their right to freedom of
19 speech; and

20 (B) submit the strategy developed pursu-
21 ant to subparagraph (A) to the appropriate
22 congressional committees not later than 120
23 days after the date of the enactment of this
24 Act.

1 (5) MEETINGS.—The Task Force shall meet
2 not less frequently than twice per year.

3 (6) CONSULTATIONS.—The Task Force should
4 regularly consult, to the extent necessary and appro-
5 priate, with—

6 (A) Federal agencies that are not rep-
7 resented on the Task Force;

8 (B) independent agencies of the United
9 States Government that are not represented on
10 the Task Force;

11 (C) relevant stakeholders in the private
12 sector and the media; and

13 (D) relevant stakeholders among United
14 States allies and partners facing similar chal-
15 lenges related to censorship or intimidation by
16 the Government of the People’s Republic of
17 China.

18 (7) REPORTING REQUIREMENTS.—

19 (A) ANNUAL REPORT.—The Task Force
20 shall submit an annual report to the appro-
21 priate congressional committees that describes,
22 with respect to the reporting period—

23 (i) the strategic objectives and policies
24 pursued by the Task Force to address the
25 challenges of censorship and intimidation

1 of United States persons while in the
2 United States or any of its territories,
3 which is directed or directly supported by
4 the Government of the People's Republic of
5 China;

6 (ii) the activities conducted by the
7 Task Force in support of the strategic ob-
8 jectives and policies referred to in clause
9 (i); and

10 (iii) the results of the activities re-
11 ferred to in clause (ii) and the impact of
12 such activities on the national interests of
13 the United States.

14 (B) FORM OF REPORT.—Each report sub-
15 mitted pursuant to subparagraph (A) shall be
16 unclassified, but may include a classified annex.

17 (C) CONGRESSIONAL BRIEFINGS.—Not
18 later than 90 days after the date of the enact-
19 ment of this Act, and annually thereafter, the
20 Task Force shall provide briefings to the appro-
21 priate congressional committees regarding the
22 activities of the Task Force to execute the
23 strategy developed pursuant to paragraph
24 (3)(A).

1 (c) SUNSET.—This section shall terminate on the
2 date that is five years after the date of the enactment of
3 this Act.

4 (d) DEFINITIONS.—In this section:

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” includes the Permanent Select Committee
8 on Intelligence of the House of Representatives and
9 the Select Committee on Intelligence of the Senate.

10 (2) QUALIFIED RESEARCH ENTITY.—The term
11 “qualified research entity” means an entity that—

12 (A) is a nonpartisan research organization
13 or a federally funded research and development
14 center;

15 (B) has appropriate expertise and analyt-
16 ical capability to write the report required
17 under subsection (a); and

18 (C) is free from any financial, commercial,
19 or other entanglements, which could undermine
20 the independence of such report or create a
21 conflict of interest or the appearance of a con-
22 flict of interest, with—

23 (i) the Government of the People’s
24 Republic of China;

25 (ii) the Chinese Communist Party;

1 (iii) any company incorporated in the
2 People's Republic of China or a subsidiary
3 of such company; or

4 (iv) any company or entity incor-
5 porated outside of the People's Republic of
6 China that is believed to have a substantial
7 financial or commercial interest in the Peo-
8 ple's Republic of China.

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

11 (A) a United States citizen or an alien law-
12 fully admitted for permanent residence to the
13 United States; or

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

18 **SEC. 30325. PUBLIC DISCLOSURE ON BIS LICENSING INFOR-**
19 **MATION.**

20 The Committee on Foreign Affairs of the House of
21 Representatives shall make aggregate statistics on licens-
22 ing information, ensuring all confidential business infor-
23 mation is protected, for PRC companies on the Entity List
24 contained in the Export Administration Regulations avail-
25 able to the public.

1 **SEC. 30326. MODIFICATION OF AUTHORITY OF THE PRESI-**
2 **DENT UNDER THE EXPORT CONTROL RE-**
3 **FORM ACT OF 2018.**

4 Section 1753(a)(2)(F) of the Export Control Reform
5 Act of 2018 (50 U.S.C. 4812(a)(2)(F)) is amended by in-
6 serting “, security, or” before “intelligence”.

7 **SEC. 30327. DETERMINATION WITH RESPECT TO THE IMPO-**
8 **SITION OF SANCTIONS ON ENTITIES IN-**
9 **VOLVED IN USING UYGHUR FORCED LABOR.**

10 (a) FINDINGS.—Congress finds the following:

11 (1) U.S. Customs and Border Protection seized
12 a shipment of 40.31 megawatts of modules manufac-
13 tured by LONGi Green Energy Technology Co. in
14 October 2021 out of the concerns that LONGi used
15 forced Uyghur labor in Xinjiang.

16 (2) The Department of Commerce added five
17 Chinese entities to the entity list for participating in
18 using forced Uyghur labor in Xinjiang in June
19 2021, these entities include: Hoshine Silicon Indus-
20 try (Shanshan) Co., Ltd, Xinjiang Daqo New En-
21 ergy Co., Ltd, Xinjiang East Hope Nonferrous Met-
22 als Co., Ltd, and Xinjiang GCL New Energy,
23 Xinjiang Production and Construction Corps
24 (XPCC).

25 (3) The Uyghur Human Rights Policy Act of
26 2021 (Public Law 116–145), as amended by Public

1 Law 117–78, requires the President to impose asset
2 blocking sanctions on foreign persons responsible for
3 serious human rights abuses in connection with
4 forced labor in Xinjiang, China.

5 (b) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of the
7 Treasury, in consultation with the Secretary of State, shall
8 report to the appropriate congressional committees a de-
9 termination, including a detailed justification, regarding
10 whether LONGi Green Energy Technology Co., Hoshine
11 Silicon Industry (Shanshan) Co., Ltd, Xinjiang Daqo New
12 Energy Co., Ltd, Xinjiang East Hope Nonferrous Metals
13 Co., Ltd, and Xinjiang GCL New Energy, each meets the
14 criteria for designation under section 6 of the Uyghur
15 Human Rights Policy Act (Public Law 116–145), as
16 amended by section 5 of the Uyghur Forced Labor Pre-
17 vention Act (Public Law 117–78).

18 (c) PUBLIC AVAILABILITY OF INFORMATION.—The
19 report required under this section shall be made available
20 on a publicly available website of the Federal Government.

21 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
22 DEFINED.—In this section, the term “appropriate con-
23 gressional committees” means—

24 (1) the Committee on Banking, Housing, and
25 Urban Affairs, the Committee on Finance, the Com-

1 mittee on Foreign Relations, and the Committee on
2 Armed Services of the Senate; and

3 (2) the Committee on Financial Services, the
4 Committee on Ways and Means, the Committee on
5 Foreign Affairs, and the Committee on Armed Serv-
6 ices of the House of Representatives.

7 **TITLE IV—INVESTING IN OUR**
8 **ECONOMIC STATECRAFT**

9 **SEC. 30401. SENSE OF CONGRESS REGARDING THE PEO-**
10 **PLE’S REPUBLIC OF CHINA’S INDUSTRIAL**
11 **POLICY.**

12 It is the sense of Congress that—

13 (1) the challenges presented by a nonmarket
14 economy like the economy of the People’s Republic
15 of China (PRC), which has captured such a large
16 share of global economic exchange, are in many
17 ways unprecedented and require sufficiently elevated
18 and sustained long-term focus and engagement;

19 (2) in order to truly address the most detri-
20 mental aspects of Chinese Communist Party (CCP)-
21 directed mercantilist economic strategy, the United
22 States must adopt policies that—

23 (A) expose the full scope and scale of intel-
24 lectual property theft and mass subsidization of
25 Chinese firms, and the resulting harm to the

1 United States, foreign markets, and the global
2 economy;

3 (B) ensure that PRC companies face costs
4 and consequences for anticompetitive behavior;

5 (C) provide options for affected United
6 States persons to address and respond to un-
7 reasonable and discriminatory CCP-directed in-
8 dustrial policies; and

9 (D) strengthen the protection of critical
10 technology and sensitive data, while still fos-
11 tering an environment that provides incentives
12 for secure but open investment, innovation, and
13 competition;

14 (3) the United States must work with its allies
15 and partners and multilateral venues and fora—

16 (A) to reinforce long-standing generally ac-
17 cepted principles of fair competition and market
18 behavior and address the PRC's anticompetitive
19 economic and industrial policies that undermine
20 decades of global growth and innovation;

21 (B) to ensure that the PRC is not granted
22 the same treatment as that of a free-market
23 economy until it ceases the implementation of
24 laws, regulations, policies, and practices that
25 provide unfair advantage to PRC firms in fur-

1 therance of national objectives and impose un-
2 reasonable, discriminatory, and illegal burdens
3 on market-based international commerce; and

4 (C) to align policies with respect to curbing
5 state-directed subsidization of the private sec-
6 tor, such as advocating for global rules related
7 to transparency and adherence to notification
8 requirements, including through the efforts cur-
9 rently being advanced by the United States,
10 Japan, and the European Union;

11 (4) the United States and its allies and part-
12 ners must collaborate to provide incentives to their
13 respective companies to cooperate in areas such as—

14 (A) advocating for protection of intellectual
15 property rights in markets around the world;

16 (B) fostering open technical standards;
17 and

18 (C) increasing joint investments in over-
19 seas markets; and

20 (5) the United States should develop policies
21 that—

22 (A) insulate United States entities from
23 PRC pressure against complying with United
24 States laws;

1 (B) together with the work of allies and
2 partners and multilateral institutions, counter
3 the potential impact of the blocking regime of
4 the PRC established by the Ministry of Com-
5 merce of the PRC on January 9, 2021, when
6 it issued Order No. 1 of 2021, entitled “Rules
7 on Counteracting Unjustified Extraterritorial
8 Application of Foreign Legislation and other
9 Measures”; and

10 (C) plan for future actions that the Gov-
11 ernment of the PRC may take to undermine the
12 lawful application of United States legal au-
13 thorities, including with respect to the use of
14 sanctions.

15 **SEC. 30402. ECONOMIC DEFENSE RESPONSE TEAMS.**

16 (a) PILOT PROGRAM.—Not later than 180 days after
17 the date of the enactment of this Act, the President shall
18 develop and implement a pilot program for the creation
19 of deployable economic defense response teams to help
20 provide emergency technical assistance and support to a
21 country subjected to the threat or use of coercive economic
22 measures (in this section referred to as a “partner coun-
23 try”) and to play a liaison role between the legitimate gov-
24 ernment of that country and the United States Govern-

1 ment. Such assistance and support may include the fol-
2 lowing activities:

3 (1) Reducing the partner country's vulnerability
4 to coercive economic measures.

5 (2) Minimizing the damage that such measures
6 by an adversary could cause to the partner country.

7 (3) Implementing any bilateral or multilateral
8 contingency plans that may exist for responding to
9 the threat or use of such measures.

10 (4) In coordination with the partner country,
11 developing or improving plans and strategies by the
12 country for reducing vulnerabilities and improving
13 responses to such measures in the future.

14 (5) Assisting the partner country in dealing
15 with foreign sovereign investment in infrastructure
16 or related projects that may undermine the partner
17 country's sovereignty.

18 (6) Assisting the partner country in responding
19 to specific efforts from an adversary attempting to
20 employ economic coercion that undermines the part-
21 ner country's sovereignty, including efforts in the
22 cyber domain, such as efforts that undermine cyber-
23 security or digital security of the partner country or
24 initiatives that introduce digital technologies in a

1 manner that undermines freedom, security, and sov-
2 ereignty of the partner country.

3 (7) Otherwise providing direct and relevant
4 short-to-medium term economic or other assistance
5 from the United States and marshalling other re-
6 sources in support of effective responses to such
7 measures.

8 (b) REPORTS REQUIRED.—

9 (1) REPORT ON ESTABLISHMENT.—Upon estab-
10 lishment of the pilot program required by subsection
11 (a), the Secretary of State, in consultation with
12 other relevant Federal agencies and offices, shall
13 provide the appropriate congressional committees
14 with a detailed report and briefing describing the
15 pilot program, the major elements of the program,
16 the personnel and institutions involved, and the de-
17 gree to which the program incorporates the elements
18 described in subsection (a).

19 (2) FOLLOW-UP REPORT.—Not later than one
20 year after the date on which the report required by
21 paragraph (1) is submitted, the Secretary of State,
22 in consultation with other relevant Federal agencies
23 and offices, shall provide the appropriate congres-
24 sional committees with a detailed report and briefing
25 describing the operations over the previous year of

1 the pilot program established pursuant to subsection
2 (a), as well as the Secretary's assessment of its per-
3 formance and suitability for becoming a permanent
4 program.

5 (3) FORM.—Each report required under this
6 subsection shall be submitted in unclassified form,
7 but may include a classified annex.

8 (c) DECLARATION OF AN ECONOMIC CRISIS RE-
9 QUIRED.—

10 (1) NOTIFICATION.—The President may acti-
11 vate an economic defense response team for a period
12 of 180 days under the authorities of this section to
13 assist a partner country in responding to an unusual
14 and extraordinary economic coercive threat by an
15 adversary of the United States upon the declaration
16 of a coercive economic emergency, together with no-
17 tification to the Committee on Foreign Relations of
18 the Senate and the Committee on Foreign Affairs of
19 the House of Representatives.

20 (2) EXTENSION AUTHORITY.—The President
21 may activate the response team for an additional
22 180 days upon the submission of a detailed analysis
23 to the committees described in paragraph (1) justi-
24 fying why the continued deployment of the economic
25 defense response team in response to the economic

1 emergency is in the national security interest of the
2 United States.

3 (d) SUNSET.—The authorities provided under this
4 section shall expire on December 31, 2026.

5 (e) RULE OF CONSTRUCTION.—Neither the authority
6 to declare an economic crisis provided for in subsection
7 (d), nor the declaration of an economic crisis pursuant to
8 subsection (d), shall confer or be construed to confer any
9 authority, power, duty, or responsibility to the President
10 other than the authority to activate an economic defense
11 response team as described in this section.

12 (f) APPROPRIATE COMMITTEES OF CONGRESS DE-
13 FINED.—In this section, the term “appropriate congres-
14 sional committees” means—

15 (1) the Committee on Foreign Relations, the
16 Committee on Banking, Housing, and Urban Af-
17 fairs, the Committee on Commerce, Science, and
18 Transportation, the Committee on Energy and Nat-
19 ural Resources, the Committee on Agriculture, Nu-
20 trition, and Forestry, and the Committee on Finance
21 of the Senate; and

22 (2) the Committee on Foreign Affairs, the
23 Committee on Financial Services, the Committee on
24 Energy and Commerce, the Committee on Agri-

1 culture, and the Committee on Ways and Means of
2 the House of Representatives.

3 **SEC. 30403. COUNTERING OVERSEAS KLEPTOCRACY.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Authoritarian leaders in foreign countries
6 abuse their power to steal assets from state institu-
7 tions, enrich themselves at the expense of their coun-
8 tries' economic development, and use corruption as
9 a strategic tool both to solidify their grip on power
10 and to undermine democratic institutions abroad.

11 (2) Global corruption harms the competitiveness
12 of United States businesses, weakens democratic
13 governance, feeds terrorist recruitment and
14 transnational organized crime, enables drug smug-
15 gling and human trafficking, and stymies economic
16 growth.

17 (3) Illicit financial flows often penetrate coun-
18 tries through what appear to be legitimate financial
19 transactions, as kleptocrats launder money, use shell
20 companies, amass offshore wealth, and participate in
21 a global shadow economy.

22 (4) The Government of the Russian Federation
23 is a leading model of this type of kleptocratic sys-
24 tem, using state-sanctioned corruption to both erode
25 democratic governance from within and discredit de-

1 mocracy abroad, thereby strengthening the authori-
2 tarian rule of Vladimir Putin.

3 (5) Corrupt individuals and entities in the Rus-
4 sian Federation, often with the backing and encour-
5 agement of political leadership, use stolen money—

6 (A) to purchase key assets in other coun-
7 tries, often with a goal of attaining monopolistic
8 control of a sector;

9 (B) to gain access to and influence the
10 policies of other countries; and

11 (C) to advance Russian interests in other
12 countries, particularly those that undermine
13 confidence and trust in democratic systems.

14 (6) Systemic corruption in the People’s Repub-
15 lic of China (PRC), often tied to, directed by, or
16 backed by the leadership of the Chinese Communist
17 Party (CCP) and the Government of the PRC is
18 used—

19 (A) to provide unfair advantage to certain
20 PRC economic entities;

21 (B) to increase other countries’ economic
22 dependence on the PRC to secure greater def-
23 erence to the PRC’s diplomatic and strategic
24 goals; and

1 (C) to exploit corruption in foreign govern-
2 ments and among other political elites to enable
3 PRC state-backed firms to pursue predatory
4 and exploitative economic practices.

5 (7) Thwarting these tactics by Russian, Chi-
6 nese, and other kleptocratic actors requires the
7 international community to strengthen democratic
8 governance and the rule of law. International co-
9 operation in combating corruption and illicit finance
10 is vital to such efforts, especially by empowering re-
11 formers in foreign countries during historic political
12 openings for the establishment of the rule of law in
13 those countries.

14 (8) Technical assistance programs that combat
15 corruption and strengthen the rule of law, including
16 through assistance provided by the Department of
17 State's Bureau of International Narcotics and Law
18 Enforcement Affairs and the United States Agency
19 for International Development, and through pro-
20 grams like the Department of Justice's Office of
21 Overseas Prosecutorial Development, Assistance and
22 Training and the International Criminal Investiga-
23 tive Training Assistance Program, can have lasting
24 and significant impacts for both foreign and United
25 States interests.

1 (9) There currently exist numerous inter-
2 national instruments to combat corruption,
3 kleptocracy, and illicit finance, including—

4 (A) the Inter-American Convention against
5 Corruption of the Organization of American
6 States, done at Caracas March 29, 1996;

7 (B) the Convention on Combating Bribery
8 of Foreign Public Officials in International
9 Business Transactions of the Organisation of
10 Economic Co-operation and Development, done
11 at Paris December 21, 1997 (commonly re-
12 ferred to as the “Anti-Bribery Convention”);

13 (C) the United Nations Convention against
14 Transnational Organized Crime, done at New
15 York November 15, 2000;

16 (D) the United Nations Convention against
17 Corruption, done at New York October 31,
18 2003;

19 (E) Recommendation of the Council for
20 Further Combating Bribery of Foreign Public
21 Officials in International Business Trans-
22 actions, adopted November 26, 2009; and

23 (F) recommendations of the Financial Ac-
24 tion Task Force comprising the International
25 Standards on Combating Money Laundering

1 and the Financing of Terrorism and Prolifera-
2 tion.

3 (b) DEFINITIONS.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Foreign Relations,
8 the Committee on Banking, Housing, and
9 Urban Affairs, the Committee on Finance, the
10 Committee on the Judiciary, and the Select
11 Committee on Intelligence, and the Committee
12 on Appropriations of the Senate;

13 (B) the Committee on Foreign Affairs, the
14 Committee on Financial Services, the Com-
15 mittee on Ways and Means, the Committee on
16 the Judiciary, and the Permanent Select Com-
17 mittee on Intelligence, and the Committee on
18 Appropriations of the House of Representatives.

19 (2) FOREIGN ASSISTANCE.—The term “foreign
20 assistance” means foreign assistance authorized
21 under the Foreign Assistance Act of 1961 (22
22 U.S.C. 2251 et seq.).

23 (3) FOREIGN STATE.—The term “foreign state”
24 has the meaning given such term in section 1603(a)
25 of title 28, United States Code.

1 (4) INTELLIGENCE COMMUNITY.—The term
2 “intelligence community” has the meaning given
3 such term in section 3(4) of the National Security
4 Act of 1947 (50 U.S.C. 3003(4)).

5 (5) PUBLIC CORRUPTION.—The term “public
6 corruption” includes the unlawful exercise of en-
7 trusted public power for private gain, such as
8 through bribery, nepotism, fraud, extortion, or em-
9 bezzlement.

10 (6) RULE OF LAW.—The term “rule of law”
11 means the principle of governance in which all per-
12 sons, institutions, and entities, whether public or
13 private, including the state, are accountable to laws
14 that are—

15 (A) publicly promulgated;

16 (B) equally enforced;

17 (C) independently adjudicated; and

18 (D) consistent with international human
19 rights norms and standards.

20 (e) STATEMENT OF POLICY.—It is the policy of the
21 United States—

22 (1) to leverage United States diplomatic en-
23 gagement and foreign assistance to promote the rule
24 of law;

1 (2)(A) to promote international instruments to
2 combat corruption, kleptocracy, and illicit finance,
3 including instruments referred to in subsection
4 (a)(9), and other relevant international standards
5 and best practices, as such standards and practices
6 develop; and

7 (B) to promote the adoption and implementa-
8 tion of such laws, standards, and practices by for-
9 eign states;

10 (3) to support foreign states in promoting good
11 governance and combating public corruption;

12 (4) to encourage and assist foreign partner
13 countries to identify and close loopholes in their
14 legal and financial architecture, including the misuse
15 of anonymous shell companies and other legal struc-
16 tures, that are enabling illicit finance to penetrate
17 their financial systems;

18 (5) to help foreign partner countries to inves-
19 tigate, prosecute, adjudicate, and more generally
20 combat the use of corruption by malign actors, in-
21 cluding authoritarian governments, particularly the
22 Government of the Russian Federation and the Gov-
23 ernment of the People's Republic of China, as a tool
24 of malign influence worldwide;

1 (6) to assist in the recovery of kleptocracy-re-
2 lated stolen assets for victims, including through the
3 use of appropriate bilateral arrangements and inter-
4 national agreements, such as the United Nations
5 Convention against Corruption, done at New York
6 October 31, 2003, and the United Nations Conven-
7 tion against Transnational Organized Crime, done at
8 New York November 15, 2000;

9 (7) to use sanctions authorities, such as the
10 Global Magnitsky Human Rights Accountability Act
11 (subtitle F of title XII of the National Defense Au-
12 thorization Act for Fiscal Year 2017 (Public Law
13 114–328; 22 U.S.C. 2656 note)) and section
14 7031(e) of the Department of State, Foreign Oper-
15 ations, and Related Programs Appropriations Act,
16 2020 (division G of Public Law 116–94), to identify
17 and take action against corrupt foreign actors;

18 (8) to ensure coordination between relevant
19 Federal departments and agencies with jurisdiction
20 over the advancement of good governance in foreign
21 states; and

22 (9) to lead the creation of a formal grouping of
23 like-minded states—

24 (A) to coordinate efforts to counter corrup-
25 tion, kleptocracy, and illicit finance; and

1 (B) to strengthen collective financial de-
2 fense.

3 (d) ANTI-CORRUPTION ACTION FUND.—

4 (1) ESTABLISHMENT.—There is established in
5 the United States Treasury a fund, to be known as
6 the “Anti-Corruption Action Fund”, only for the
7 purposes of—

8 (A) strengthening the capacity of foreign
9 states to prevent and fight public corruption;

10 (B) assisting foreign states to develop rule
11 of law-based governance structures, including
12 accountable civilian police, prosecutorial, and
13 judicial institutions;

14 (C) supporting foreign states to strengthen
15 domestic legal and regulatory frameworks to
16 combat public corruption, including the adop-
17 tion of best practices under international law;
18 and

19 (D) supplementing existing foreign assist-
20 ance and diplomacy with respect to efforts de-
21 scribed in subparagraphs (A), (B), and (C).

22 (2) FUNDING.—

23 (A) TRANSFERS.—Beginning on or after
24 the date of the enactment of this Act, if total
25 criminal fines and penalties in excess of

1 \$50,000,000 are imposed against a person
2 under the Foreign Corrupt Practices Act of
3 1977 (Public Law 95–213) or section 13, 30A,
4 or 32 of the Securities Exchange Act of 1934
5 (15 U.S.C. 78m, 78dd–1, and 78ff), whether
6 pursuant to a criminal prosecution, enforcement
7 proceeding, deferred prosecution agreement,
8 nonprosecution agreement, a declination to
9 prosecute or enforce, or any other resolution,
10 the court (in the case of a conviction) or the At-
11 torney General shall impose an additional pre-
12 vention payment equal to \$5,000,000 against
13 such person, which shall be deposited in the
14 Anti-Corruption Action Fund established under
15 paragraph (1). Amounts deposited into such
16 Fund under this subparagraph shall be credited
17 as discretionary offsetting collections.

18 (B) AVAILABILITY OF FUNDS.—Amounts
19 deposited into the Anti-Corruption Action Fund
20 pursuant to subparagraph (A) shall be available
21 to the Secretary of State only to the extent and
22 in such amounts as provided in advance in ap-
23 propriations Acts for the purposes described in
24 paragraph (1).

1 (C) LIMITATION.—None of the amounts
2 made available to the Secretary of State from
3 the Anti-Corruption Action Fund may be used
4 inside the United States, except for administra-
5 tive costs related to overseas program imple-
6 mentation pursuant to paragraph (1).

7 (3) SUPPORT.—The Anti-Corruption Action
8 Fund—

9 (A) may support governmental and non-
10 governmental parties in advancing the purposes
11 described in paragraph (1); and

12 (B) shall be allocated in a manner com-
13 plementary to existing United States foreign as-
14 sistance, diplomacy, and anti-corruption activi-
15 ties.

16 (4) ALLOCATION AND PRIORITIZATION.—In
17 programming foreign assistance made available
18 through the Anti-Corruption Action Fund, the Sec-
19 retary of State, in coordination with the Attorney
20 General, shall prioritize projects that—

21 (A) assist countries that are undergoing
22 historic opportunities for democratic transition,
23 combating corruption, and the establishment of
24 the rule of law; and

1 (B) are important to United States na-
2 tional interests.

3 (5) TECHNICAL ASSISTANCE PROVIDERS.—For
4 any technical assistance to a foreign governmental
5 party under this section, the Secretary of State, in
6 coordination with the Attorney General, shall
7 prioritize United States Government technical assist-
8 ance providers as implementers, in particular the Of-
9 fice of Overseas Prosecutorial Development, Assist-
10 ance and Training and the International Criminal
11 Investigative Training Assistance Program at the
12 Department of Justice.

13 (6) PUBLIC DIPLOMACY.—The Secretary of
14 State shall announce that funds deposited in the
15 Anti-Corruption Action Fund are derived from ac-
16 tions brought under the Foreign Corrupt Practices
17 Act to demonstrate that the use of such funds are—

18 (A) contributing to international anti-cor-
19 ruption work; and

20 (B) reducing the pressure that United
21 States businesses face to pay bribes overseas,
22 thereby contributing to greater competitiveness
23 of United States companies.

24 (7) REPORTING.—Not later than 1 year after
25 the date of the enactment of this Act and not less

1 frequently than annually thereafter, the Secretary of
2 State shall submit a report to the appropriate con-
3 gressional committees that contains—

4 (A) the balance of the funding remaining
5 in the Anti-Corruption Action Fund;

6 (B) the amount of funds that have been
7 deposited into the Anti-Corruption Action
8 Fund; and

9 (C) a summary of the obligation and ex-
10 penditure of such funds.

11 (8) NOTIFICATION REQUIREMENTS.—None of
12 the amounts made available to the Secretary of
13 State from the Anti-Corruption Action Fund pursu-
14 ant to this section shall be available for obligation,
15 or for transfer to other departments, agencies, or en-
16 tities, unless the Secretary of State notifies the
17 Committee on Foreign Relations of the Senate, the
18 Committee on Appropriations of the Senate, the
19 Committee on Foreign Affairs of the House of Rep-
20 resentatives, and the Committee on Appropriations
21 of the House of Representatives, not later than 15
22 days in advance of such obligation or transfer.

23 (e) INTERAGENCY ANTI-CORRUPTION TASK
24 FORCE.—

1 (1) IN GENERAL.—The Secretary of State, in
2 cooperation with the Interagency Anti-Corruption
3 Task Force established pursuant to paragraph (2),
4 shall manage a whole-of-government effort to im-
5 prove coordination among Federal departments and
6 agencies and donor organizations with a role in—

7 (A) promoting good governance in foreign
8 states; and

9 (B) enhancing the ability of foreign states
10 to combat public corruption.

11 (2) INTERAGENCY ANTI-CORRUPTION TASK
12 FORCE.—Not later than 180 days after the date of
13 the enactment of this Act, the Secretary of State
14 shall establish and convene the Interagency Anti-
15 Corruption Task Force (referred to in this section as
16 the “Task Force”), which shall be composed of rep-
17 resentatives appointed by the President from appro-
18 priate departments and agencies, including the De-
19 partment of State, the United States Agency for
20 International Development, the Department of Jus-
21 tice, the Department of the Treasury, the Depart-
22 ment of Homeland Security, the Department of De-
23 fense, the Department of Commerce, the Millennium
24 Challenge Corporation, and the intelligence commu-
25 nity.

1 (3) ADDITIONAL MEETINGS.—The Task Force
2 shall meet not less frequently than twice per year.

3 (4) DUTIES.—The Task Force shall—

4 (A) evaluate, on a general basis, the effec-
5 tiveness of existing foreign assistance programs,
6 including programs funded by the Anti-Corrup-
7 tion Action Fund, that have an impact on—

8 (i) promoting good governance in for-
9 eign states; and

10 (ii) enhancing the ability of foreign
11 states to combat public corruption;

12 (B) assist the Secretary of State in man-
13 aging the whole-of-government effort described
14 in paragraph (1);

15 (C) identify general areas in which such
16 whole-of-government effort could be enhanced;
17 and

18 (D) recommend specific programs for for-
19 eign states that may be used to enhance such
20 whole-of-government effort.

21 (5) BRIEFING REQUIREMENT.—Not later than
22 1 year after the date of the enactment of this Act
23 and not less frequently than annually thereafter
24 through the end of fiscal year 2026, the Secretary
25 of State shall provide a briefing to the appropriate

1 congressional committees regarding the ongoing
2 work of the Task Force. Each briefing shall include
3 the participation of a representative of each of the
4 departments and agencies described in paragraph
5 (2), to the extent feasible.

6 (f) DESIGNATION OF EMBASSY ANTI-CORRUPTION
7 POINTS OF CONTACT.—

8 (1) EMBASSY ANTI-CORRUPTION POINT OF CON-
9 TACT.—The chief of mission of each United States
10 embassy shall designate an anti-corruption point of
11 contact for each such embassy.

12 (2) DUTIES.—The designated anti-corruption
13 points of contact designated pursuant to paragraph
14 (1) shall—

15 (A) coordinate, in accordance with guid-
16 ance from the Interagency Anti-Corruption
17 Task Force established pursuant to subsection
18 (e)(2), an interagency approach within United
19 States embassies to combat public corruption in
20 the foreign states in which such embassies are
21 located that is tailored to the needs of such for-
22 eign states, including all relevant Federal de-
23 partments and agencies with a presence in such
24 foreign states, such as the Department of State,
25 the United States Agency for International De-

1 velopment, the Department of Justice, the De-
2 partment of the Treasury, the Department of
3 Homeland Security, the Department of De-
4 fense, the Millennium Challenge Corporation,
5 and the intelligence community;

6 (B) make recommendations regarding the
7 use of the Anti-Corruption Action Fund and
8 other foreign assistance funding related to anti-
9 corruption efforts in their respective countries
10 of responsibility that aligns with United States
11 diplomatic engagement; and

12 (C) ensure that anti-corruption activities
13 carried out within their respective countries of
14 responsibility are included in regular reporting
15 to the Secretary of State and the Interagency
16 Anti-Corruption Task Force, including United
17 States embassy strategic planning documents
18 and foreign assistance-related reporting, as ap-
19 propriate.

20 (3) TRAINING.—The Secretary of State shall
21 develop and implement appropriate training for the
22 designated anti-corruption points of contact.

23 (g) REPORTING REQUIREMENTS.—

24 (1) REPORT OR BRIEFING ON PROGRESS TO-
25 WARD IMPLEMENTATION.—Not later than 180 days

1 after the date of the enactment of this Act, and an-
2 nually thereafter for the following 3 years, the Sec-
3 retary of State, in consultation with the Adminis-
4 trator of the United States Agency for International
5 Development, the Attorney General, and the Sec-
6 retary of the Treasury, shall submit a report or pro-
7 vide a briefing to the appropriate congressional com-
8 mittees that summarizes progress made in com-
9 bating public corruption and in implementing this
10 Act, including—

11 (A) identifying opportunities and priorities
12 for outreach with respect to promoting the
13 adoption and implementation of relevant inter-
14 national law and standards in combating public
15 corruption, kleptocracy, and illicit finance;

16 (B) describing—

17 (i) the bureaucratic structure of the
18 offices within the Department of State and
19 the United States Agency for International
20 Development that are engaged in activities
21 to combat public corruption, kleptocracy,
22 and illicit finance; and

23 (ii) how such offices coordinate their
24 efforts with each other and with other rel-
25 evant Federal departments and agencies;

1 (C) providing a description of how the pro-
2 visions under paragraphs (4) and (5) of sub-
3 section (d) have been applied to each project
4 funded by the Anti-Corruption Action Fund;

5 (D) providing an explanation as to why a
6 United States Government technical assistance
7 provider was not used if technical assistance to
8 a foreign governmental entity is not imple-
9 mented by a United States Government tech-
10 nical assistance provider;

11 (E) describing the activities of the Inter-
12 agency Anti-Corruption Task Force established
13 pursuant to subsection (e)(2);

14 (F) identifying—

15 (i) the designated anti-corruption
16 points of contact for foreign states; and

17 (ii) any training provided to such
18 points of contact; and

19 (G) recommending additional measures
20 that would enhance the ability of the United
21 States Government to combat public corruption,
22 kleptocracy, and illicit finance overseas.

23 (2) ONLINE PLATFORM.—The Secretary of
24 State, in conjunction with the Administrator of the
25 United States Agency for International Develop-

1 ment, should consolidate existing reports with anti-
2 corruption components into a single online, public
3 platform that includes—

4 (A) the Annual Country Reports on
5 Human Rights Practices required under section
6 116 of the Foreign Assistance Act of 1961 (22
7 U.S.C. 2151n);

8 (B) the Fiscal Transparency Report re-
9 quired under section 7031(b) of the Depart-
10 ment of State, Foreign Operations and Related
11 Programs Appropriations Act, 2019 (division F
12 of Public Law 116–6);

13 (C) the Investment Climate Statement re-
14 ports;

15 (D) the International Narcotics Control
16 Strategy Report;

17 (E) any other relevant public reports; and

18 (F) links to third-party indicators and
19 compliance mechanisms used by the United
20 States Government to inform policy and pro-
21 gramming, as appropriate, such as—

22 (i) the International Finance Corpora-
23 tion’s Doing Business surveys;

24 (ii) the International Budget Partner-
25 ship’s Open Budget Index; and

- 1 (iii) multilateral peer review anti-cor-
2 ruption compliance mechanisms, such as—
3 (I) the Organisation for Eco-
4 nomic Co-operation and Develop-
5 ment’s Working Group on Bribery in
6 International Business Transactions;
7 (II) the Follow-Up Mechanism
8 for the Inter-American Convention
9 Against Corruption; and
10 (III) the United Nations Conven-
11 tion Against Corruption, done at New
12 York October 31, 2003.

13 **SEC. 30404. ANNUAL REPORT ON CHINESE SURVEILLANCE**
14 **COMPANIES.**

15 (a) IN GENERAL.—Not later than 180 days after the
16 date of the enactment of this Act, and annually thereafter
17 until 2040, the Secretary of State, in coordination with
18 the Director of National Intelligence, shall submit to the
19 Committee on Foreign Affairs and Permanent Select
20 Committee on Intelligence of the House of Representa-
21 tives, and the Committee on Foreign Relations and the
22 Select Committee on Intelligence of the Senate, a report
23 with respect to persons in China that the Secretary deter-
24 mines—

1 (1) have operated, sold, leased, or otherwise
2 provided, directly or indirectly, items or services re-
3 lated to targeted digital surveillance to—

4 (A) a foreign government or entity located
5 primarily inside a foreign country where a rea-
6 sonable person would assess that such transfer
7 could result in a use of the items or services in
8 a manner contrary to human rights; or

9 (B) a country or any governmental unit
10 thereof, entity, or other person determined by
11 the Secretary of State, in a notice published in
12 the Federal Register, to have used items or
13 services for targeted digital surveillance in a
14 manner contrary to human rights; or

15 (2) have materially assisted, sponsored, or pro-
16 vided financial, material, or technological support
17 for, or items or services to or in support of, the ac-
18 tivities described in paragraph (1).

19 (b) MATTERS TO BE INCLUDED.—The report re-
20 quired by subsection (a) shall include the following:

21 (1) The name of each foreign person that the
22 Secretary determines—

23 (A) meets the requirements of subsection
24 (a)(1); and

1 (B) meets the requirements of subsection
2 (a)(2).

3 (2) The name of each intended and actual re-
4 cipient of items or services described in subsection
5 (a).

6 (3) A detailed description of such items or serv-
7 ices.

8 (4) An analysis of the appropriateness of in-
9 cluding the persons listed in (b)(1) on the entity list
10 maintained by the Bureau of Industry and Security.

11 (c) CONSULTATION.—In compiling data and making
12 assessments for the purposes of preparing the report re-
13 quired by subsection (a), the Secretary of State shall con-
14 sult with a wide range of organizations, including with re-
15 spect to—

16 (1) classified and unclassified information pro-
17 vided by the Director of National Intelligence;

18 (2) information provided by the Bureau of De-
19 mocracy, Human Rights, and Labor’s Internet Free-
20 dom, Business and Human Rights section;

21 (3) information provided by the Department of
22 Commerce, including the Bureau of Industry and
23 Security;

24 (4) information provided by the advisory com-
25 mittees established by the Secretary to advise the

1 Under Secretary of Commerce for Industry and Se-
2 curity on controls under the Export Administration
3 Regulations, including the Emerging Technology and
4 Research Advisory Committee;

5 (5) information on human rights and tech-
6 nology matters, as solicited from civil society and
7 human rights organizations through regular consult-
8 ative processes; and

9 (6) information contained in the Country Re-
10 ports on Human Rights Practices published annually
11 by the Department of State.

12 (d) FORM AND PUBLIC AVAILABILITY OF REPORT.—
13 The report required by subsection (a) shall be submitted
14 in unclassified form. The report shall be posted by the
15 President not later than 14 days after being submitted
16 to Congress on a text-based, searchable, and publicly avail-
17 able internet website.

18 (e) DEFINITIONS.—In this section:

19 (1) TARGETED DIGITAL SURVEILLANCE.—The
20 term “targeted digital surveillance” means the use
21 of items or services that enable an individual or enti-
22 ty to detect, monitor, intercept, collect, exploit, pre-
23 serve, protect, transmit, retain, or otherwise gain ac-
24 cess to the communications, protected information,
25 work product, browsing data, research, identifying

1 information, location history, or online and offline
2 activities of other individuals, organizations, or enti-
3 ties, with or without the explicit authorization of
4 such individuals, organizations, or entities.

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

8 (3) IN A MANNER CONTRARY TO HUMAN
9 RIGHTS.—The term “in a manner contrary to
10 human rights”, with respect to targeted digital sur-
11 veillance, means engaging in targeted digital surveil-
12 lance—

13 (A) in violation of basic human rights, in-
14 cluding to silence dissent, sanction criticism,
15 punish independent reporting (and sources for
16 that reporting), manipulate or interfere with
17 democratic or electoral processes, persecute mi-
18 norities or vulnerable groups, or target advo-
19 cates or practitioners of human rights and
20 democratic rights (including activists, journal-
21 ists, artists, minority communities, or opposi-
22 tion politicians); or

23 (B) in a country in which there is lacking
24 a minimum legal framework governing its use,
25 including established—

1 (i) authorization under laws that are
2 accessible, precise, and available to the
3 public;

4 (ii) constraints limiting its use under
5 principles of necessity, proportionality, and
6 legitimacy;

7 (iii) oversight by bodies independent
8 of the government's executive agencies;

9 (iv) involvement of an independent
10 and impartial judiciary branch in author-
11 izing its use; or

12 (v) legal remedies in case of abuse.

13 **SEC. 30405. REPORT ON THE PEOPLE'S REPUBLIC OF CHI-**
14 **NA'S INVESTMENTS IN FOREIGN MINING AND**
15 **PROCESSING INDUSTRIES.**

16 (a) IN GENERAL.—No later than 180 days after the
17 date of the enactment of this Act and annually thereafter
18 for five years, the Secretary of State, in consultation with
19 the Secretary of Commerce and Secretary of Homeland
20 Security, shall submit to the Committee on Foreign Af-
21 fairs, the Committee on Energy and Commerce, and the
22 Committee on Homeland Security of the House of Rep-
23 resentatives and the Committee on Foreign Relations, the
24 Committee on Finance, and the Committee on Homeland
25 Security and Governmental Affairs a report that—

1 (1) describes the involvement of the Govern-
2 ment of the People’s Republic of China (PRC), state
3 sponsored companies, and companies incorporated in
4 the PRC in the exploration, planning, development,
5 operation, production, financing, or ownership of
6 mining or processing facilities in countries identified
7 in the United States Geological Survey’s (USGS)
8 Annual Mineral Commodity Summaries for which
9 the United States imports minerals, metals, and ma-
10 terials; and

11 (2) evaluates strategic or security concerns and
12 implications for United States national security and
13 economic interests and the interests of the countries
14 identified pursuant to paragraph (1) with respect to
15 the PRC’s involvement and influence in developing
16 the country’s mining and processing industries.

17 (b) PUBLICATION.—The report required under sub-
18 section (a) shall be published on the respective websites
19 of the Department of State, the Department of Commerce,
20 and the Department of Homeland Security.

1 **TITLE V—ENSURING STRATEGIC**
2 **SECURITY**

3 **SEC. 30501. COOPERATION ON A STRATEGIC NUCLEAR DIA-**
4 **LOGUE.**

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

7 (1) to pursue, in coordination with United
8 States allies and partners, arms control negotiations
9 and sustained and regular engagement with the Peo-
10 ple’s Republic of China (PRC)—

11 (A) to enhance understanding of each oth-
12 er’s respective nuclear policies, doctrine, and ca-
13 pabilities;

14 (B) to improve transparency; and

15 (C) to help manage the risks of miscalcula-
16 tion and misperception;

17 (2) to formulate a strategy to engage the Gov-
18 ernment of the PRC on relevant issues that lays the
19 groundwork for a constructive arms control frame-
20 work, including—

21 (A) fostering dialogue on arms control
22 leading to the convening of strategic security
23 talks;

24 (B) negotiating norms for outer space;

1 (C) developing pre-launch notification re-
2 gimes aimed at reducing nuclear miscalculation;
3 and

4 (D) expanding lines of communication be-
5 tween both governments for the purposes of re-
6 ducing the risks of conventional war and in-
7 creasing transparency;

8 (3) to pursue relevant negotiations in coordina-
9 tion with United States allies and partners to ensure
10 the security of United States and allied interests to
11 slow the PRC's military modernization and expan-
12 sion, including on—

13 (A) ground-launched cruise and ballistic
14 missiles;

15 (B) integrated air and missile defense;

16 (C) hypersonic missiles;

17 (D) intelligence, surveillance, and recon-
18 naissance;

19 (E) space-based capabilities;

20 (F) cyber capabilities; and

21 (G) command, control, and communica-
22 tions; and

23 (4) to ensure that the United States policy con-
24 tinues to reassure United States allies and partners.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) it is in the interest of the United States and
4 China to cooperate in reducing risks of conventional
5 and nuclear escalation;

6 (2) a physical, cyber, electronic, or any other
7 People’s Liberation Army (PLA) attack on United
8 States early warning satellites, other portions of the
9 nuclear command and control enterprise, or critical
10 infrastructure poses a high risk to inadvertent but
11 rapid escalation;

12 (3) the United States and its allies and part-
13 ners should promote international norms on military
14 operations in space, the employment of cyber capa-
15 bilities, and the military use of artificial intelligence,
16 as an element of risk reduction regarding nuclear
17 command and control; and

18 (4) United States allies and partners should
19 share the burden of promoting and protecting norms
20 regarding the weaponization of space, highlighting
21 unsafe behavior that violates international norms,
22 such as in rendezvous and proximity operations, and
23 promoting responsible behavior in space and all
24 other domains.

1 **SEC. 30502. REPORT ON UNITED STATES EFFORTS TO EN-**
2 **GAGE THE PEOPLE'S REPUBLIC OF CHINA ON**
3 **NUCLEAR ISSUES AND BALLISTIC MISSILE**
4 **ISSUES.**

5 (a) REPORT ON THE FUTURE OF UNITED STATES-
6 PRC ARMS CONTROL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of State,
8 in coordination with the Secretary of Defense and the Sec-
9 retary of Energy, shall submit to the appropriate congres-
10 sional committees a report, and if necessary a separate
11 classified annex, that outlines the approaches and strate-
12 gies such Secretaries will pursue to engage the Govern-
13 ment of the People's Republic of China (PRC) on arms
14 control and risk reduction, including—

15 (1) areas of potential dialogue between the Gov-
16 ernments of the United States and the PRC, includ-
17 ing on ballistic, hypersonic glide, and cruise missiles,
18 conventional forces, nuclear, space, and cyberspace
19 issues, as well as other new strategic domains, which
20 could reduce the likelihood of war, limit escalation if
21 a conflict were to occur, and constrain a desta-
22 bilizing arms race in the Indo-Pacific region;

23 (2) how the United States Government can en-
24 gage the Government of the PRC in a constructive
25 arms control dialogue;

1 (3) identifying strategic military capabilities of
2 the PRC that the United States Government is most
3 concerned about and how limiting these capabilities
4 may benefit United States and allied security inter-
5 ests;

6 (4) mechanisms to avoid, manage, or control
7 nuclear, conventional, and unconventional military
8 escalation between the United States and the PRC;

9 (5) the personnel and expertise required to ef-
10 fectively engage the PRC in strategic stability and
11 arms control dialogues; and

12 (6) opportunities and methods to encourage
13 transparency from the PRC.

14 (b) REPORT ON ARMS CONTROL TALKS WITH
15 PRC.—Not later than 180 days after the date of the en-
16 actment of this Act, the Secretary of State, in consultation
17 with the Secretary of Defense and the Secretary of En-
18 ergy, shall submit to the appropriate congressional com-
19 mittees a report that describes—

20 (1) a concrete plan for arms control talks with
21 the PRC;

22 (2) if a bilateral arms control dialogue does not
23 arise, what alternative plans the Department of
24 State envisages for ensuring the security of the

1 United States and its allies through international
2 arms control negotiations;

3 (3) effects on the credibility of United States
4 extended deterrence assurances to allies and part-
5 ners if arms control negotiations do not materialize
6 and the implications for regional security architec-
7 tures;

8 (4) efforts at engaging the PRC to join arms
9 control talks, whether on a bilateral or international
10 basis; and

11 (5) the interest level of the Government of PRC
12 in joining arms control talks, whether on a bilateral
13 or international basis, including through—

14 (A) a formal invitation to appropriate offi-
15 cials from the PRC, and to each of the perma-
16 nent members of the United Nations Security
17 Council, to observe a United States-Russian
18 Federation New START Treaty on-site inspec-
19 tion to demonstrate the security benefits of
20 transparency into strategic nuclear forces;

21 (B) discussions on how to advance inter-
22 national negotiations on the fissile material cut-
23 off;

24 (C) an agreement with the PRC that al-
25 lows for advance notifications of ballistic missile

1 launches, through the Hague Code of Conduct
2 or other data exchanges or doctrine discussions
3 related to strategic nuclear forces;

4 (D) an agreement not to target or interfere
5 in nuclear command, control, and communica-
6 tions (commonly referred to as “NC3”) infra-
7 structure; or

8 (E) any other cooperative measure that
9 benefits United States-PRC strategic stability.

10 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
11 FINED.—In this section, the term “appropriate congres-
12 sional committees” means—

13 (1) the Committee on Foreign Relations, the
14 Committee on Armed Services, and the Committee
15 on Energy and Natural Resources of the Senate;
16 and

17 (2) the Committee on Foreign Affairs, the
18 Committee on Armed Services, and the Committee
19 on Energy and Commerce of the House of Rep-
20 resentatives.

1 **SEC. 30503. COUNTERING THE PEOPLE'S REPUBLIC OF CHI-**
2 **NA'S PROLIFERATION OF BALLISTIC MIS-**
3 **SILES AND NUCLEAR TECHNOLOGY TO THE**
4 **MIDDLE EAST.**

5 (a) MTCR TRANSFERS.—Not later than 30 days
6 after the date of the enactment of this Act, the President
7 shall submit to the appropriate congressional committees
8 a written determination, and any documentation to sup-
9 port that determination detailing—

10 (1) whether any foreign person in the People's
11 Republic of China (PRC) knowingly exported, trans-
12 ferred, or engaged in trade of any item designated
13 under Category I of the MTCR Annex to any foreign
14 person in the previous three fiscal years; and

15 (2) the sanctions the President has imposed or
16 intends to impose pursuant to section 11B(b) of the
17 Export Administration Act of 1979 (50 U.S.C.
18 4612(b)) against any foreign person who knowingly
19 engaged in the export, transfer, or trade of that item
20 or items.

21 (b) PRC'S NUCLEAR FUEL CYCLE COOPERATION.—
22 Not later than 30 days after the date of the enactment
23 of this Act, the President shall submit to the appropriate
24 committees of Congress a report detailing—

25 (1) whether any foreign person in the PRC en-
26 gaged in cooperation with any other foreign person

1 in the previous three fiscal years in the construction
2 of any nuclear-related fuel cycle facility or activity
3 that has not been notified to the International
4 Atomic Energy Agency and would be subject to com-
5plementary access if an Additional Protocol was in
6 force; and

7 (2) the policy options required to prevent and
8 respond to any future effort by the PRC to export
9 to any foreign person an item classified as “plants
10 for the separation of isotopes of uranium” or
11 “plants for the reprocessing of irradiated nuclear re-
12 actor fuel elements” under Part 110 of the Nuclear
13 Regulatory Commission export licensing authority.

14 (c) FORM OF REPORT.—The determination required
15 under subsection (b) and the report required under sub-
16 section (c) shall be unclassified with a classified annex.

17 (d) DEFINITIONS.—In this section:

18 (1) The term “appropriate congressional com-
19 mittees” means—

20 (A) the Select Committee on Intelligence
21 and the Committee on Foreign Relations of the
22 Senate; and

23 (B) the Permanent Select Committee on
24 Intelligence and the Committee on Foreign Af-
25 fairs of the House of Representatives.

1 (2) FOREIGN PERSON; PERSON.—The terms
2 “foreign person” and “person” mean—

3 (A) a natural person that is an alien;

4 (B) a corporation, business association,
5 partnership, society, trust, or any other non-
6 governmental entity, organization, or group,
7 that is organized under the laws of a foreign
8 country or has its principal place of business in
9 a foreign country;

10 (C) any foreign governmental entity oper-
11 ating as a business enterprise; and

12 (D) any successor, subunit, or subsidiary
13 of any entity described in subparagraph (B) or
14 (C).

15 **SEC. 30504. REPORT ON SUPPORT FOR BIODEFENSE STEER-**
16 **ING COMMITTEE IN IMPLEMENTATION OF**
17 **NATIONAL BIODEFENSE STRATEGY.**

18 (a) REPORT.—Not later than 180 days after the date
19 of the enactment of this Act, the Director of National In-
20 telligence, in coordination with the heads of such other ele-
21 ments of the intelligence community as the Director may
22 determine relevant, shall submit to the congressional intel-
23 ligence committees a report on the efforts of the intel-
24 ligence community to support the Biodefense Steering

1 Committee in the implementation of the National Bio-
2 defense Strategy.

3 (b) MATTERS.—The report under subsection (a) shall
4 include the following:

5 (1) A description of any previous, ongoing, or
6 planned efforts or activities of the intelligence com-
7 munity to support the implementation of the Na-
8 tional Biodefense Strategy by the Biodefense Steer-
9 ing Committee.

10 (2) An inventory and assessment of any exist-
11 ing strategy, plan, or policy of the intelligence com-
12 munity, or interagency agreement entered into by
13 the intelligence community, that relates to the provi-
14 sion of support to the Biodefense Steering Com-
15 mittee, including for the implementation of the Na-
16 tional Biodefense Strategy.

17 (3) A description of assessed opportunities for
18 the intelligence community to further enhance the
19 capabilities and effectiveness of the Biodefense
20 Steering Committee with respect to the implementa-
21 tion of the National Biodefense Strategy.

22 (4) An assessment of foreign biological threats
23 emanating from the territory of, or sponsored by, a
24 covered country.

1 (c) FORM.—The report under subsection (a) may be
2 submitted in classified form.

3 (d) DEFINITIONS.—In this section:

4 (1) BIODEFENSE.—The term “biodefense” in-
5 cludes actions to counter biological threats, reduce
6 risks relating to biological threats, and prepare for,
7 respond to, and recover from, biological incidents.

8 (2) BIODEFENSE STEERING COMMITTEE.—The
9 term “Biodefense Steering Committee” means the
10 committee established pursuant to the presidential
11 memorandum issued on September 18, 2018, and ti-
12 tled “Presidential Memorandum on the Support for
13 National Biodefense”, or any successor to such com-
14 mittee.

15 (3) BIOLOGICAL THREAT.—The term “biologi-
16 cal threat” includes biological warfare, bioterrorism,
17 naturally occurring infectious diseases, and acci-
18 dental exposures.

19 (4) CONGRESSIONAL INTELLIGENCE COMMIT-
20 TEES; INTELLIGENCE COMMUNITY.—The terms
21 “congressional intelligence committees” and “intel-
22 ligence community” have the meanings given those
23 terms in section 3 of the National Security Act of
24 1947 (50 U.S.C. 3003).

1 (5) COVERED COUNTRY.—The term “covered
2 country” means—

3 (A) the People’s Republic of China;

4 (B) the Russian Federation;

5 (C) the Islamic Republic of Iran;

6 (D) the Democratic People’s Republic of
7 Korea;

8 (E) any country with a known history of,
9 or assessed to have conditions present for, in-
10 fectionous disease outbreaks or epidemics; and

11 (F) any other country the Director of Na-
12 tional Intelligence determines appropriate.

13 (6) FOREIGN BIOLOGICAL THREAT.—The term
14 “foreign biological threat” means biological warfare,
15 bioterrorism, naturally occurring infectious diseases,
16 and accidental exposures to biological materials,
17 without regard to whether the threat originates from
18 a state actor, a non-state actor, natural conditions,
19 or an undetermined source.

20 (7) NATIONAL BIODEFENSE STRATEGY.—The
21 term “National Biodefense Strategy” means the
22 strategy specified in section 1086 of the National
23 Defense Authorization Act for Fiscal Year 2017 (6
24 U.S.C. 104).

1 **TITLE VI—INVESTING IN A**
2 **SUSTAINABLE FUTURE**

3 **SEC. 30601. ENSURING NATIONAL SECURITY AND ECO-**
4 **NOMIC PRIORITIES WITH THE PEOPLE’S RE-**
5 **PUBLIC OF CHINA AND OTHER COUNTRIES**
6 **ACCOUNT FOR ENVIRONMENTAL ISSUES AND**
7 **CLIMATE CHANGE.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) The Special Report: Global Warming of
10 1.5°C, published by the Intergovernmental Panel on
11 Climate Change on October 8, 2018, and the Fourth
12 National Climate Assessment, first published by the
13 United States Global Change Research Program in
14 2018, concluded that—

15 (A) the release of greenhouse gas emis-
16 sions, most notably the combustion of fossil
17 fuels and the degradation of natural resources
18 that absorb atmospheric carbon from human
19 activity, are the dominant causes of climate
20 change during the past century;

21 (B) changes in the Earth’s climate are—

22 (i) causing sea levels to rise;

23 (ii) increasing the global average tem-
24 perature of the Earth;

1 (iii) increasing the incidence and se-
2 verity of wildfires; and

3 (iv) intensifying the severity of ex-
4 tremе weather, including hurricanes, cy-
5 clones, typhoons, flooding, droughts, and
6 other disasters that threaten human life,
7 healthy communities, and critical infra-
8 structure.

9 (2) An increase in the global average tempera-
10 ture of 2 degrees Celsius compared to pre-industri-
11 alized levels would cause—

12 (A) the displacement, and the forced inter-
13 nal migration, of an estimated 143,000,000
14 people in Latin America, South Asia, and Sub-
15 Saharan Africa by 2050 if insufficient action is
16 taken (according to the World Bank);

17 (B) the displacement of an average of
18 17,800,000 people worldwide by floods every
19 year (according to the Internal Displacement
20 Monitoring Centre) because of the exacerbating
21 effects of climate change;

22 (C) more than \$500,000,000,000 in lost
23 annual economic output in the United States (a
24 10 percent contraction from 2018 levels) by

1 2100 (according to the Fourth National Cli-
2 mate Assessment);

3 (D) an additional 100,000,000 people
4 worldwide to be driven into poverty by 2030
5 (according to the World Bank);

6 (E) greater food insecurity and decreased
7 agricultural production due to climate change's
8 effects on the increased frequency and intensity
9 of extreme weather events;

10 (F) the proliferation of agricultural pests
11 and crop diseases, loss of biodiversity, degrad-
12 ing ecosystems, and water scarcity; and

13 (G) more than 350,000,000 additional peo-
14 ple worldwide to be exposed to deadly heat
15 stress by 2050.

16 (3) According to the International Energy
17 Agency, the United States, China, India, and the
18 European Union (including the United Kingdom) ac-
19 count for more than 58 percent of global greenhouse
20 gas emissions. China, which is the world's top green-
21 house gases emitter and has an outsized impact on
22 the United States' core interest in climate sta-
23 bility—

24 (A) is likely to achieve its carbon emissions
25 mitigation pledge to the Paris Agreement, con-

1 tained in its 2015 nationally determined con-
2 tribution, to “peak” emissions around 2030
3 ahead of schedule;

4 (B) announced, on September 22, 2020,
5 and restated on April 22, 2021, a pledge to
6 achieve carbon neutrality by 2060;

7 (C) announced on April 22, 2021, its in-
8 tent to strictly control coal fired power genera-
9 tion projects, as well as strictly limit the in-
10 crease in coal consumption over the 14th five
11 year plan period and phase it down in the 15th
12 five year plan period; and

13 (D) however, remains uncommitted to
14 internationally recognized metrics for achieving
15 these goals.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) to address the climate crisis, the United
19 States must leverage the full weight of its diplomatic
20 engagement and foreign assistance to promote our
21 national security and economic interests related to
22 climate change;

23 (2) in the absence of United States leadership
24 on global issues driving international climate-related
25 policymaking, it would lead to a substantial and

1 harmful decline in the Nation’s global competitive-
2 ness;

3 (3) promoting international instruments on cli-
4 mate action and other relevant international stand-
5 ards and best practices, as such standards and prac-
6 tices develop, serve the interests of the American
7 people and protect United States environmental re-
8 sources and the planet;

9 (4) promoting the adoption and implementation
10 of international climate-related agreements, stand-
11 ards, and practices by foreign states ensures a level
12 playing field for United States businesses and other
13 stakeholders;

14 (5) working with international allies and part-
15 ners to promote environmental justice and climate
16 justice serves the American people’s interests;

17 (6) finding common ground with the People’s
18 Republic of China (PRC) on climate action where
19 possible is important, but the United States must
20 also continue to hold the PRC accountable where its
21 actions undermine the interests of the United States
22 and its allies and partners;

23 (7) and in furtherance of the previous clauses,
24 the United States should—

1 (A) explore opportunities for constructive
2 cooperation on climate action initiatives with
3 the PRC and other countries while ensuring the
4 United States maintains its competitive advan-
5 tage in climate-related fields of expertise and
6 industry, including—

7 (i) support for international coopera-
8 tive policies, measures, and technologies to
9 decarbonize industry and power, including
10 through circular economy, energy storage
11 and grid reliability, carbon capture, and
12 green hydrogen; and

13 (ii) increased deployment of clean en-
14 ergy, including renewable and advanced
15 nuclear power; green and climate resilient
16 agriculture; energy efficient buildings;
17 green, and low-carbon transportation;

18 (B) cooperate on addressing emissions of
19 methane and other non-CO₂ greenhouse gases;

20 (C) cooperate on addressing emissions
21 from international civil aviation and maritime
22 activities;

23 (D) reduce emissions from coal, oil, and
24 gas;

1 (E) implement the Paris Agreement that
2 significantly advances global climate ambition
3 on mitigation, adaptation, and support;

4 (F) coordinate among relevant Federal,
5 State, and local departments and agencies on
6 climate action related initiatives;

7 (G) provide resources, authorities and sup-
8 port for enhancing United States ambition and
9 commitment to solving the climate crisis includ-
10 ing climate action specific assistance and multi-
11 lateral fund contributions; and

12 (H) integrate considerations for climate
13 change into broader United States foreign pol-
14 icy decision-making and the United States na-
15 tional security apparatus.

16 (c) PURPOSE.—The purpose of this section is to pro-
17 vide authorities, resources, policies, and recommended ad-
18 ministrative actions—

19 (1) to restore United States global leadership
20 on addressing the climate crisis and make United
21 States climate action and climate diplomacy a more
22 central tenet of United States foreign policy;

23 (2) to improve the United States commitment
24 to taking more ambitious action to help mitigate
25 global greenhouse gas emission and improve devel-

1 oping countries' resilience and adaptation capacities
2 to the effects of climate change;

3 (3) to ensure the United States maintains com-
4 petitive advantage over global strategic competitors
5 in diplomacy and new technological development;

6 (4) to encourage the pursuit of new bilateral co-
7 operation agreements with other world powers on
8 initiatives to advance global clean energy innovation
9 and other measures to mitigate global greenhouse
10 gas emissions and improve climate change adapta-
11 tion capacities;

12 (5) to ensure that the United States national
13 security apparatus integrates critically important
14 data on the compounding effects that climate change
15 is having on global security risks by enhancing our
16 understanding of how, where, and when such effects
17 are destabilizing countries and regions in ways that
18 may motivate conflict, displacement, and other driv-
19 ers of insecurity; and

20 (6) to authorize funding and programs to sup-
21 port a reaffirmation of the United States' commit-
22 ments to international cooperation and support for
23 developing and vulnerable countries to take climate
24 action.

25 (d) DEFINITIONS.—In this title:

1 (1) CLEAN ENERGY.—The term “clean energy”
2 means—

3 (A) renewable energy and related systems;

4 (B) energy production processes that emit
5 zero greenhouse gas emissions, including nu-
6 clear power; and

7 (C) systems and processes that capture
8 and permanently store greenhouse gas emis-
9 sions from fossil fuel production and electricity
10 generation units.

11 (2) CLIMATE ACTION.—The term “climate ac-
12 tion” means enhanced efforts to reduce greenhouse
13 gas emissions and strengthen resilience and adaptive
14 capacity to climate-induced impacts, including—

15 (A) climate-related hazards in all coun-
16 tries;

17 (B) integrating climate change measures
18 into national policies, strategies and planning;
19 and

20 (C) improving education, awareness-rais-
21 ing, and human and institutional capacity with
22 respect to climate change mitigation, adapta-
23 tion, impact reduction, and early warning.

24 (3) CLIMATE CRISIS.—The term “climate cri-
25 sis” means the social, economic, health, safety, and

1 security impacts on people, and the threats to bio-
2 diversity and natural ecosystem health, which are at-
3 tributable to the wide-variety of effects on global en-
4 vironmental and atmospheric conditions as a result
5 of disruptions to the Earth’s climate from anthropo-
6 genic activities that generate greenhouse gas emis-
7 sions or reduce natural resource capacities to absorb
8 and regulate atmospheric carbon.

9 (4) CLIMATE DIPLOMACY.—The term “climate
10 diplomacy” means methods of influencing the deci-
11 sions and behavior of foreign governments and peo-
12 ples through dialogue, negotiation, cooperation, and
13 other peaceful measures on or about issues related
14 to addressing global climate change, including—

15 (A) the mitigation of global greenhouse gas
16 emissions;

17 (B) discussion, analysis, and sharing of
18 scientific data and information on the cause
19 and effects of climate change;

20 (C) the security, social, economic, and po-
21 litical instability risks associated with the ef-
22 fects of climate change;

23 (D) economic cooperation efforts that are
24 related to or associated with climate change and

1 greenhouse gas mitigation from the global econ-
2 omy;

3 (E) building resilience capacities and
4 adapting to the effects of change;

5 (F) sustainable land use and natural re-
6 source conservation;

7 (G) accounting for loss and damage attrib-
8 uted to the effects of climate change;

9 (H) just transition of carbon intense
10 economies to low or zero carbon economies and
11 accounting for laborers within affected econo-
12 mies;

13 (I) technological innovations that reduce or
14 eliminate carbon emissions; and

15 (J) clean energy and energy systems.

16 (5) CLIMATE FINANCING.—The term “climate
17 financing” means the transfer of new and additional
18 public funds from developed countries to developing
19 countries for projects and programs that—

20 (A) reduce or eliminate greenhouse gas
21 emissions;

22 (B) enhance and restore natural carbon se-
23 questration; and

24 (C) promote adaptation to climate change.

1 (6) CLIMATE SECURITY.—The term “climate
2 security” means the effects of climate change on—

3 (A) United States national security con-
4 cerns and subnational, national, and regional
5 political stability; and

6 (B) overseas security and conflict situa-
7 tions that are potentially exacerbated by dy-
8 namic environmental factors and events, includ-
9 ing—

10 (i) the intensification and frequency of
11 droughts, floods, wildfires, tropical storms,
12 and other extreme weather events;

13 (ii) changes in historical severe weath-
14 er, drought, and wildfire patterns;

15 (iii) the expansion of geographical
16 ranges of droughts, floods, and wildfires
17 into regions that had not regularly experi-
18 enced such phenomena;

19 (iv) global sea level rise patterns and
20 the expansion of geographical ranges af-
21 fected by drought; and

22 (v) changes in marine environments
23 that effect critical geostrategic waterways,
24 such as the Arctic Ocean, the South China

1 Sea, the South Pacific Ocean, the Barents
2 Sea, and the Beaufort Sea.

3 (7) GREEN CLIMATE FUND.—The term “Green
4 Climate Fund” means the independent, multilateral
5 fund—

6 (A) established by parties to the United
7 Nations Framework Convention on Climate
8 Change; and

9 (B) adopted by decision as part of the fi-
10 nancial mechanism of the United Nations
11 Framework Convention on Climate Change.

12 (8) PARIS AGREEMENT.—The term “Paris
13 Agreement” means the annex to Decision 1/CP.21
14 adopted by the 21st Conference of Parties of the
15 United Nations Framework Convention on Climate
16 Change in Paris, France, on December 12, 2015.

17 (9) RESILIENCE.—The term “resilience” means
18 the ability of human made and natural systems (in-
19 cluding their component parts) to anticipate, absorb,
20 cope, accommodate, or recover from the effects of a
21 hazardous event in a timely and efficient manner, in-
22 cluding through ensuring the preservation, restora-
23 tion, or improvement of its essential basic structures
24 and functions. It is not preparedness or response.

1 (e) ANNUAL BRIEFING.—Not later than 90 days
2 after the date of enactment of this Act, and annually
3 thereafter, the Department of State, in consultation with
4 the heads of other relevant Federal departments and agen-
5 cies, shall provide a briefing to relevant Committees of the
6 House of Representatives and the Senate regarding the
7 progress and efforts of the PRC to achieve the goals and
8 commitments stated in subsection (a)(3).

9 **SEC. 30602. ENHANCING SECURITY CONSIDERATIONS FOR**
10 **GLOBAL CLIMATE DISRUPTIONS.**

11 (a) IN GENERAL.—The Secretary of State, in con-
12 sultation with the heads of other relevant Federal agen-
13 cies, shall conduct biennial comprehensive evaluations of
14 present and ongoing disruptions to the global climate sys-
15 tem, including—

16 (1) the intensity, frequency, and range of nat-
17 ural disasters;

18 (2) the scarcity of global natural resources, in-
19 cluding fresh water;

20 (3) global food, health, and energy insecurities;

21 (4) conditions that contribute to—

22 (A) intrastate and interstate conflicts;

23 (B) foreign political and economic insta-
24 bility;

1 (C) international migration of vulnerable
2 and underserved populations;

3 (D) the failure of national governments;
4 and

5 (E) gender-based violence; and

6 (5) United States and allied military readiness,
7 operations, and strategy.

8 (b) PURPOSES.—The purposes of the evaluations con-
9 ducted under subsection (a) are—

10 (1) to support the practical application of sci-
11 entific data and research on climate change’s dy-
12 namic effects around the world to improve resilience,
13 adaptability, security, and stability despite growing
14 global environmental risks and changes;

15 (2) to ensure that the strategic planning and
16 mission execution of United States international de-
17 velopment and diplomatic missions adequately ac-
18 count for heightened and dynamic risks and chal-
19 lenges associated with the effects of climate change;

20 (3) to improve coordination between United
21 States science agencies conducting research and
22 forecasts on the causes and effects of climate change
23 and United States national security agencies;

24 (4) to better understand the disproportionate
25 effects of global climate disruptions on women, girls,

1 indigenous communities, and other historically
2 marginalized populations; and

3 (5) to inform the development of the climate se-
4 curity strategy described in subsection (d).

5 (c) SCOPE.—The evaluations conducted under sub-
6 section (a) shall—

7 (1) examine developing countries' vulnerabilities
8 and risks associated with global, regional, and local-
9 ized effects of climate change; and

10 (2) assess and make recommendations on nec-
11 essary measures to mitigate risks and reduce
12 vulnerabilities associated with effects, including—

13 (A) sea level rise;

14 (B) freshwater resource scarcity;

15 (C) wildfires; and

16 (D) increased intensity and frequency of
17 extreme weather conditions and events, such as
18 flooding, drought, and extreme storm events, in-
19 cluding tropical cyclones.

20 (d) CLIMATE SECURITY STRATEGY.—The Secretary
21 shall use the evaluations required under subsection (a)—

22 (1) to inform the development and implementa-
23 tion of a climate security strategy for the Bureau of
24 Conflict and Stabilization Operations, the Bureau of
25 Political-Military Affairs, embassies, consulates, re-

1 regional bureaus, and other offices and programs oper-
2 ating chief of mission authority, including those with
3 roles in conflict avoidance, prevention and security
4 assistance, or humanitarian disaster response, pre-
5 vention, and assistance; and

6 (2) in furtherance of such strategy, to assess,
7 develop, budget for, and (upon approval) implement
8 plans, policies, and actions—

9 (A) to account for the impacts of climate
10 change to global human health, safety, govern-
11 ance, oceans, food production, fresh water and
12 other critical natural resources, settlements, in-
13 frastructure, marginalized groups, and eco-
14 nomic activity;

15 (B) to evaluate the climate change vulner-
16 ability, security, susceptibility, and resiliency of
17 United States interests and non-defense assets
18 abroad;

19 (C) to coordinate the integration of climate
20 change risk and vulnerability assessments into
21 all foreign policy and security decision-making
22 processes, including awarding foreign assist-
23 ance;

24 (D) to evaluate specific risks to certain re-
25 gions and countries that are—

1 (i) vulnerable to the effects of climate
2 change; and

3 (ii) strategically significant to the
4 United States;

5 (E) to enhance the resilience capacities of
6 foreign countries to the effects of climate
7 change as a means of reducing the risks of con-
8 flict and instability;

9 (F) to advance principles of good govern-
10 ance by encouraging foreign governments, par-
11 ticularly nations that are least capable of cop-
12 ing with the effects of climate change—

13 (i) to conduct climate security evalua-
14 tions; and

15 (ii) to facilitate the development of cli-
16 mate security action plans to ensure sta-
17 bility and public safety in disaster situa-
18 tions in a humane and responsible fashion;

19 (G) to evaluate the vulnerability, security,
20 susceptibility, and resiliency of United States
21 interests and nondefense assets abroad;

22 (H) to build international institutional ca-
23 pacity to address climate security implications
24 and to advance United States interests, regional
25 stability, and global security; and

1 (I) other activities that advance—

2 (i) the utilization and integration of
3 climate science in national security plan-
4 ning; and

5 (ii) the clear understanding of how
6 the effects of climate change can exacer-
7 bate security risks and threats.

8 (e) REPORT.—Not later than 180 days after the date
9 of the enactment of this Act and every two years there-
10 after for the following 20 years, the Secretary of State,
11 in consultation with the heads of other relevant Federal
12 departments and agencies shall submit to the Committee
13 on Foreign Relations and the Committee on Appropria-
14 tions of the Senate and the Committee on Foreign Affairs
15 and the Committee on Appropriations of the House of
16 Representatives an unclassified report, with a classified
17 annex if necessary, that includes—

18 (1) a review of the efforts, initiatives, and pro-
19 grams in support of the strategy in subsection (c),
20 as well as—

21 (A) an assessment of the funding expended
22 by relevant Federal departments and agencies
23 on emerging events exacerbated by climate
24 change and the legal, procedural, and resource
25 constraints faced by the Department of State

1 and the United States Agency for International
2 Development throughout respective budgeting,
3 strategic planning, and management cycles to
4 support the prevention of and response to
5 emerging events exacerbated by climate change;

6 (B) current annual global assessments of
7 emerging events exacerbated by climate change;

8 (C) recommendations to further strengthen
9 United States capabilities described in this sec-
10 tion; and

11 (D) consideration of analysis, reporting,
12 and policy recommendations by civil society,
13 academic, and nongovernmental organizations
14 and institutions, and partner countries to pre-
15 vent and respond to emerging events exacer-
16 bated by climate change;

17 (2) recommendations to ensure shared responsi-
18 bility by—

19 (A) enhancing multilateral mechanisms for
20 preventing, mitigating, and responding to
21 emerging events exacerbated by climate change;
22 and

23 (B) strengthening regional organizations;
24 and

1 actions and commitments to ensure a level playing
2 field with the United States and its allies and part-
3 ners;

4 (2) other countries look toward the United
5 States and the PRC, as the world's largest emitters
6 and largest economies, for leadership by example to
7 effectively mitigate greenhouse gas emissions, de-
8 velop and deploy energy generation technologies, and
9 integrate sustainable adaptation solutions to the in-
10 evitable effects of climate change;

11 (3) given the volume of the PRC's greenhouse
12 gas emissions and the scientific imperative to swiftly
13 reduce global greenhouse gas emissions to net-zero
14 emissions around 2050, China should—

15 (A) revise its long-term pledge;

16 (B) seek to immediately peak its emissions;

17 (C) begin reducing its greenhouse gas
18 emissions significantly to meet a more ambi-
19 tious long-term 2050 reductions target; and

20 (D) update its nationally determined con-
21 tribution along a trajectory that aligns with
22 achieving a more ambitious net-zero by 2050
23 emissions target;

24 (4) it is in the United States national interest
25 to emphasize the environment and climate change in

1 its bilateral engagement with the PRC, as global cli-
2 mate risks cannot be mitigated without a significant
3 reduction in PRC domestic and overseas emissions;

4 (5) the United States and the PRC, to the ex-
5 tent practicable, should coordinate on making and
6 delivering ambitious pledges to reduce greenhouse
7 gas emissions, with aspirations towards achieving
8 net zero greenhouse gas emissions by 2050;

9 (6) the United States and its allies and part-
10 ners should work together, using diplomatic and eco-
11 nomic tools, to hold the PRC accountable for any
12 failure by the PRC—

13 (A) to increase ambition in its 2030 na-
14 tionally determined contribution, in line with
15 net zero greenhouse gas emissions by 2050 be-
16 fore the 26th Conference of the Parties to the
17 UNFCCC scheduled for November 2021 and
18 meeting a more ambitious nationally determined
19 contribution;

20 (B) to work faithfully to uphold the prin-
21 ciples, goals, and rules of the Paris Agreement;

22 (C) to avoid and prohibit efforts to under-
23 mine or devolve the Paris Agreement's rule or
24 underlying framework, particularly within areas

1 of accountability transparency, and shared re-
2 sponsibility among all parties;

3 (D) to eliminate greenhouse gas intensive
4 projects from the PRC's Belt and Road Initia-
5 tive and other overseas investments, includ-
6 ing—

7 (i) working with United States allies
8 and partners to eliminate support for coal
9 power production projects in the Belt and
10 Road Initiative;

11 (ii) providing financing and project
12 support for cleaner and less risky alter-
13 natives; and

14 (iii) undertaking “parallel initiatives”
15 to enhance capacity building programs and
16 overseas sustainable investment criteria,
17 including in areas such as integrated en-
18 ergy planning, power sector reform, just
19 transition, distributed generation, procure-
20 ment, transparency, and standards to sup-
21 port low-emissions growth in developing
22 countries; and

23 (E) to phase out existing coal power plants
24 and reduce net coal power production;

1 (7) the United States should pursue confidence-
2 building opportunities for the United States and the
3 PRC to undertake “parallel initiatives” on clean en-
4 ergy research, development, finance, and deploy-
5 ment, including through economic and stimulus
6 measures with clear, mutually agreed upon rules and
7 policies to protect intellectual property, ensure equi-
8 table, nonpunitive provision of support, and verify
9 implementation, which would provide catalytic
10 progress towards delivering a global clean energy
11 transformation that benefits all people;

12 (8) the United States should pursue cooperative
13 initiatives to reduce global deforestation, including
14 efforts to shift toward the import and consummation
15 of forest and agricultural commodities that are pro-
16 duced in a manner that does not contribute to defor-
17 estation;

18 (9) the United States should pursue appro-
19 priate scientific cooperative exchanges and research
20 that align with United States interests and those of
21 its international partners and allies, provide reci-
22 procity of access, protect intellectual property rights,
23 and preserve the values and human rights interests
24 of the American people;

1 (10) the U.S. Special Presidential Envoy for
2 Climate should seek to work with other countries to
3 require China end its classification of “developing
4 nation” within the Paris Agreement; and

5 (11) the United States should seek to require
6 the Chinese Communist Party to match emission
7 cutting targets established by the United States.

8 **SEC. 30604. PROMOTING RESPONSIBLE DEVELOPMENT AL-**
9 **TERNATIVES TO THE PEOPLE’S REPUBLIC OF**
10 **CHINA’S BELT AND ROAD INITIATIVE.**

11 (a) **IN GENERAL.**—The President should seek oppor-
12 tunities to partner with multilateral development finance
13 institutions to develop financing tools based on shared de-
14 velopment finance criteria and mechanisms to support in-
15 vestments in developing countries that—

16 (1) support low carbon economic development;
17 and

18 (2) promote resiliency and adaptation to envi-
19 ronmental changes and natural disasters.

20 (b) **PARTNERSHIP AGREEMENT.**—The Chief Execu-
21 tive Officer of the United States International Develop-
22 ment Finance Corporation should seek to partner with
23 other multilateral development finance institutions and de-
24 velopment finance institutions to leverage the respective
25 available funds to support low carbon economic develop-

1 ment, which may include clean energy including renewable
2 and nuclear energy projects, environmental adaptation,
3 and resilience activities in countries.

4 (c) CO-FINANCING OF INFRASTRUCTURE
5 PROJECTS.—

6 (1) AUTHORIZATION.—Subject to paragraph
7 (2), the Secretary of State, the Administrator of the
8 United States Agency for International Develop-
9 ment, and the heads of other relevant Federal agen-
10 cies are authorized to co-finance infrastructure, re-
11 siliance, and environmental adaptation projects that
12 advance the development objectives of the United
13 States overseas and provide viable alternatives to
14 projects that would otherwise be included within the
15 People’s Republic of China’s Belt and Road Initia-
16 tive.

17 (2) CONDITIONS.—Co-financing arrangements
18 authorized pursuant to paragraph (1) may not be
19 approved unless—

20 (A) the projects to be financed—

21 (i) promote the public good;

22 (ii) promote United States national
23 security or economic interests;

1 (iii) promote low carbon emissions, in-
2 cluding clean energy renewable and nuclear
3 energy projects; and

4 (iv) will have substantially lower envi-
5 ronmental impact than the proposed Belt
6 and Road Initiative alternative; and

7 (B) the Committee on Foreign Relations of
8 the Senate and the Committee on Foreign Af-
9 fairs of the House of Representatives, as well as
10 the relevant committees of jurisdiction for the
11 House of Representatives and Senate with over-
12 sight of the Federal agency engaged in the co-
13 financing relationship, are notified not later
14 than 15 days in advance of entering into such
15 co-financing arrangements.

16 **SEC. 30605. USING CLIMATE DIPLOMACY TO BETTER SERVE**
17 **NATIONAL SECURITY AND ECONOMIC INTER-**
18 **ESTS.**

19 (a) IN GENERAL.—The President and the Secretary
20 of State shall prioritize climate action and climate diplo-
21 macy in United States foreign policy by—

22 (1) ensuring diplomacy, support, and inter-
23 agency coordination for bilateral and multilateral ac-
24 tions to address the climate crisis; and

1 (2) improving coordination and integration of
2 climate action across all bureaus and United States
3 missions abroad.

4 (b) CLIMATE ACTION INTEGRATION.—The Secretary
5 of State shall—

6 (1) prioritize climate action and clean energy
7 within the bureaus and offices under the leadership
8 of the Under Secretary for Economic Growth, En-
9 ergy, and the Environment;

10 (2) ensure that such bureaus and offices are co-
11 ordinating with other bureaus of the Department of
12 State regarding the integration of climate action and
13 climate diplomacy as a cross-cutting imperative
14 across the Department of State;

15 (3) encourage all Under Secretaries of State—

16 (A) to assess how issues related to climate
17 change and United States climate action are in-
18 tegrated into their operations and programs;

19 (B) to coordinate crosscutting actions and
20 diplomatic efforts that relate to climate action;
21 and

22 (C) to make available the technical assist-
23 ance and resources of the bureaus and offices
24 with relevant expertise to provide technical as-
25 sistance and expert support to other bureaus

1 within the Department of State regarding cli-
2 mate action, clean energy development, and cli-
3 mate diplomacy;

4 (4) manage the integration of scientific data on
5 the current and anticipated effects of climate change
6 into applied strategies and diplomatic engagements
7 across programmatic and regional bureaus of the
8 Department of State and into the Department of
9 State's decision making processes;

10 (5) ensure that the relevant bureaus and offices
11 provide appropriate technical support and re-
12 sources—

13 (A) to the President, the Secretary of
14 State, and their respective designees charged
15 with addressing climate change and associated
16 issues;

17 (B) to United States diplomats advancing
18 United States foreign policy related to climate
19 action; and

20 (C) for the appropriate engagement and
21 integration of relevant domestic agencies in
22 international climate change affairs, including
23 United States participation in multilateral fora;
24 and

1 (6) carry out other activities, as directed by the
2 Secretary of State, that advance United States cli-
3 mate-related foreign policy objectives, including glob-
4 al greenhouse gas mitigation, climate change adapta-
5 tion activities, and global climate security.

6 (c) RESPONSIBILITIES OF THE UNDER SECRETARY
7 OF STATE FOR POLITICAL AFFAIRS.—The Under Sec-
8 retary of State for Political Affairs shall ensure that all
9 foreign missions are—

10 (1) advancing United States bilateral climate
11 diplomacy;

12 (2) engaging strategically on opportunities for
13 bilateral climate action cooperation with foreign gov-
14 ernments; and

15 (3) utilizing the technical resources and coordi-
16 nating adequately with the bureaus reporting to the
17 Under Secretary of State for Economic Growth, En-
18 ergy and the Environment.

19 (d) REPORT.—Not later than 200 days after the date
20 of the enactment of this Act, the Under Secretary of State
21 for Economic Growth, Energy, and the Environment, in
22 cooperation with the Under Secretary of State for Political
23 Affairs, shall submit to the appropriate congressional com-
24 mittees a report that—

1 (1) assesses how climate action and United
2 States climate diplomacy is integrated across the
3 Bureaus of the Department of State; and

4 (2) includes recommendations on strategies to
5 improve cross bureau coordination and under-
6 standing of United States climate action and climate
7 diplomacy.

8 (e) EFFECT OF ELIMINATION OF POSITIONS.—If the
9 positions of Under Secretary of State for Economic
10 Growth, Energy, and the Environment and the Undersec-
11 retary of State for Political Affairs are eliminated or un-
12 dergo name changes, the responsibilities of such Under
13 Secretaries under this section shall be reassigned to other
14 Under Secretaries of State, as appropriate.

15 (f) CLIMATE CHANGE OFFICERS.—

16 (1) IN GENERAL.—The Secretary of State shall
17 establish and staff Climate Change Officer positions.
18 Such Officers shall serve under the supervision of
19 the appropriate chief of mission or the Under Sec-
20 retary for Economic Growth, Energy, and the Envi-
21 ronment of the Department of State, as the case
22 may be. The Secretary shall ensure each embassy,
23 consulate, and diplomatic mission to which such Of-
24 ficers are assigned pursuant to paragraph (2) has

1 sufficient additional and appropriate staff to support
2 such Officers.

3 (2) ASSIGNMENT.—Climate Change Officers
4 shall be assigned to the following posts:

5 (A) United States embassies, or, if appro-
6 priate, consulates.

7 (B) United States diplomatic missions to,
8 or liaisons with, regional and multilateral orga-
9 nizations, including the United States diplo-
10 matic missions to the European Union, African
11 Union, Organization of American States, Arctic
12 Council, and any other appropriate regional or-
13 ganization, and the United Nations and its rel-
14 evant specialized agencies.

15 (C) Other posts as designated by the Sec-
16 retary.

17 (3) RESPONSIBILITIES.—Each Climate Change
18 Officer shall—

19 (A) provide expertise on effective ap-
20 proaches to—

21 (i) mitigate the emission of gases
22 which contribute to global climate change
23 and formulate national and global plans
24 for reducing such gross and net emissions;
25 and

1 (ii) reduce the detrimental impacts at-
2 tributable to global climate change, and
3 adapt to such impacts;

4 (B) engage and convene, in a manner that
5 is equitable, inclusive, and just, with individuals
6 and organizations which represent a govern-
7 ment office, a nongovernmental organization, a
8 social or political movement, a private sector
9 entity, an educational or scientific institution,
10 or any other entity concerned with—

11 (i) global climate change; the emission
12 of gases which contribute to global climate
13 change; or

14 (ii) reducing the detrimental impacts
15 attributable to global climate change;

16 (C) facilitate engagement by United States
17 entities in bilateral and multilateral cooperation
18 on climate change; and

19 (D) carry out such other responsibilities as
20 the Secretary may assign.

21 (4) RESPONSIBILITIES OF UNDER SEC-
22 RETARY.—The Under Secretary for Economic
23 Growth, Energy, and the Environment of the De-
24 partment of State shall, including by acting through
25 the Bureau of Oceans and International Environ-

1 mental and Scientific Affairs of the Department of
2 State—

3 (A) provide policy guidance to Climate
4 Change Officers established under this sub-
5 section;

6 (B) develop relations with, consult with,
7 and provide assistance to relevant individuals
8 and organizations concerned with studying,
9 mitigating, and adapting to global climate
10 change, or reducing the emission of gases which
11 contribute to global climate change; and

12 (C) assist officers and employees of re-
13 gional bureaus of the Department of State to
14 develop strategies and programs to promote
15 studying, mitigating, and adapting to global cli-
16 mate change, or reducing the emission of gases
17 which contribute to global climate change.

18 (g) ACTIONS BY CHIEFS OF MISSION.—Each chief of
19 mission in a foreign country shall—

20 (1) develop, as part of annual joint strategic
21 plans or equivalent program and policy planning, a
22 strategy to promote actions to improve and increase
23 studying, mitigating, and adapting to global climate
24 change, or reducing the emission of gases which con-
25 tribute to global climate change by—

1 (A) consulting and coordinating with and
2 providing support to relevant individuals and
3 organizations, including experts and other pro-
4 fessionals and stakeholders on issues related to
5 climate change; and

6 (B) holding periodic meetings with such
7 relevant individuals and organizations relating
8 to such strategy; and

9 (2) hold ongoing discussions with the officials
10 and leaders of such country regarding progress to
11 improve and increase studying, mitigating, and
12 adapting to global climate change, or reducing the
13 emission of gases which contribute to global climate
14 change in a manner that is equitable, inclusive, and
15 just in such country; and

16 (3) certify annually to the Secretary of State
17 that to the maximum extent practicable, consider-
18 ations related to climate change adaptation and
19 mitigation, sustainability, and the environment were
20 incorporated in activities, management, and oper-
21 ations of the United States embassy or other diplo-
22 matic post under the director of the chief of mission.

23 (h) TRAINING.—Not later than 180 days after the
24 date of the enactment of this Act, the Secretary of State
25 shall establish curriculum at the Department of State's

1 Foreign Service Institute that supplements political and
2 economic reporting tradecraft courses in order to provide
3 employees of the Department with specialized training
4 with respect to studying, mitigating, and adapting to glob-
5 al climate change, or reducing the emission of gases which
6 contribute to global climate change. Such training shall
7 include the following:

8 (1) Awareness of the full range of national and
9 subnational agencies, offices, personnel, statutory
10 authorities, funds, and programs involved in the
11 international commitments of the United States re-
12 garding global climate change and the emission of
13 gases which contribute to global climate change, the
14 science of global climate change, and methods for
15 mitigating and adapting to global climate change.

16 (2) Awareness of methods for mitigating and
17 adapting to global climate change and reducing the
18 emission of gases which contribute to global climate
19 change that are equitable, inclusive, and just.

20 (3) Familiarity with United States agencies,
21 multilateral agencies, international financial institu-
22 tions, and the network of donors providing assist-
23 ance to mitigate and adapt to global climate change.

1 (4) Awareness of the most frequently an-
2 nounced goals and methods of the entities specified
3 in subsection (f)(3)(B).

4 (i) CONTRACTING.—Contracting and agreements offi-
5 cers of the Department of State, and other United States
6 embassy personnel responsible for contracts, grants, or ac-
7 quisitions, shall receive training on evaluating proposals,
8 solicitations, and bids, for considerations related to sus-
9 tainability and adapting to or mitigating impacts from cli-
10 mate change.

11 (j) REPORTING.—Not later than 180 days after the
12 date of the enactment of this Act and biennially thereafter,
13 the Secretary of State shall submit to the appropriate con-
14 gressional committees a report that includes a detailed
15 breakdown of posts at which staff are assigned the role
16 of Climate Change Officer, the responsibilities to which
17 they have been assigned, and the strategies developed by
18 the chief of mission, as applicable.

19 (k) CLIMATE CHANGE SUPPORT AND FINANCING.—
20 The Secretary of State shall facilitate the coordination
21 among the Department of State and other relevant Fed-
22 eral departments and agencies toward contributing tech-
23 nical cooperation, engagement, development finance, or
24 foreign assistance relevant to United States international

1 climate action and in support of United States climate di-
2 plomacy.

3 (l) SENSE OF CONGRESS.—It is the sense of Congress
4 that climate diplomacy tools as described in this section
5 are critical for demonstrating the commitment to include
6 climate changes issues as core tenets of foreign policy pri-
7 orities, as well as preserving the United States’ role as
8 a global leader on climate change action.

9 **SEC. 30606. DRIVING A GLOBAL CLIMATE CHANGE RESIL-**
10 **IENCE STRATEGY.**

11 (a) AMENDMENT.—Section 117 of the Foreign As-
12 sistance Act of 1961 (22 U.S.C. 2151p) is amended—

13 (1) in subsection (b)—

14 (A) by inserting “(1)” after “(b)”; and

15 (B) by adding at the end the following:

16 “(2)(A) The President is authorized to furnish assist-
17 ance to programs and initiatives that—

18 “(i) promote resilience among communities fac-
19 ing harmful impacts from climate change; and

20 “(ii) reduce the vulnerability of persons affected
21 by climate change.

22 “(B) There shall be, in the Department of State, a
23 Coordinator of Climate Change Resilience.”; and

24 (2) by adding at the end the following:

1 “(d)(1) The Secretary of State, in coordination with
2 the Administrator of the United States Agency for Inter-
3 national Development, in consultation with the Adminis-
4 trator of the Environmental Protection Agency, the Sec-
5 retary of Energy, and any other Federal agency the Presi-
6 dent determines appropriate, shall establish a comprehen-
7 sive, integrated, 10-year strategy, which shall be referred
8 to as the ‘Global Climate Change Resilience Strategy’, to
9 mitigate the impacts of climate change on displacement
10 and humanitarian emergencies.

11 “(2) The Global Climate Change Resilience Strategy
12 shall—

13 “(A) focus on addressing slow-onset and rapid-
14 onset effects of events caused by climate change,
15 consider the effects of events caused by climate
16 change, and describe the key features of successful
17 strategies to prevent such conditions;

18 “(B) include specific objectives and multise-
19 ctoral approaches to the effects of events caused by
20 climate change;

21 “(C) promote United States national security
22 and economic interests while leading international
23 climate-related policymaking efforts, on which the
24 absence of United States leadership would lead to a

1 substantial and harmful decline in the nation’s glob-
2 al competitiveness;

3 “(D) promote international instruments on cli-
4 mate action and other relevant international stand-
5 ards and best practices, as such standards and prac-
6 tices develop, that serve the interests of the Amer-
7 ican people and protect United States environmental
8 resources and the planet;

9 “(E) promote the adoption and implementation
10 of such international climate-related agreements,
11 standards, and practices by foreign states;

12 “(F) work with United States allies and part-
13 ners to ensure a level playing field exists when it
14 comes to climate action and to encourage and assist
15 foreign countries to make similar or even greater
16 commitments than the United States;

17 “(G) describe approaches that ensure national
18 leadership, as appropriate, and substantively engage
19 with civil society, local partners, and the affected
20 communities, including marginalized populations and
21 underserved populations, in the design, implementa-
22 tion, and monitoring of climate change programs to
23 best safeguard the future of those subject to dis-
24 placement;

1 “(H) assign roles for relevant Federal agencies
2 to avoid duplication of efforts, while ensuring that—

3 “(i) the Department of State is responsible
4 for—

5 “(I) leading the Global Climate
6 Change Resilience Strategy;

7 “(II) establishing United States for-
8 eign policy;

9 “(III) advancing diplomatic and polit-
10 ical efforts; and

11 “(IV) guiding security assistance and
12 related civilian security efforts to mitigate
13 climate change threats;

14 “(ii) the United States Agency for Inter-
15 national Development is—

16 “(I) responsible for overseeing pro-
17 grams to prevent the effects of events
18 caused by climate change;

19 “(II) the lead implementing agency
20 for development and related nonsecurity
21 program policy related to building resil-
22 ience and achieving recovery; and

23 “(III) responsible for providing over-
24 seas humanitarian assistance to respond to
25 international and internal displacement

1 caused by climate change and to coordi-
2 nate the pursuit of durable solutions for
3 climate-displaced persons; and

4 “(iii) other Federal agencies support the
5 activities of the Department of State and the
6 United States Agency for International Devel-
7 opment, as appropriate, with the concurrence of
8 the Secretary of State and the Administrator of
9 the United States Agency for International De-
10 velopment;

11 “(I) describe programs that agencies will under-
12 take to achieve the stated objectives, including de-
13 scriptions of existing programs and funding by fiscal
14 year and account;

15 “(J) identify mechanisms to improve coordina-
16 tion between the United States, foreign govern-
17 ments, and international organizations, including the
18 World Bank, the United Nations, regional organiza-
19 tions, and private sector organizations;

20 “(K) address efforts to expand public-private
21 partnerships and leverage private sector resources;

22 “(L) describe the criteria, metrics, and mecha-
23 nisms for monitoring and evaluation of programs
24 and objectives in the Global Climate Change Resil-
25 ience Strategy;

1 “(M) describe how the Global Climate Change
2 Resilience Strategy will ensure that programs are
3 country-led and context-specific;

4 “(N) establish a program to monitor climate
5 and social conditions to anticipate and prevent cli-
6 mate and environmental stressors from evolving into
7 national security risks;

8 “(O) include an assessment of climate risks in
9 the Department of State’s Quadrennial Diplomacy
10 and Development Review;

11 “(P) prioritize foreign aid, to the extent prac-
12 ticable, for international climate resilience in support
13 of this Global Climate Change Resilience Strategy;
14 and

15 “(Q) include environmental defenders to miti-
16 gate the impacts of climate change and work with
17 allies and partners to ensure a level playing field ex-
18 ists when it comes to climate action.

19 “(3) Not later than 270 days after the date of the
20 enactment of this subsection, and annually thereafter, the
21 President shall submit a report to the Committee on For-
22 eign Relations of the Senate and the Committee on For-
23 eign Affairs of the House of Representatives, based in part
24 on the information collected pursuant to this section, that
25 details the Global Climate Change Resilience Strategy.

1 The report shall be submitted in unclassified form, but
2 may include a classified annex, if necessary.

3 “(4) Not later than 180 days after the date of the
4 enactment of this subsection, the Secretary of State and
5 the Coordinator of Global Climate Change Resilience shall
6 brief the Committee on Foreign Relations of the Senate
7 and the Committee on Foreign Affairs of the House of
8 Representatives regarding the progress made by the Fed-
9 eral Government in implementing the Global Climate
10 Change Resilience Strategy.

11 “(5)(A) Not later than 270 days after the date of
12 the enactment of this subsection, and annually thereafter,
13 the Comptroller General of the United States, in coopera-
14 tion and consultation with the Secretary of State, shall
15 produce a report evaluating the progress that the Federal
16 Government has made toward incorporating climate
17 change into department and agency policies, including the
18 resources that have been allocated for such purpose.

19 “(B) The report required under subparagraph (A)
20 shall assess—

21 “(i) the degree to which the Department of
22 State and the United States Agency for Inter-
23 national Development (USAID) are—

24 “(I) developing climate change risk assess-
25 ments; and

1 “(II) providing guidance to missions on
2 how to include climate change risks in their in-
3 tegrated country strategies;

4 “(ii) whether the Department of State and
5 USAID have sufficient resources to fulfill the re-
6 quirements described in paragraph (2); and

7 “(iii) any areas in which the Department of
8 State and USAID may lack sufficient resources to
9 fulfill such requirements.”.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated such sums as may be
12 necessary to carry out this Global Climate Change Resil-
13 ience Strategy.

14 **SEC. 30607. ADDRESSING INTERNATIONAL CLIMATE**
15 **CHANGE MITIGATION, ADAPTATION, AND SE-**
16 **CURITY.**

17 (a) DEFINITIONS.—In this section:

18 (1) CONVENTION.—The term “Convention”
19 means the United Nations Framework Convention
20 on Climate Change, done at New York May 9, 1992,
21 and entered into force March 21, 1994.

22 (2) MOST VULNERABLE COMMUNITIES AND
23 POPULATIONS.—The term “most vulnerable commu-
24 nities and populations” means communities and pop-
25 ulations that are at risk of substantial adverse ef-

1 fects of climate change and have limited capacity to
2 respond to such effects, including women, impover-
3 ished communities, children, indigenous peoples, and
4 informal workers.

5 (3) MOST VULNERABLE DEVELOPING COUN-
6 TRIES.—The term “most vulnerable developing
7 countries” means, as determined by the Adminis-
8 trator of the United States Agency for International
9 Development, developing countries that are at risk
10 of substantial adverse effects of climate change and
11 have limited capacity to respond to such effects, con-
12 sidering the approaches included in any international
13 treaties and agreements.

14 (4) PROGRAM.—The term “Program” means
15 the International Climate Change Adaptation, Miti-
16 gation, and Security Program established pursuant
17 to subsection (c).

18 (b) PURPOSE.—The purpose of this section is to pro-
19 vide authorities for additional, new, current, and ongoing
20 bilateral and regional international development assist-
21 ance, and, as appropriate, to leverage private resources,
22 in support of host country driven projects, planning, poli-
23 cies, and initiatives designed to improve the ability of host
24 countries—

1 (1) to primarily produce reliable renewable en-
2 ergy and reduce or mitigate carbon emissions from
3 the power sector while facilitating the transition in
4 key global markets from electricity generated from
5 fossil fuel power to low-cost clean energy sources, in
6 a manner that is equitable for workers and commu-
7 nities;

8 (2) to adapt and become more resilient to cur-
9 rent and forecasted effects of climate change; and

10 (3) to employ—

11 (A) sustainable land use practices that
12 mitigate desertification and reduce greenhouse
13 gas emissions from deforestation and forest
14 degradation; and

15 (B) agricultural production practices that
16 reduce poverty while improving soil health, pro-
17 tecting water quality, and increasing food secu-
18 rity and nutrition.

19 (c) ESTABLISHMENT OF PROGRAM.—The Secretary
20 of State, in coordination with the Secretary of the Treas-
21 ury and the Administrator of the United States Agency
22 for International Development (USAID), shall establish a
23 program, to be known as the “International Climate
24 Change Adaptation, Mitigation, and Security Program”,
25 to provide bilateral and regional assistance to developing

1 countries for programs, projects, and activities described
2 in subsection (e).

3 (d) SUPPLEMENT NOT SUPPLANT.—Assistance pro-
4 vided under this section shall be used to supplement, and
5 not to supplant, any other Federal, State, or local re-
6 sources available to carry out activities that fit the charac-
7 teristics of the Program.

8 (e) POLICY.—It shall be the policy of the United
9 States to ensure that the Program provides resources to
10 developing countries, particularly the most vulnerable
11 communities and populations in such countries, to support
12 the development and implementation of programs,
13 projects, and activities that—

14 (1) reduce greenhouse gas emissions through
15 the integration and deployment of clean energy, in-
16 cluding transmission, distribution, and interconnec-
17 tions to renewable energy, while facilitating the tran-
18 sition from electricity generated from fossil fuel
19 power to low-cost renewable energy sources, in a
20 manner that is equitable for workers and commu-
21 nities;

22 (2) address financial or other barriers to the
23 widespread deployment of clean energy technologies
24 that reduce, sequester, or avoid greenhouse gas
25 emissions;

1 (3) improve the availability, viability, and acces-
2 sibility of zero emission vehicles, including support
3 for design and development of transportation net-
4 works and land use practices that mitigate carbon
5 emissions in the transportation sector;

6 (4) support building capacities that may in-
7 clude—

8 (A) developing and implementing meth-
9 odologies and programs for measuring green-
10 house gas emissions and verifying emissions
11 mitigation, including building capacities to con-
12 duct emissions inventories and meet reporting
13 requirements under the Paris Agreement;

14 (B) assessing, developing, and imple-
15 menting technology and policy options for
16 greenhouse gas emissions mitigation and avoid-
17 ance of future emissions, including sector-based
18 and cross-sector mitigation strategies;

19 (C) enhancing the technical capacity of
20 regulatory authorities, planning agencies, and
21 related institutions in developing countries to
22 improve the deployment of clean energy tech-
23 nologies and practices, including through in-
24 creased transparency;

1 (D) training and instruction regarding the
2 installation and maintenance of renewable en-
3 ergy technologies; and

4 (E) activities that support the development
5 and implementation of frameworks for intellec-
6 tual property rights in developing countries;

7 (5) improve resilience, sustainable economic
8 growth, and adaptation capacities in response to the
9 effects of climate change;

10 (6) promote appropriate job training and access
11 to new job opportunities in new economic sectors
12 and industries that emerge due to the transition
13 from fossil fuel energy to clean energy;

14 (7) reduce the vulnerability and increase the re-
15 siliance capacities of communities to the effects of
16 climate change, including effects on—

17 (A) water availability;

18 (B) agricultural productivity and food se-
19 curity;

20 (C) flood risk;

21 (D) coastal resources;

22 (E) biodiversity;

23 (F) economic livelihoods;

24 (G) health and diseases;

25 (H) housing and shelter; and

1 (I) human migration;

2 (8) help countries and communities adapt to
3 changes in the environment through enhanced com-
4 munity planning, preparedness, and growth strate-
5 gies that take into account current and forecasted
6 regional and localized effects of climate change;

7 (9) conserve and restore natural resources, eco-
8 systems, and biodiversity threatened by the effects of
9 climate change to ensure such resources, ecosystems,
10 and biodiversity are healthy and continue to provide
11 natural protections from the effects of climate
12 change such as extreme weather;

13 (10) provide resources, information, scientific
14 data and modeling, innovative best practices, and
15 technical assistance to support vulnerable developing
16 countries to adapt to the effects of climate change;

17 (11) promote sustainable and climate-resilient
18 societies, including through improvements to make
19 critical infrastructure less vulnerable to the effects
20 of climate change;

21 (12) encourage the adoption of policies and
22 measures, including sector-based and cross-sector
23 policies and measures, that substantially reduce, se-
24 quester, or avoid greenhouse gas emissions from the

1 domestic energy and transportation sectors of devel-
2 oping countries;

3 (13) reduce deforestation and land degradation
4 to reduce greenhouse gas emissions and implement
5 sustainable forestry practices;

6 (14) promote sustainable land use activities, in-
7 cluding supporting development planning, design,
8 and construction with respect to transportation sys-
9 tems and land use;

10 (15) promote sustainable agricultural practices
11 that mitigate carbon emissions, conserve soil, and
12 improve food and water security of communities;

13 (16) foster partnerships with private sector en-
14 tities and nongovernmental international develop-
15 ment organizations to assist with developing solu-
16 tions and economic opportunities that support
17 projects, planning, policies, and initiatives described
18 in subsection (b);

19 (17) provide technical assistance and strengthen
20 capacities of developing countries to meet the goals
21 of the conditional nationally determined contribu-
22 tions of those countries;

23 (18) establish investment channels designed to
24 leverage private sector financing in—

25 (A) clean energy;

1 (B) sustainable agriculture and natural re-
2 source management; and

3 (C) the transportation sector as described
4 in paragraph (3); and

5 (19) provide technical assistance and support
6 for non-extractive activities that provide alternative
7 economic growth opportunities while preserving crit-
8 ical habitats and natural carbon sinks.

9 (f) PROVISION OF ASSISTANCE.—

10 (1) IN GENERAL.—The Administrator of
11 USAID, in consultation with other Federal depart-
12 ments and agencies, shall provide assistance under
13 the Program—

14 (A) in the form of bilateral assistance pur-
15 suant to the requirements under subsection (g);

16 (B) to multilateral funds or international
17 institutions with programs for climate mitiga-
18 tion or adaptation in developing countries con-
19 sistent with the policy described in subsection
20 (e); or

21 (C) through a combination of the mecha-
22 nisms specified in subparagraphs (A) and (B).

23 (2) LIMITATION.—

24 (A) CONDITIONAL DISTRIBUTION TO MUL-
25 TILATERAL FUNDS OR INTERNATIONAL INSTI-

1 TUTIONS.—In any fiscal year, the Adminis-
2 trator of USAID may provide up to 40 percent
3 of the assistance available to carry out the Pro-
4 gram to 1 or more multilateral funds or inter-
5 national institutions that meet the requirements
6 of subparagraph (B).

7 (B) MULTILATERAL FUND OR INTER-
8 NATIONAL INSTITUTION ELIGIBILITY.—A multi-
9 lateral fund or international institution is eligi-
10 ble to receive assistance under subparagraph
11 (A)—

12 (i) if—

13 (I) such fund or institution is es-
14 tablished pursuant to—

15 (aa) the Convention; or

16 (bb) an agreement nego-
17 tiated under the Convention; or

18 (II) the assistance is directed to
19 1 or more multilateral funds or inter-
20 national development institutions,
21 pursuant to an agreement negotiated
22 under the Convention; and

23 (ii) if such fund or institution—

24 (I) specifies the terms and condi-
25 tions under which the United States is

1 to provide assistance to the fund or
2 institution, and under which the fund
3 or institution is to provide assistance
4 to recipient countries;

5 (II) ensures that assistance from
6 the United States to the fund or insti-
7 tution and the principal and income of
8 the fund or institution are disbursed
9 only—

10 (aa) to support projects,
11 planning, policies, and initiatives
12 described in subsection (b);

13 (bb) consistent with the pol-
14 icy described in subsection (e);
15 and

16 (cc) in regular consultation
17 with relevant governing bodies of
18 the fund or institution that—

19 (AA) include represen-
20 tation from countries among
21 the most vulnerable devel-
22 oping countries; and

23 (BB) provide public ac-
24 cess.

1 (C) CONGRESSIONAL NOTIFICATION.—The
2 Secretary of State, the Administrator of
3 USAID, or the Secretary of the Treasury shall
4 notify the appropriate congressional committees
5 not later than 15 days before providing assist-
6 ance to a multilateral fund or international in-
7 stitution under this subsection.

8 (3) LOCAL CONSULTATIONS.—Programs,
9 projects, and activities supported by assistance pro-
10 vided under this subsection shall require consulta-
11 tions with local communities, particularly the most
12 vulnerable communities and populations in such
13 communities, and indigenous peoples in areas in
14 which any programs, projects, or activities are
15 planned to engage such communities and peoples
16 through adequate disclosure of information, public
17 participation, and consultation, including full consid-
18 eration of the interdependence of vulnerable commu-
19 nities and ecosystems to promote the resilience of
20 local communities.

21 (g) BILATERAL ASSISTANCE.—

22 (1) IN GENERAL.—~~E~~xcept to the extent incon-
23 sistent with this subsection, the administrative au-
24 thorities under the Foreign Assistance Act of 1961
25 (22 U.S.C. 2151 et seq.) shall apply to the imple-

1 mentation of this subsection to the same extent and
2 in the same manner as such authorities apply to the
3 implementation of such Act in order to provide the
4 Administrator of USAID with the authority to pro-
5 vide assistance to countries, including the most vul-
6 nerable developing countries, for programs, projects,
7 and activities consistent with the purposes described
8 in subsection (b) and the policy described in sub-
9 section (e).

10 (2) CONSIDERATIONS.—In carrying out this
11 subsection, the Administrator shall ensure that—

12 (A) the environmental impact of proposed
13 programs, projects, and activities is considered
14 through adequate consultation, public participa-
15 tion, and public disclosure of relevant informa-
16 tion; and

17 (B) programs, projects, and activities
18 under this subsection—

19 (i) avoid environmental degradation,
20 to the maximum extent practicable; and

21 (ii) are aligned, to the maximum ex-
22 tent practicable, with broader development,
23 poverty alleviation, or natural resource
24 management objectives and initiatives in
25 the recipient country.

1 (3) COMMUNITY ENGAGEMENT.—The Adminis-
2 trator shall seek to ensure that—

3 (A) local communities, particularly the
4 most vulnerable communities and populations in
5 areas in which any programs, projects, or ac-
6 tivities are carried out under this subsection,
7 are engaged in the design, implementation,
8 monitoring, and evaluation of such programs,
9 projects, and activities through disclosure of in-
10 formation, public participation, and consulta-
11 tion; and

12 (B) the needs and interests of the most
13 vulnerable communities and populations are ad-
14 dressed in national or regional climate change
15 adaptation plans developed with USAID sup-
16 port.

17 (4) CONSULTATION AND DISCLOSURE.—For
18 each country receiving assistance under this sub-
19 section, the Administrator shall establish a process
20 for consultation with, and disclosure of information
21 to, local, national, and international stakeholders re-
22 garding any programs, projects, or activities carried
23 out under this subsection.

24 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to carry out this section

1 \$2,000,000,000 for fiscal year 2022 and each fiscal year
2 thereafter.

3 **SEC. 30608. REDUCING THE NEGATIVE IMPACTS FROM**
4 **SHORT-LIVED CLIMATE POLLUTANTS.**

5 (a) IN GENERAL.—The President shall direct the
6 United States representatives to appropriate international
7 bodies and conferences to use the voice, vote, and influence
8 of the United States, consistent with the broad foreign pol-
9 icy goals of the United States, to advocate that each such
10 body or conference—

11 (1) commit to significantly increasing efforts to
12 reduce short-lived climate pollutants;

13 (2) invest in and develop alternative energy
14 sources, industrial and agricultural processes, appli-
15 ances, and products to replace sources of short-lived
16 climate pollutants;

17 (3) enhance coordination with the private sec-
18 tor—

19 (A) to increase production and distribution
20 of clean energy alternatives, industrial proc-
21 esses, and products that will replace sources of
22 short-lived climate pollutants;

23 (B) to develop action plans to mitigate
24 short-lived climate pollutants from various pri-
25 vate sector operations;

1 (C) to encourage best technology, methods,
2 and management practices for reducing short-
3 lived climate pollutants;

4 (D) to craft or enhance specific financing
5 mechanisms for the incremental costs associ-
6 ated with mitigating short-lived climate pollut-
7 ants; and

8 (E) to grow economic opportunities and
9 develop markets, as appropriate, for reducing
10 short-lived climate pollutants;

11 (4) provide technical assistance to foreign regu-
12 latory authorities and governments to remove unnec-
13 essary barriers to investment in short-lived climate
14 pollutant mitigation solutions, including—

15 (A) the use of safe and affordable clean
16 energy;

17 (B) the implementation of policies requir-
18 ing industrial and agricultural best practices for
19 capturing or mitigating the release of methane
20 from extractive, agricultural, and industrial
21 processes; and

22 (C) climate assessment, scientific research,
23 monitoring, and technological development ac-
24 tivities;

1 (5) develop and implement clear, accountable,
2 and metric-based targets to measure the effective-
3 ness of projects described in paragraph (4); and

4 (6) engage international partners in an existing
5 multilateral forum (or, if necessary, establish
6 through an international agreement a new multilat-
7 eral forum) to improve global cooperation for—

8 (A) creating tangible metrics for evaluating
9 efforts to reduce short-lived climate pollutants;

10 (B) developing and implementing best
11 practices for significantly reducing emissions of
12 short-lived climate pollutants, including expand-
13 ing capacity for innovative instruments to effec-
14 tively mitigate short-lived climate pollutants at
15 the national and subnational levels of foreign
16 countries, particularly countries with little ca-
17 pacity to reduce greenhouse gas emissions and
18 deploy clean energy facilities, and countries that
19 lack sufficient policies to advance such develop-
20 ment;

21 (C) encouraging the development of stand-
22 ards and practices, and increasing transparency
23 and accountability efforts for the reduction of
24 short-lived climate pollutants;

1 (D) integrating tracking and monitoring
2 systems into industrial processes;

3 (E) fostering research to improve scientific
4 understanding of—

5 (i) how high concentrations of short-
6 lived climate pollutants affect human
7 health, safety, and our environment;

8 (ii) changes in the amount and re-
9 gional concentrations of black carbon and
10 methane emissions, based on scientific
11 modeling and forecasting;

12 (iii) effective means to sequester
13 short-lived climate pollutants; and

14 (iv) other related areas of research the
15 United States representatives deem nec-
16 essary;

17 (F) encouraging the World Bank, the
18 International Monetary Fund, and other inter-
19 national finance organizations—

20 (i) to prioritize efforts to combat
21 short-lived climate pollutants; and

22 (ii) to enhance or maintain trans-
23 parency by providing sufficient and ade-
24 quate information to facilitate independent

1 verification of their climate finance report-
2 ing;

3 (G) encouraging observers of the Arctic
4 Council (including India and China) to adopt
5 mitigation plans consistent with the findings
6 and recommendations of the Arctic Council's
7 Framework for Action on Black Carbon and
8 Methane;

9 (H) collaborating on technological ad-
10 vances in short-lived climate pollutants mitiga-
11 tion, sequestration and reduction technologies;
12 and

13 (I) advising foreign countries, at both the
14 national and subnational levels, regarding the
15 development and execution of regulatory poli-
16 cies, services, and laws pertaining to reducing
17 the creation and the collection and safe man-
18 agement of short-lived climate pollutants.

19 (b) ENHANCING INTERNATIONAL OUTREACH AND
20 PARTNERSHIP OF UNITED STATES AGENCIES INVOLVED
21 IN GREENHOUSE GAS REDUCTIONS.—

22 (1) FINDING.—Congress recognizes the success
23 of the United States Climate Alliance and the green-
24 house gas reduction programs and strategies estab-

1 lished by the Environmental Protection Agency's
2 Center for Corporate Climate Leadership.

3 (2) AUTHORIZATION OF EFFORTS TO BUILD
4 FOREIGN PARTNERSHIPS.—The Secretary of State,
5 in coordination with the Administrator of the Envi-
6 ronmental Protection Agency, shall build partner-
7 ships, as appropriate, with the governments of for-
8 eign countries and to support international efforts to
9 reduce short-lived climate pollutants.

10 (c) CONSIDERATION OF SHORT-LIVED CLIMATE POL-
11 LUTANTS IN NEGOTIATING INTERNATIONAL AGREE-
12 MENTS.—In negotiating any relevant international agree-
13 ment with any country or countries after the date of the
14 enactment of this Act, the President shall—

15 (1) consider the impact short-lived climate pol-
16 lutants are having on the increase in global average
17 temperatures and the resulting global climate
18 change;

19 (2) consider the effects that climate change is
20 having on the environment; and

21 (3) ensure that the agreement strengthens ef-
22 forts to significantly reduce short-lived climate pol-
23 lutants from such country or countries.

24 (d) PLAN TO REDUCE BLACK CARBON EMISSIONS
25 FROM SHIPS.—The Administrator of the Environmental

1 Protection Agency, in consultation with the Secretary of
2 State, the Secretary of Energy, the Secretary of Transpor-
3 tation, the Secretary of Commerce, and the Commandant
4 of the Coast Guard, shall develop a comprehensive plan
5 to reduce black carbon emissions from ships based on ap-
6 propriate emissions data from oceangoing vessels. The
7 plan shall provide for such reduction through—

8 (1) a clean freight partnership;

9 (2) limits on black carbon emissions; and

10 (3) efforts that include protection of access to
11 critical fuel shipments and emergency needs of
12 coastal communities.

13 (e) ESTABLISHMENT OF INTERAGENCY WORKING
14 GROUP ON SHORT-LIVED CLIMATE POLLUTANTS MITIGA-
15 TION.—

16 (1) ESTABLISHMENT.—Not later than 90 days
17 after the date of enactment of this Act, the Presi-
18 dent shall establish a task force, to be known as the
19 Interagency Working Group on Short-Lived Climate
20 Pollutant Mitigation.

21 (2) MEMBERSHIP.—The members of the Work-
22 ing Group shall include the head (or a designee
23 thereof) of—

24 (A) the Department of Agriculture;

25 (B) the Department of Commerce;

- 1 (C) the Department of Defense;
- 2 (D) the Department of Energy;
- 3 (E) the Department of Health and Human
4 Services;
- 5 (F) the Department of the Interior;
- 6 (G) the Department of State;
- 7 (H) the Department of Transportation;
- 8 (I) the Environmental Protection Agency;
- 9 (J) the National Oceanic and Atmospheric
10 Administration;
- 11 (K) the Council on Environmental Quality;
- 12 (L) the United States Agency for Inter-
13 national Development; and
- 14 (M) any other Federal agency the Presi-
15 dent determines appropriate.
- 16 (3) DUTIES.—The Working Group shall—
- 17 (A) review the policy recommendations
18 made by—
- 19 (i) the Intergovernmental Panel on
20 Climate Change;
- 21 (ii) the United States Climate Alli-
22 ance;
- 23 (iii) the Interagency Strategy to Re-
24 duce Methane Emissions;

- 1 (iv) the Council on Climate Prepared-
2 ness and Resilience;
3 (v) the Clean Cooking Alliance;
4 (vi) the International Maritime Orga-
5 nization; and
6 (vii) other relevant organizations and
7 institutions; and
8 (B) develop an action plan to reduce short-
9 lived climate pollutants that incorporates any
10 appropriate proposals or recommendations
11 made by the entities referred to in subpara-
12 graph (A).

13 **SEC. 30609. BUILDING UNITED STATES ECONOMIC GROWTH**
14 **AND TECHNOLOGICAL INNOVATION**
15 **THROUGH THE GREEN CLIMATE FUND.**

16 (a) GREEN CLIMATE FUND.—

17 (1) FINDINGS.—Congress finds that—

18 (A) climate change most severely impacts
19 vulnerable and disadvantaged communities in
20 the United States and around the world;

21 (B) it is the responsibility of the United
22 States Government to work with and press
23 other countries to address environmental justice
24 and climate justice;

1 (C) the report of the United Nations Envi-
2 ronment Programme entitled “Climate Change
3 and the Cost of Capital in Developing Coun-
4 tries”, dated May 2018, found that, in the 10
5 years prior to the publication of the report, cli-
6 mate vulnerability has cost the 20 nations most
7 affected by catastrophes rooted in climate
8 change an additional \$62,000,000,000 in inter-
9 est payments alone;

10 (D) individuals and families, particularly
11 communities of color, indigenous communities,
12 and low-income communities, that are on the
13 frontlines of climate change across the globe are
14 often in close proximity to environmental
15 stressors or sources of pollution;

16 (E) the communities described in subpara-
17 graph (D)—

18 (i) are often the first exposed to the
19 causes and impacts of climate change; and

20 (ii) have the fewest resources with
21 which to mitigate those impacts or to relo-
22 cate;

23 (F) all efforts to adapt to and mitigate cli-
24 mate change must include specific protections
25 for and acknowledgment of the harm of climate

1 change to communities of color, indigenous peo-
2 ples, women, and other frontline communities
3 and marginalized peoples around the world;

4 (G) in Paris, on December 12, 2015, the
5 parties to the United Nations Framework Con-
6 vention on Climate Change adopted the Paris
7 Agreement, a benchmark agreement—

8 (i) to combat climate change;

9 (ii) to accelerate and intensify the ac-
10 tions and investments needed for a sus-
11 tainable low carbon future; and

12 (iii) that acknowledges, “Parties
13 should, when taking action to address cli-
14 mate change, respect, promote and con-
15 sider their respective obligations on human
16 rights, the right to health, the rights of in-
17 digenous peoples, local communities, mi-
18 grants, children, persons with disabilities
19 and people in vulnerable situations and the
20 right to development, as well as gender
21 equality, empowerment of women and in-
22 tergenerational equity”;

23 (H) the Paris Agreement—

1 (i) notes the importance of “climate
2 justice” when mitigating and adapting to
3 climate change; and

4 (ii) recognizes “the need for an effec-
5 tive and progressive response to the urgent
6 threat of climate change”;

7 (I) it is imperative for all countries to un-
8 dertake mitigation activities to rapidly meet the
9 goal of limiting global warming to not more
10 than 1.5 degrees Celsius;

11 (J) developed countries have the greatest
12 capacity to mitigate their greenhouse gas emis-
13 sions, while—

14 (i) developing countries have the least
15 capacity to engage in mitigation activities;
16 and

17 (ii) the capacity of developing coun-
18 tries to engage in mitigation activities is
19 less than the national mitigation potential
20 of those developing countries;

21 (K) the determination for the fair share of
22 mitigation and adaptation activities for each
23 country must take into account—

24 (i) the historic greenhouse gas emis-
25 sions of each country; and

1 (ii) the current capacity of each coun-
2 try to both mitigate greenhouse gas emis-
3 sions and adapt to climate impacts;

4 (L) developed countries that have histori-
5 cally emitted a disproportionately high share of
6 greenhouse gas emissions, and reaped the eco-
7 nomic benefits of those polluting activities, have
8 a corresponding disproportionately greater re-
9 sponsibility to engage in global mitigation and
10 adaptation activities, as compared to less indus-
11 trialized countries that have historically polluted
12 far less;

13 (M) the only realistic way for less industri-
14 alized countries to meet their full mitigation po-
15 tential is through international climate financ-
16 ing by more developed countries;

17 (N) in the 2009 Copenhagen Accord, devel-
18 oped countries committed to jointly mobilize,
19 starting in 2020, \$100,000,000,000 per year in
20 public climate financing (as well as private in-
21 vestment and other alternative forms of fi-
22 nance), for developing countries, a commitment
23 reaffirmed in 2015 in Decision 1/CP.21 of the
24 United Nations Framework Convention on Cli-
25 mate Change, Adoption of the Paris Agreement;

1 (O) the \$100,000,000,000 commitment de-
2 scribed in subparagraph (N) was a political
3 compromise that falls short of the actual fi-
4 nancing needs for climate action in developing
5 countries;

6 (P) Bloomberg New Energy Finance has
7 estimated that the transition to renewable en-
8 ergy sources in developing countries will require
9 hundreds of billions of dollars annually;

10 (Q) the United Nations Environment Pro-
11 gramme has estimated that adaptation needs
12 relating to climate change in developing coun-
13 tries may be as much as \$300,000,000,000 an-
14 nually by 2030;

15 (R) the Green Climate Fund was created
16 in 2010 by 194 countries to serve as a crucial
17 financing mechanism to help developing coun-
18 tries limit or reduce greenhouse gas emissions
19 and adapt to climate change;

20 (S) in 2015, the United Nations Frame-
21 work Convention on Climate Change agreed
22 that the Green Climate Fund should serve the
23 goals of the Paris Agreement, which states that
24 “developed country Parties shall provide finan-
25 cial resources to assist developing country Par-

1 ties with respect to both mitigation and adapta-
2 tion in continuation of their existing obligations
3 under the Convention”;

4 (T) the Green Climate Fund is an essential
5 institution for climate financing, as the Green
6 Climate Fund ensures—

7 (i) balanced governance between de-
8 veloped and developing countries;

9 (ii) stakeholder engagement and dis-
10 course;

11 (iii) a balanced approach between
12 mitigation and adaptation;

13 (iv) fair and equal labor and working
14 conditions;

15 (v) conservation of biodiversity and
16 critical habitats; and

17 (vi) strong environmental, social, and
18 gender protections;

19 (U) the Green Climate Fund—

20 (i) promotes and protects human
21 rights and the rights of marginalized
22 groups, including indigenous peoples,
23 women, children, and people with disabil-
24 ities; and

1 (ii) continues to take steps to
2 strengthen protection for marginalized
3 groups;

4 (iii) the United States committed
5 \$3,000,000,000 of the first
6 \$10,000,000,000 raised for the initial re-
7 source mobilization period of the Green
8 Climate Fund, though only $\frac{1}{3}$ of this
9 pledge was fulfilled, leaving the United
10 States the only country to fall substantially
11 short of a commitment of a country to the
12 Green Climate Fund; and

13 (V) the Green Climate Fund is a fully
14 operational and proven institution supporting
15 well over 100 projects and programs in devel-
16 oping countries around the world.

17 (2) STATEMENT OF POLICY.—It is the policy of
18 the United States to provide climate financing—

19 (A) as an essential part of the global effort
20 to combat climate change; and

21 (B) that—

22 (i) upholds the principles of environ-
23 mental justice and climate justice;

1 (ii) supports programs and projects
2 developed by recipient countries and com-
3 munities;

4 (iii) is designed and implemented with
5 the free, prior, and informed consent of in-
6 digenous peoples and other impacted com-
7 munities;

8 (iv) promotes gender equality as es-
9 sential in all of the projects and programs
10 supported by climate financing;

11 (v) includes best practices for environ-
12 mental and social safeguards to ensure
13 that projects and programs supported by
14 climate financing respect fundamental
15 human rights; and

16 (vi) addresses both mitigation and ad-
17 aptation as essential aspects of responding
18 to climate change.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated for contributions to the
21 Green Climate Fund \$4,000,000,000 for each of the fiscal
22 years 2022 and 2023.

23 (c) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the climate financing needs to achieve the
25 greenhouse gas emissions reductions required to keep the

1 planet at or below 1.5 degrees Celsius of global warming
2 are significantly greater than the amount of funds author-
3 ized to be appropriated under subsection (a).

4 **SEC. 30610. ENSURING A WHOLE-OF-GOVERNMENT RE-**
5 **SPONSE TO CLIMATE ACTION.**

6 (a) ESTABLISHMENT.—The Secretary of State shall
7 establish a Climate Impacts Task Force (referred to in
8 this section as the “Task Force”) with the mandate to—

9 (1) monitor international climate and related
10 impacted social conditions to anticipate and prevent
11 climate and environmental stressors from evolving
12 into national security risks;

13 (2) monitor and assess climate action under-
14 taken by other countries in response to national
15 strategies and international commitments, and co-
16 ordinate closely with allies and partners to ensure a
17 coordinated response against any state or non-state
18 actors, including the People’s Republic of China
19 (PRC) and PRC companies, undermining global cli-
20 mate objectives, norms, and practices;

21 (3) strengthen the efforts of the Department of
22 State and the United States Government to act
23 proactively to mitigate the human harms and poten-
24 tial for national security risks resulting from inter-

1 national emerging events exacerbated by climate
2 change; and

3 (4) assist other Federal departments and agen-
4 cies, foreign partners, and multilateral organizations
5 in their efforts to do the same.

6 (b) LEADERSHIP.—The Secretary of State shall des-
7 ignate a senior career official, as appropriate, of the De-
8 partment of State to serve as the Chair of the Task Force.
9 Such official shall report to the Secretary of State.

10 (c) RESPONSIBILITIES.—Under the direction of the
11 Chair, the Task Force shall—

12 (1) meet regularly to ensure that events exacer-
13 bated by climate change and the risk of emerging
14 events exacerbated by climate change throughout the
15 world are adequately considered and addressed;

16 (2) facilitate the development and execution of
17 policies and tools to enhance the capacity of the
18 United States to prevent and respond to emerging
19 events exacerbated by climate change worldwide;

20 (3) monitor developments throughout the world
21 that heighten the risk of emerging events exacer-
22 bated by climate change;

23 (4) identify gaps in United States foreign policy
24 related to the prevention of and response to emerg-

1 ing events exacerbated by climate change with re-
2 spect to certain regions or particular countries;

3 (5) incorporate lessons learned from past
4 United States efforts to prevent and respond to
5 emerging events exacerbated by climate change and
6 other impacts that are comparable in scope or sever-
7 ity;

8 (6) provide the Secretary of State with rec-
9 ommendations and potential improvements to poli-
10 cies, programs, resources, and tools related to the
11 prevention of and response to emerging events exac-
12 erbated by climate change;

13 (7) coordinate the Department of State's en-
14 gagement in interagency processes led by the Na-
15 tional Security Council that share the Task Force's
16 objectives;

17 (8) conduct outreach not less frequently than
18 biannually, with representatives of nongovernmental
19 organizations dedicated to the prevention of and re-
20 sponse to emerging events exacerbated by climate
21 change and other appropriate parties, to—

22 (A) receive assistance relating to the Task
23 Force's efforts to address emerging events exac-
24 erbated by climate change and develop new or

1 improved policies, programs, resources, and
2 tools; and

3 (B) provide a public understanding of the
4 work of the Task Force;

5 (9) in carrying out paragraphs (1) through (9),
6 focus on particular ways for the United States to de-
7 velop, strengthen, and enhance its capabilities to—

8 (A) monitor, receive early warning of, and
9 coordinate responses to potential emerging
10 events exacerbated by climate change;

11 (B) engage allies and partners, including
12 multilateral and regional institutions, to build
13 capacities and mobilize action for preventing
14 and responding to emerging events exacerbated
15 by climate change;

16 (C) encourage the deployment of civilian
17 advisors to prevent and respond to emerging
18 events exacerbated by climate change;

19 (D) increase the capacity of and develop
20 doctrine for the United States Foreign Service,
21 civil service, Armed Forces, development profes-
22 sionals, and other actors to engage in the full
23 spectrum of activities to prevent and respond to
24 emerging events exacerbated by climate change;

1 (E) develop and implement tailored foreign
2 assistance programs that address and mitigate
3 the risks of emerging events exacerbated by cli-
4 mate change;

5 (F) ensure intelligence collection, analysis,
6 and sharing of appropriate information; and

7 (G) address any other issues that the Task
8 Force determines appropriate;

9 (10) in carrying out paragraphs (1) through
10 (9), receive support from bureaus and offices of the
11 Department of State, as the Secretary of State de-
12 termines appropriate; and

13 (11) facilitate annual coordination between the
14 Department of State and other appropriate depart-
15 ments and agencies to ensure international and do-
16 mestic climate change objectives are aligned.

17 (d) COMPOSITION.—The Task Force shall—

18 (1) seek to ensure that its efforts complement
19 and support interagency processes led by the Na-
20 tional Security Council that share the Task Force’s
21 objectives; and

22 (2) operate with regular consultation and par-
23 ticipation of designated representatives, at the As-
24 sistant Secretary level or higher, from all such exec-

1 utive departments, agencies, or offices as the Chair
2 may designate.

3 (e) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act and every 2 years thereafter
5 for the following 10 years, the Secretary of State, in con-
6 sultation with the Task Force, shall submit to the Com-
7 mittee on Foreign Relations and the Committee on Appro-
8 priations of the Senate and the Committee on Foreign Af-
9 fairs and the Committee on Appropriations of the House
10 of Representatives an unclassified report, with a classified
11 annex if necessary, that includes—

12 (1) a review, in consultation with the des-
13 igned representatives specified in subsection (d),
14 consisting of—

15 (A) an evaluation of the efficacy of current
16 efforts based on United States and locally iden-
17 tified indicators, including capacities and con-
18 straints for United States Government-wide de-
19 tection, early warning and response, informa-
20 tion-sharing, contingency planning, and coordi-
21 nation of efforts to prevent and respond to
22 emerging events exacerbated by climate change;

23 (B) an assessment of the funding expended
24 by relevant Federal departments and agencies
25 on emerging events exacerbated by climate

1 change and the legal, procedural, and resource
2 constraints faced by the Department of State
3 and the United States Agency for International
4 Development throughout respective budgeting,
5 strategic planning, and management cycles to
6 support the prevention of and response to
7 emerging events exacerbated by climate change;

8 (C) current annual global assessments of
9 emerging events exacerbated by climate change;

10 (D) recommendations to further strength-
11 en United States capabilities described in sub-
12 paragraph (A); and

13 (E) consideration of analysis, reporting,
14 and policy recommendations by civil society,
15 academic, and other nongovernmental organiza-
16 tions and institutions to prevent and respond to
17 emerging events exacerbated by climate change;

18 (2) recommendations to ensure shared responsi-
19 bility by—

20 (A) enhancing multilateral mechanisms for
21 preventing, mitigating, and responding to
22 emerging events exacerbated by climate change;
23 and

24 (B) strengthening regional organizations;
25 and

1 (3) the implementation status of the rec-
2 ommendations included in the review under para-
3 graph (1).

4 (f) BRIEFINGS AND MATERIALS.—The Chair and
5 members of the Task Force shall, not less frequently than
6 annually, provide briefings and materials to the Com-
7 mittee on Foreign Relations of the Senate and the Com-
8 mittee on Foreign Affairs of the House of Representatives.

9 (g) REPORT BY THE DIRECTOR OF NATIONAL INTEL-
10 LIGENCE.—The Director of National Intelligence is en-
11 couraged to include, in his or her annual (or more often
12 as appropriate) unclassified testimony, accompanied by a
13 classified annex, if necessary, to Congress (including the
14 Permanent Select Committee on Intelligence of the House
15 of Representatives and the Select Committee on Intel-
16 ligence of the Senate) on threats to United States national
17 security—

18 (1) a review of countries and regions at risk of
19 emerging events exacerbated by climate change; and

20 (2) whenever possible, specific identification of
21 countries and regions at immediate risk of emerging
22 events exacerbated by climate change.

23 (h) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that rapid and robust climate change response mech-
25 anisms, including the establishment of the Task Force, are

1 critical for ensuring other countries remain accountable to
2 their climate action commitments as well as preserving the
3 national security and economic interests of the United
4 States.

5 **SEC. 30611. WORKING WITH INTERNATIONAL PARTNERS TO**
6 **REDUCE DEFORESTATION.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The People’s Republic of China (PRC) is
9 having a substantial impact on the most important
10 forest ecosystems in the world, and illegal logging
11 and agricultural expansion have caused the massive
12 forest loss. According to the World Resources Insti-
13 tute, the PRC has become the world’s leading im-
14 porter and consumer of timber products, soybeans,
15 and palm oil, as well as the largest manufacturing
16 and export country of forest products.

17 (2) In 2016, the PRC imported logs from more
18 than 100 countries in the world. According to a
19 Global Witness report, between January 2013 and
20 April 2020, Chinese financial institutions provided
21 more than \$22.5 billion to major companies that
22 produce and trade commodities at high risk of driv-
23 ing deforestation. These commodities include beef,
24 soy, palm oil, paper, pulp, rubber, and timber.

1 (3) Further, the growing international demand
2 for such agricultural commodities causes the major-
3 ity of deforestation emissions globally, and most of
4 the associated land-clearing violates applicable na-
5 tional or local laws. According to a 2021 Forest
6 Trends report, at least 69 percent of forest land con-
7 verted to pasture or cropland was cleared illegally.

8 (4) The growing demand for timber and agri-
9 cultural commodities has accelerated
10 unsustainable—and often illegal—logging and the
11 trade of timber products, which harms the countries
12 in which it takes place by siphoning away govern-
13 ment tax revenue, transforming the livelihoods of
14 communities dependent on forests, and hurting legal
15 businesses’ competitiveness. Further, illegal logging
16 and illegal conversion of forest to agricultural land
17 threatens biodiversity and accelerates deforestation
18 and forest degradation in key timber supply coun-
19 tries, undermining United States and global climate
20 goals.

21 (5) The United States should work with inter-
22 national partners to ensure that Chinese and other
23 banks factor into lending practices the environ-
24 mental and social impact of the companies they fi-
25 nance. This should include pressuring the PRC and

1 other countries to revise regulations to require the
2 banking sector not to finance companies linked to
3 deforestation and include rigorous checks on the
4 companies operating in sectors or regions where
5 there is a high risk of deforestation to ensure they
6 are not associated with deforestation.

7 (b) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—Except as otherwise ex-
9 pressly provided, the term “Administrator” means
10 the Administrator of the United States Agency for
11 International Development.

12 (2) DEFORESTATION.—The term “deforest-
13 ation” means a change in land use from a forest (in-
14 cluding peatlands) to any other land use.

15 (3) DEVELOPING COUNTRY.—The term “devel-
16 oping country” means a country eligible to receive
17 official development assistance according to the in-
18 come guidelines of the Development Assistance Com-
19 mittee of the Organisation for Economic Co-oper-
20 ation and Development.

21 (4) EMISSIONS REDUCTIONS.—The term “emis-
22 sions reductions” means greenhouse gas emissions
23 reductions achieved from reduced or avoided defor-
24 estation under this section.

25 (5) FOREST.—

1 (A) IN GENERAL.—The term “forest”
2 means a terrestrial ecosystem, including wet-
3 land forests, comprised of native tree species
4 generated and maintained primarily through
5 natural ecological and evolutionary processes.

6 (B) EXCLUSION.—The term “forest” does
7 not include plantations, such as crops of trees
8 planted by humans primarily for the purposes
9 of harvesting.

10 (6) FOREST DEGRADATION.—The term “forest
11 degradation” is any reduction in the carbon stock of
12 a forest due to the effects of human land-use activi-
13 ties, including such land-use activities on peatlands.

14 (7) INTACT FOREST.—The term “intact forest”
15 means an unbroken expanse of natural ecosystems
16 within the global extent of forest cover that—

17 (A) covers an area of at least 500 square
18 kilometers and is at least 10 kilometers in each
19 direction; and

20 (B) contains forest and non-forest eco-
21 systems minimally influenced by human eco-
22 nomic activity and large enough that all native
23 biodiversity, including viable populations of
24 wide-ranging species, could be maintained.

1 (9) LEAKAGE.—The term “leakage” means the
2 unexpected loss of anticipated carbon benefits due to
3 the displacement of activities in a project area to
4 areas outside the project, resulting in carbon emis-
5 sions.

6 (10) LEAKAGE PREVENTION ACTIVITIES.—The
7 term “leakage prevention activities” means activities
8 in developing countries that are directed at pre-
9 serving existing forest carbon stocks, including for-
10 ested wetlands and peatlands that might, absent
11 such activities, be lost through leakage.

12 (11) NATIONAL DEFORESTATION REDUCTION
13 ACTIVITIES.—The term “national deforestation re-
14 duction activities” means activities in developing
15 countries that reduce a quantity of greenhouse gas
16 emissions from deforestation that is calculated by
17 measuring actual emissions against a national defor-
18 estation baseline established pursuant to subpara-
19 graphs (B) and (C) of subsection (d)(4).

20 (12) SUBNATIONAL DEFORESTATION AND FOR-
21 EST DEGRADATION REDUCTION ACTIVITIES.—The
22 term “subnational deforestation and forest degrada-
23 tion reduction activities” means activities in devel-
24 oping countries that reduce a quantity of greenhouse
25 gas emissions from deforestation and forest degrada-

1 tion that is calculated by measuring actual emissions
2 using an appropriate baseline, or an alternative de-
3 termined under subsection (d)(4)(B)(ii), established
4 by the Administrator at the State or provincial level.

5 (c) PURPOSES.—The purposes of this section are to
6 provide United States assistance to developing countries
7 to develop, implement, and improve actions that reduce
8 deforestation and forest degradation or conserve or restore
9 forest ecosystems—

10 (1) to protect the value of forest ecosystems
11 with respect to permanent carbon capture and se-
12 questration in a manner in which such value is
13 measurable, reportable, and verifiable; and

14 (2) in a manner that—

15 (A) is consistent with and enhances the
16 implementation of complementary United
17 States policies that support the good govern-
18 ance of forests, biodiversity conservation, and
19 environmentally sustainable development;

20 (B) takes into consideration the views and
21 participation of local communities and most vul-
22 nerable communities and populations, particu-
23 larly forest-dependent communities; and

24 (C) incorporates the right to free prior and
25 informed consent of indigenous peoples.

1 (d) EMISSIONS REDUCTIONS THROUGH REDUCED
2 DEFORESTATION.—

3 (1) ESTABLISHMENT OF PROGRAM.—Not later
4 than 1 year after the date of the enactment of this
5 Act, the Administrator, in consultation with other
6 appropriate agencies, shall establish a program to
7 provide assistance to reduce deforestation in devel-
8 oping countries and its impacts, in accordance with
9 this section.

10 (2) OBJECTIVES.—The objectives of the pro-
11 gram established under paragraph (1) shall be—

12 (A) to achieve—

13 (i) emissions reductions of at least
14 7,000,000,000 tons of carbon dioxide
15 equivalent in 2025;

16 (ii) cumulative emissions reductions of
17 at least 11,000,000,000 tons of carbon di-
18 oxide equivalent by December 31, 2030;

19 and

20 (iii) additional emissions reductions in
21 subsequent years;

22 (B) to build capacity to reduce deforest-
23 ation at a national level in developing countries
24 experiencing deforestation, which may include—

1 (i) preparing developing countries to
2 participate in international markets for
3 international offset credits for reduced
4 emissions from deforestation;

5 (ii) supporting the development of
6 overseas domestic policy frameworks to en-
7 sure effective, efficient, and equitable ben-
8 efit-sharing of the proceeds of such credits
9 issued by national and subnational govern-
10 ments; and

11 (iii) promoting and expanding land ti-
12 tling initiatives and programs in other
13 countries;

14 (C) to preserve forest carbon stocks in
15 countries where such forest carbon may be vul-
16 nerable to leakage, particularly in developing
17 countries with largely intact native forests;

18 (D) to build the scientific knowledge and
19 institutional capacity to help developing coun-
20 tries—

21 (i) monitor the effects of climate
22 change on their forests;

23 (ii) develop and implement strategies
24 to conserve their forests; and

1 (iii) support forest-dependent commu-
2 nities adapt to climate change;

3 (E) to the extent practicable, to reduce de-
4 forestation in ways that reduce the vulnerability
5 and increase the resilience to climate effects for
6 forests and forest-dependent communities;

7 (F) to prevent degradation and fragmenta-
8 tion of forests and other intact ecosystems, par-
9 ticularly in tropical countries, including by pro-
10 viding assistance or supporting policies to—

11 (i) conserve, protect, and restore the
12 integrity of such ecosystems; and

13 (ii) support the rights of Indigenous
14 People and local communities and their
15 ability to continue their effective steward-
16 ship of their intact traditional lands and
17 territories;

18 (G) to build capacity to address illegal de-
19 forestation for agricultural commodities; and

20 (H) to remove subsidies that favor defor-
21 estation;

22 (e) REQUIREMENTS FOR INTERNATIONAL DEFOR-
23 ESTATION REDUCTION PROGRAM.—

24 (1) ELIGIBLE COUNTRIES.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), the Administrator may pro-
3 vide assistance under this section only with re-
4 spect to a developing country that—

5 (i) the Administrator, in consultation
6 with other appropriate agencies, deter-
7 mines—

8 (I) is experiencing deforestation
9 or forest degradation; or

10 (II) has standing forest carbon
11 stocks that may be at risk of deforest-
12 ation or degradation;

13 (ii) has the legal regimes, standards,
14 and safeguards to ensure that the rights
15 and interests of indigenous peoples and
16 forest-dependent communities are pro-
17 tected in accordance with the standards es-
18 tablished under paragraph (4); and

19 (iii) has entered into a bilateral or
20 multilateral agreement or arrangement
21 with the United States, or is part of an
22 international program supported by the
23 United States to prevent deforestation,
24 that establishes the conditions of participa-
25 tion by the country in the program estab-

1 lished under this section, which shall in-
2 clude an agreement to meet the standards
3 established under paragraph (4) for the ac-
4 tivities to which such standards apply.

5 (B) EXCEPTION.—A developing country
6 that does not meet the requirement described in
7 paragraph (1)(A)(ii) may receive assistance
8 under this section for the purpose of building
9 capacity to meet such requirement.

10 (2) AUTHORIZED ACTIVITIES.—Subject to the
11 requirements of this section, in providing assistance
12 under this section, the Administrator may support
13 activities to achieve the objectives described in sub-
14 section (c)(2), such as—

15 (A) national deforestation reduction activi-
16 ties;

17 (B) subnational deforestation and forest
18 degradation reduction activities, including pilot
19 activities, policies, and measures that reduce
20 greenhouse gas emissions and are subject to
21 significant uncertainty;

22 (C) activities to measure, monitor, and
23 verify deforestation, avoided deforestation, and
24 rates of deforestation, including, if applicable,
25 spatially explicit land use plans that identify in-

1 tact and primary forest areas and managed for-
2 est areas;

3 (D) leakage prevention activities;

4 (E) the development and implementation
5 of measurement, monitoring, reporting, and
6 verification capacities and governance struc-
7 tures, including legal regimes, standards, proc-
8 esses, and safeguards, as established under
9 paragraph (4), to enable a country to quantify
10 emissions reductions for purposes of purchasing
11 or trading subnational emissions reduction cred-
12 its in carbon markets;

13 (F) the identification of, and actions to ad-
14 dress, the drivers of land use emissions;

15 (G) programs that would exclude from the
16 United States illegally harvested timber or
17 products made from illegally harvested timber,
18 in accordance with and consistent with the ob-
19 jectives of the Lacey Act Amendments of 1981
20 (16 U.S.C. 3371 et seq.);

21 (H) the development and strengthening of
22 governance capacities to reduce deforestation
23 and other land use emissions and to combat il-
24 legal logging and associated trade, including the
25 development of systems for independent moni-

1 toring of the efficacy of forest law enforcement
2 and increased enforcement cooperation, includ-
3 ing joint efforts with Federal agencies, to en-
4 force the Lacey Act Amendments of 1981 (16
5 U.S.C. 3371 et seq.);

6 (I) programs to help countries strengthen
7 the necessary governance and technological ca-
8 pacity to trace and make publicly available the
9 origin of agricultural commodities associated
10 with tropical deforestation, such as beef, soy,
11 palm oil, paper, pulp, cocoa, and rubber;

12 (J) the development and strengthening of
13 governance capacities and associated implemen-
14 tation activities to combat illegal deforestation
15 related to the production of agricultural com-
16 modities, such as those described in subpara-
17 graph (I);

18 (K) the provision of incentives for policy
19 reforms to achieve the objectives described in
20 subsection (c)(2);

21 (L) the development of pilot projects—

22 (i) to examine where mitigation and
23 adaptation activities in forest ecosystems
24 coincide; and

1 (ii) to explore means for enhancing
2 the resilience of forest ecosystems and for-
3 est-dependent communities;

4 (M) the promotion of mechanisms to de-
5 liver resources for local action and to address
6 the needs, rights, interests, and participation of
7 local and indigenous communities;

8 (N) the promotion of land tenure and ti-
9 tling programs, including legal recognition and
10 effective protection of the land tenure, access
11 and use rights of Indigenous People and local
12 communities; and

13 (O) the monitoring and evaluation of the
14 results of the activities conducted under this
15 section.

16 (3) MECHANISMS.—The Administrator shall
17 apply the administrative authorities under the For-
18 eign Assistance Act of 1961 (22 U.S.C. 2151 et
19 seq.), except to the extent inconsistent with the pro-
20 visions of this section, to the same extent and in the
21 same manner as such authorities apply to the imple-
22 mentation of such Act in order to support activities
23 to achieve the objectives described in subsection
24 (c)(2) by—

1 (A) developing and implementing programs
2 and project-level activities that achieve such ob-
3 jectives;

4 (B) to the extent practicable, giving pri-
5 ority in any review process to activities under
6 paragraph (2)(A); and

7 (C) as appropriate, considering multi-year
8 funding arrangements in carrying out the pur-
9 poses of this section.

10 (4) STANDARDS.—The Administrator, in con-
11 sultation with other appropriate agencies, shall es-
12 tablish program standards that—

13 (A) ensure that emissions reductions
14 achieved through supported activities—

15 (i) are additional, measurable,
16 verifiable, and monitored;

17 (ii) account for leakage, uncertainty,
18 and permanence; and

19 (iii) at a minimum, meet the stand-
20 ards established under the emissions unit
21 criteria of the Carbon Offsetting and Re-
22 duction Scheme for International Aviation
23 (CORSIA) developed by the International
24 Civil Aviation Organization (ICAO);

25 (B) require—

1 (i) the establishment of a national de-
2 forestation baseline for each country with
3 national deforestation reduction activities
4 that is used to account for reductions
5 achieved from such activities; or

6 (ii) if a developing country has estab-
7 lished policies and taken measures to re-
8 duce emissions from disturbed peatlands,
9 deforestation, or forest degradation, but
10 has not established a national baseline, the
11 provision of a credible, transparent, accu-
12 rate, and conservative alternative for quan-
13 tifying emissions;

14 (C) provide that each national deforest-
15 ation baseline established under subparagraph
16 (B)(i)—

17 (i) is national, or subnational on an
18 interim basis, in scope; and

19 (ii) is consistent with nationally ap-
20 propriate mitigation commitments or ac-
21 tions with respect to deforestation, taking
22 into consideration—

23 (I) the average annual historical
24 deforestation rates of the country dur-
25 ing a period of at least 5 years; and

- 1 (II) the applicable drivers of de-
2 forestation and other factors to ensure
3 additionality;
- 4 (iii) establishes a trajectory that
5 would result in zero net deforestation by
6 not later than 20 years after the date on
7 which the baseline is established;
- 8 (iv) is adjusted over time to account
9 for changing national circumstances; and
- 10 (v) is designed to account for all sig-
11 nificant sources of greenhouse gas emis-
12 sions from deforestation in the country;
- 13 (D) with respect to assistance provided for
14 activities described in subparagraph (A) or (B)
15 of paragraph (2), require emissions reductions
16 to be achieved and verified before the provision
17 of any assistance under this section;
- 18 (E) with respect to accounting for sub-
19 national deforestation and forest degradation
20 reduction activities that lack the standardized
21 or precise measurement and monitoring tech-
22 niques needed for a full accounting of changes
23 in emissions or baselines, or are subject to
24 other sources of uncertainty, apply a conserv-

1 active discount factor to reflect the uncertainty
2 regarding the levels of reductions achieved;

3 (F) ensure that activities under this sec-
4 tion are designed, carried out, and managed—

5 (i) using forest management practices
6 that, in an open and transparent process—

7 (I) improve the livelihoods of for-
8 est communities in a manner that
9 promotes the maintenance of intact
10 forests, protects associated biodiver-
11 sity, and restores native forest species
12 and ecosystems while avoiding the in-
13 troduction of invasive nonnative spe-
14 cies;

15 (II) maintain natural biodiver-
16 sity, resilience, and carbon storage ca-
17 pacity of forests;

18 (III) to the extent practicable, do
19 not adversely affect the permanence of
20 forest carbon stocks or emissions re-
21 ductions;

22 (IV) include broad stakeholder
23 participation and the free prior and
24 informed consent of affected indige-
25 nous peoples; and

1 (V) take into account the needs
2 and interests of local communities,
3 forest-dependent communities, indige-
4 nous peoples, and vulnerable social
5 groups;

6 (ii) in consultation with, and with the
7 full and effective participation of, local
8 communities, indigenous peoples, and for-
9 est-dependent communities in affected
10 areas, as partners and primary stake-
11 holders, before and during the design,
12 planning, implementation, monitoring, and
13 evaluation of activities; and

14 (iii) with equitable sharing of profits
15 and benefits derived from the activities
16 with local communities, indigenous peoples,
17 and forest-dependent communities; and

18 (G) with respect to assistance for all activi-
19 ties under this section, seek to ensure the estab-
20 lishment and enforcement of legal regimes,
21 standards, processes, and safeguards by the
22 country in which the activities are conducted, as
23 a condition of such assistance or as a proposed
24 activity for which such assistance may be pro-
25 vided, which—

1 (i) protect the rights and interests of
2 local communities, indigenous peoples, for-
3 est-dependent communities, human rights
4 defenders, and vulnerable social groups;
5 and

6 (ii) promote consultations with local
7 communities, indigenous peoples, and for-
8 est-dependent communities in affected
9 areas, as partners and primary stake-
10 holders, before and during the design,
11 planning, implementation, monitoring, and
12 evaluation of activities under this section;
13 and

14 (iii) ensure equitable sharing of prof-
15 its and benefits from incentives for emis-
16 sions reductions or leakage prevention with
17 local communities, indigenous peoples, and
18 forest-dependent communities.

19 (5) SCOPE.—

20 (A) REDUCED EMISSIONS.—The Adminis-
21 trator shall include reduced emissions from for-
22 est degradation and disturbance of peatlands
23 within the scope of activities under this section.

24 (B) EXPANSION OF AUTHORIZED ACTIVI-
25 TIES.—If the Administrator determines, in con-

1 sultation with other appropriate agencies, that
2 sufficient methodologies and technical capacities
3 exist to measure, monitor, and account for the
4 emissions referred to in subparagraph (A), the
5 Administrator may expand the authorized ac-
6 tivities under this section, as appropriate, to in-
7 clude reduced soil carbon-derived emissions as-
8 sociated with deforestation and degradation of
9 forested wetlands and peatlands, consistent
10 with a comprehensive approach to maintaining
11 and enhancing forests, increasing climate resil-
12 iency, reducing emissions, and increasing re-
13 movals of greenhouse gases.

14 (6) ACCOUNTING.—The Administrator shall use
15 a publicly accessible registry to account for and reg-
16 ister the emissions reductions achieved through as-
17 sistance provided under this section each year, after
18 appropriately discounting for uncertainty and other
19 relevant factors as required by the standards estab-
20 lished under paragraph (4).

21 (7) INTERNATIONAL DEFORESTATION REDUC-
22 TION PROGRAM INSURANCE ACCOUNT FOR NON-
23 COMPLETION OR REVERSAL.—In furtherance of the
24 objectives described in subsection (c)(2), the Admin-

1 Administrator shall develop and implement a program
2 that—

3 (A) addresses noncompletion or reversal
4 with respect to any greenhouse gas emissions
5 that were not, or are no longer, sequestered;
6 and

7 (B) may include a mechanism to hold in
8 reserve a portion of the amount allocated for
9 projects to support the program.

10 (8) EXTENSION OF ASSISTANCE.—

11 (A) IN GENERAL.—The Administrator may
12 extend, for an additional 5 years, the period
13 during which assistance is authorized for activi-
14 ties supported by assistance under this section,
15 if the Administrator determines that—

16 (i) the country in which the activities
17 are conducted is making substantial
18 progress toward adopting and imple-
19 menting a program to achieve reductions
20 in deforestation measured against a na-
21 tional baseline;

22 (ii) the greenhouse gas emissions re-
23 ductions achieved as a result of the activi-
24 ties are not resulting in significant leakage;

1 (iii) such greenhouse gas emissions re-
2 ductions are being appropriately dis-
3 counted to account for any leakage that is
4 occurring; and

5 (iv) such extension would further ad-
6 vance or ensure achievement of the objec-
7 tives of the activities.

8 (B) ASSISTANCE FOR SUBNATIONAL DE-
9 FORESTATION AND FOREST DEGRADATION RE-
10 DUCATION ACTIVITIES.—

11 (i) IN GENERAL.—If the Adminis-
12 trator extends the period during which as-
13 sistance is authorized for activities under
14 subparagraph (A), the Administrator shall
15 determine, based on the criteria specified
16 that subparagraph, whether such assist-
17 ance should include assistance for sub-
18 national deforestation and forest degrada-
19 tion reduction activities.

20 (ii) CONTINUED ASSISTANCE.—The
21 Administrator may extend the period dur-
22 ing which assistance is authorized for sub-
23 national deforestation and forest degrada-
24 tion reduction activities beyond the 5-year
25 period described in subparagraph (A) in

1 order to further the objectives described in
2 subparagraph (B) or (C) of subsection
3 (c)(2).

4 (9) COORDINATION WITH FOREIGN ASSIST-
5 ANCE.—Subject to the direction of the President, the
6 Administrator shall, to the extent practicable and
7 consistent with the objectives described in subsection
8 (c)(2), seek to align activities under this section with
9 broader development, poverty alleviation, or natural
10 resource management objectives and initiatives in
11 countries receiving assistance under this section.

12 (10) ASSISTANCE AS SUPPLEMENT.—The provi-
13 sion of assistance for activities under this section
14 shall be used to supplement, and not to supplant,
15 any other Federal, State, or local support available
16 to carry out activities under this section.

17 (11) FUNDING LIMITATION.—Of the funds
18 made available to carry out this section in any fiscal
19 year, not more than 7 percent may be used for the
20 administrative expenses of the United States Agency
21 for International Development in support of activi-
22 ties described in paragraph (2). Such amount shall
23 be in addition to other amounts otherwise available
24 for such purposes.

25 (f) LEGAL EFFECT.—

1 (1) IN GENERAL.—Nothing in this section may
2 be construed to supersede, limit, or otherwise affect
3 any restriction imposed by Federal law (including
4 regulations) on any interaction between an entity lo-
5 cated in the United States and an entity located in
6 a foreign country.

7 (2) ROLE OF THE SECRETARY OF STATE.—
8 Nothing in this section may be construed to affect
9 the role of the Secretary of State or the responsibil-
10 ities of the Secretary under section 622(c) of the
11 Foreign Assistance Act of 1961 (22 U.S.C.
12 2382(c)).

13 (g) INTERNATIONAL FINANCIAL INSTITUTIONS.—
14 The President shall direct the United States representa-
15 tives to the World Bank, the International Monetary
16 Fund, and other international financial institutions (as de-
17 fined in section 1701(c) of the International Financial In-
18 stitutions Act (22 U.S.C. 262r(c)) to prioritize efforts to
19 combat deforestation.

20 (h) REPORT.—Not later than 1 year after the date
21 of the enactment of this Act, the President shall submit
22 to Congress a report, with respect to activities under this
23 section, on the implementation of measurable and sustain-
24 able development practices and an assessment of resources

1 related to achieving carbon dioxide emission reduction tar-
2 gets for 2025 and 2030.

3 **SEC. 30612. CONTROLLING THE EXPORT OF ELECTRONIC**
4 **WASTE TO PROTECT UNITED STATES SUPPLY**
5 **CHAINS.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) It is in the national security interests of the
8 United States to ensure that the export of electronic
9 waste does not become the source of counterfeit
10 goods that may reenter electronics supply chains in
11 the United States, and for other purposes.

12 (2) A 2012 Senate Armed Services Committee
13 Report “discovered counterfeit electronic parts from
14 China in the Air Force’s largest cargo plane, in as-
15 semblies intended for Special Operations helicopters,
16 and in a Navy surveillance plane among 1,800 cases
17 of bogus parts”.

18 (3) Further, exporting such material has often
19 resulted in environmental damage because of illegal
20 dumping or inadequate environmental regulations in
21 other countries for ensuring their safe and secure
22 disposal.

23 (4) China, the single largest producer of elec-
24 tronic waste, is on track for its e-waste industry to
25 total \$23,800,000,000 by 2030, given its high sup-

1 ply of used products, demand for recycled materials,
2 and capacity to transport these materials.

3 (5) As the second largest producer of electronic
4 waste, the United States has a strong economic and
5 national security incentive to enhance domestic e-
6 waste recycling capacity rather than exporting to
7 China and other countries.

8 (6) Given China’s lack of regulations and work-
9 er protections, workers in the e-waste industry have
10 been exposed to over 1,000 harmful substances, in-
11 cluding lead and mercury, endangering the health
12 and wellbeing of workers.

13 (b) DEFINITIONS.—In this section:

14 (1) ELECTRONIC WASTE.—

15 (A) IN GENERAL.—The term “electronic
16 waste” means any of the following used items
17 containing electronic components, or fragments
18 thereof, including parts or subcomponents of
19 such items:

20 (i) Computers and related equipment.

21 (ii) Data center equipment (including
22 servers, network equipment, firewalls, bat-
23 tery backup systems, and power distribu-
24 tion units).

1 (iii) Mobile computers (including note-
2 books, netbooks, tablets, and e-book read-
3 ers).

4 (iv) Televisions (including portable
5 televisions and portable DVD players).

6 (v) Video display devices (including
7 monitors, digital picture frames, and port-
8 able video devices).

9 (vi) Digital imaging devices (including
10 printers, copiers, facsimile machines, image
11 scanners, and multifunction machines).

12 (vii) Consumer electronics—

13 (I) including digital cameras,
14 projectors, digital audio players, cel-
15 lular phones and wireless internet
16 communication devices, audio equip-
17 ment, video cassette recorders, DVD
18 players, video game systems (includ-
19 ing portable systems), video game
20 controllers, signal converter boxes,
21 and cable and satellite receivers; and

22 (II) not including appliances that
23 have electronic features.

24 (viii) Portable global positioning sys-
25 tem navigation devices.

1 (ix) Other used electronic items that
2 the Secretary determines to be necessary
3 to carry out this section.

4 (B) EXEMPT ITEMS.—The term “electronic
5 waste” does not include—

6 (i) exempted electronic waste items;

7 (ii) electronic parts of a motor vehicle
8 or aircraft; or

9 (iii) electronic components, or items
10 containing electronic components, that are
11 exported or reexported to an entity under
12 the ownership or control of the person ex-
13 porting or reexporting the components or
14 items, with the intent that the components
15 or items be used for the purpose for which
16 the components or items were used in the
17 United States.

18 (2) EXEMPTED ELECTRONIC WASTE ITEMS.—

19 (A) IN GENERAL.—The term “exempted
20 electronic waste items” means the following:

21 (i) Tested, working used electronics.

22 (ii) Low-risk counterfeit electronics.

23 (iii) Recalled electronics.

24 (B) DEFINITIONS.—In this paragraph:

1 (i) TESTED, WORKING USED ELEC-
2 TRONICS.—The term “tested, working used
3 electronics” means any used electronic
4 items that—

5 (I) are determined, through test-
6 ing methodologies established by the
7 Secretary, to be—

8 (aa) fully functional for the
9 purpose for which the items were
10 designed; or

11 (bb) in the case of multi-
12 function devices, fully functional
13 for at least one of the primary
14 purposes for which the items
15 were designed;

16 (II) are exported with the intent
17 to reuse the products as functional
18 products; and

19 (III) are appropriately packaged
20 for shipment to prevent the items
21 from losing functionality as a result of
22 damage during shipment.

23 (ii) LOW-RISK COUNTERFEIT ELEC-
24 TRONICS.—The term “low-risk counterfeit

1 electronics” means any electronic compo-
2 nents or items that—

3 (I) have been subjected to de-
4 struction processes that render the
5 items unusable for their original pur-
6 pose; and

7 (II) are exported as a feedstock,
8 with no additional mechanical or hand
9 separation required, in a reclamation
10 process to render the electronic com-
11 ponents or items recycled consistent
12 with the laws of the foreign country
13 performing the reclamation process.

14 (iii) RECALLED ELECTRONICS.—The
15 term “recalled electronics” means any elec-
16 tronic items that—

17 (I) because of a defect in the de-
18 sign or manufacture of the items—

19 (aa) are subject to a recall
20 notice issued by the Consumer
21 Product Safety Commission or
22 other pertinent Federal authority
23 and have been received by the
24 manufacturer or its agent and re-

1 paired by the manufacturer or its
2 agent to cure the defect; or

3 (bb) have been recalled by
4 the manufacturer as a condition
5 of the validity of the warranty on
6 the items and have been repaired
7 by the manufacturer or its agent
8 to cure the defect; and

9 (II) are exported by the manufac-
10 turer of the items.

11 (iv) FEEDSTOCK.—The term “feed-
12 stock” means any raw material consti-
13 tuting the principal input for an industrial
14 process.

15 (3) COUNTERFEIT GOOD.—The term “counter-
16 feit good” means any good on which, or in connec-
17 tion with which, a counterfeit mark is used.

18 (4) COUNTERFEIT MILITARY GOOD.—The term
19 “counterfeit military good” means a counterfeit good
20 that—

21 (A) is falsely identified or labeled as meet-
22 ing military specifications; or

23 (B) is intended for use in a military or na-
24 tional security application.

1 (5) COUNTERFEIT MARK.—The term “counter-
2 feit mark” has the meaning given that term in sec-
3 tion 2320 of title 18, United States Code.

4 (6) EXPORT ADMINISTRATION REGULATIONS.—
5 The term “Export Administration Regulations”
6 means the regulations set forth in subchapter C of
7 chapter VII of title 15, Code of Federal Regulations,
8 or successor regulations.

9 (7) EXPORT; REEXPORT.—The terms “export”
10 and “reexport” have the meanings given such terms
11 in section 1742 of the Export Control Reform Act
12 of 2018 (50 U.S.C. 4801).

13 (8) SECRETARY.—The term “Secretary” means
14 the Secretary of Commerce.

15 (9) USED.—The term “used”, with respect to
16 an item, means the item has been operated or em-
17 ployed.

18 (c) PROHIBITION.—Except as provided in subsections
19 (c) and (d), no person or entity may export or reexport
20 electronic waste or exempted electronic waste items.

21 (d) EXPORT PROHIBITION EXEMPTIONS.—A person
22 or entity may export or reexport exempted electronic waste
23 items, but only if the following requirements are met:

1 (1) REGISTRATION.—The person or entity is
2 listed on a publicly available registry maintained by
3 the Secretary.

4 (2) FILING OF EXPORT INFORMATION.—For
5 each export transaction, the person or entity files in
6 the Automated Export System, in accordance with
7 part 758 of the Export Administration Regulations
8 (or any corresponding similar regulation or ruling),
9 electronic export information that contains at least
10 the following information:

11 (A) A description of the type and total
12 quantity of exempted electronic waste items ex-
13 ported.

14 (B) The name of each country that re-
15 ceived the exempted electronic waste items for
16 reuse or recycling.

17 (C)(i) The name of the ultimate consignee
18 to which the exempted electronic waste items
19 were received for reclamation, recall, or reuse;
20 and

21 (ii) documentation and a declaration that
22 such consignee has the necessary permits, re-
23 sources, and competence to manage the exempt-
24 ed electronic waste items as reusable products
25 or recyclable feedstock and prevent its release

1 as a counterfeit good or counterfeit military
2 good.

3 (3) COMPLIANCE WITH EXISTING LAWS.—The
4 export or reexport of exempted electronic waste
5 items otherwise comply with applicable international
6 agreements to which the United States is a party
7 and with other trade and export control laws of the
8 United States.

9 (4) EXPORT DECLARATIONS AND REQUIRE-
10 MENTS.—The exempted electronic waste items are
11 accompanied by—

12 (A) documentation of the registration of
13 the exporter required under paragraph (1);

14 (B) a declaration signed by an officer or
15 designated representative of the exporter assert-
16 ing that the exempted electronic waste items
17 meet the applicable requirements for exempted
18 electronic waste items under this section;

19 (C) a description of the contents and con-
20 dition of the exempted electronic waste items in
21 the shipment;

22 (D) for tested, working electronics, a de-
23 scription of the testing methodologies and test
24 results for each item;

1 (E) the name of the ultimate consignee
2 and declaration of the consignee's applicable
3 permits, resources, and competence to process
4 or use the items as intended; and

5 (F) with respect to low-risk counterfeit
6 electronics only and when required by the im-
7 porting country, the written consent of the com-
8 petent authority of the receiving country to
9 allow the products in such country.

10 (e) EXCEPTION FOR PERSONAL USE.—The Secretary
11 may provide for an exception to the requirements of this
12 section, subject to such recordkeeping requirements as the
13 Secretary may impose, for the export or reexport of 5 or
14 fewer items that are or contain electronic components in-
15 tended for personal use.

16 (f) EFFECTIVE DATE.—

17 (1) IN GENERAL.—Subject to paragraph (2),
18 this section shall take effect upon the expiration of
19 the 1-year period beginning on the date of the enact-
20 ment of this Act.

21 (2) MODIFICATION OF EAR.—The Secretary, in
22 consultation with the Administrator of the Environ-
23 mental Protection Agency, shall, not later than the
24 effective date under paragraph (1), ensure that the

1 Export Administration Regulations are modified to
2 carry out this section.

3 (g) PENALTIES FOR VIOLATIONS.—Any person who
4 violates this section or the regulations issued under sub-
5 section (e)(2) shall be subject to the same penalties as
6 those that apply to any person violating any other provi-
7 sion of the Export Administration Regulations.

8 **SEC. 30613. RURAL EXPORT CENTER.**

9 (a) DEFINITIONS.—In this section:

10 (1) ASSISTANT SECRETARY.—The term “Assist-
11 ant Secretary” means the Assistant Secretary of
12 Commerce and Director General of the United
13 States and Foreign Commercial Service appointed
14 pursuant to section 2301(a)(2) of the Export En-
15 hancement Act of 1988 (15 U.S.C. 4721(a)(2)).

16 (2) COMMERCIAL SERVICE.—The term “Com-
17 mercial Service” means the United States and For-
18 eign Commercial Service established under section
19 2301(a)(1) of the Export Enhancement Act of 1988
20 (15 U.S.C. 4721(a)(1)).

21 (b) ESTABLISHMENT OF THE RURAL EXPORT CEN-
22 TER.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date of the enactment of this Act, the Assistant
25 Secretary shall establish a Rural Export Center (in

1 this section referred to as the “Center”) for the pur-
2 pose of providing businesses located in rural areas in
3 the United States with resources to help those busi-
4 nesses export their products.

5 (2) LOCATION OF THE CENTER.—

6 (A) IN GENERAL.—The Center shall be es-
7 tablished at an office of the Commercial Service
8 in the United States in existence before the
9 date of the enactment of this Act.

10 (B) CRITERIA FOR SELECTING LOCA-
11 TION.—In selecting a location for the Center,
12 the Assistant Secretary shall give preference—

13 (i) based on expertise and operations
14 at Commercial Service offices that support
15 rural businesses exporting to new markets
16 before the date of the enactment of this
17 Act; and

18 (ii) to such offices not located in
19 major metropolitan areas.

20 (C) LOCATION OF STAFF.—Any researcher
21 or staff directly supporting the operation of the
22 Center shall be primarily based at the Center.

23 (c) EXPORT CENTER OPERATIONS.—

24 (1) IN GENERAL.—The Center shall—

- 1 (A) provide in-depth, customized, and ac-
2 tionable market research services that—
- 3 (i) a business may opt into based on
4 need; and
- 5 (ii) are—
- 6 (I) focused on actionable and
7 measurable results for a business;
- 8 (II) business- and product-spe-
9 cific;
- 10 (III) targeted to not more than 3
11 international markets;
- 12 (IV) based on high-quality data,
13 including data from international
14 trade association subscription data-
15 bases; and
- 16 (V) based on market analysis and
17 export services of the Commercial
18 Service available before the date of
19 the enactment of this Act, including
20 the Rural America’s Intelligence Serv-
21 ice for Exporters program; and
- 22 (B) conduct strategic planning and export
23 support services for rural businesses as needed.

1 (2) MEASURE OF EFFECTIVENESS.—To meas-
2 ure the effectiveness of the Center, the Center shall
3 collect and make available data on—

4 (A) the number of businesses that sign up
5 for market research assistance;

6 (B) the number of export assistance serv-
7 ices a business engages in following the re-
8 search assistance, including—

9 (i) trade shows;

10 (ii) trade missions; and

11 (iii) other services facilitated by the
12 Center; and

13 (C) the total monetary value of exports fa-
14 cilitated by the services provided by the Center.

15 (3) WEBSITE FOR THE CENTER.—The Center
16 shall maintain an internet website that includes—

17 (A) data collected by the Center;

18 (B) best practices for rural businesses be-
19 ginning to evaluate export opportunities; and

20 (C) appropriate contact information for
21 staff at the Center.

1 **SEC. 30614. REPORT ON GLOBAL EXPORTS OF NATURAL**
2 **GAS PRODUCTION.**

3 Not later than 180 days after the date of enactment
4 of this Act, the Secretary of State shall submit to Con-
5 gress a report on the following:

6 (1) The economic policies of foreign countries
7 with natural gas resources and reserves as such poli-
8 cies relate to the development and production of
9 their natural gas resources and reserves and the ex-
10 tent and status of their natural gas resources and
11 reserves.

12 (2) The potential to export the natural gas pro-
13 duction of such foreign countries to the global mar-
14 ket and the impact of the export of such natural gas
15 production on the global market.

16 (3) A description of actions taken by the United
17 States Government to foster natural gas exports to
18 foreign countries that may have an interest in im-
19 porting natural gas from the United States.

20 **SEC. 30615. REPORT ON GLOBAL CCP INVESTMENT IN PORT**
21 **INFRASTRUCTURE.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the Director of National
24 Intelligence, in consultation with the Secretary of State
25 and the Secretary of Defense, shall submit to the appro-
26 priate congressional committees a report documenting all

1 Chinese investment in port infrastructure globally, during
2 the period beginning on January 1, 2012, and ending on
3 the date of the submission of the report, and the commer-
4 cial and economic implications of such investments. The
5 report shall also includes the following:

6 (1) A review of existing and potential or
7 planned future Chinese investments, including in-
8 vestments by government entities, and state-owned
9 enterprises, in port infrastructure at such ports.

10 (2) Any known Chinese interest in establishing
11 a military presence at or near such ports.

12 (3) An assessment of China’s current and po-
13 tential future ability to leverage commercial ports
14 for military purposes and the implications of such
15 ability for the national and economic security of the
16 United States.

17 (b) FORM.—The report required by subsection (a)
18 shall be submitted in unclassified form but may include
19 a classified annex produced consistent with the protection
20 of sources and methods.

21 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
22 FINED.—In this Act, the term “appropriate congressional
23 committees” means—

24 (1) the Permanent Select Committee on Intel-
25 ligence, the Committee on Armed Services, and the

1 Committee on Foreign Affairs of the House of Rep-
2 resentatives; and

3 (2) the Select Committee on Intelligence of the
4 Senate, the Committee on Armed Services, and the
5 Committee on Foreign Relations of the Senate.

6 **TITLE VII—UNITED STATES COM-**
7 **MITMENT TO PEACEKEEPING**

8 **SEC. 30701. STATEMENT OF POLICY CONCERNING UNITED**
9 **STATES ENGAGEMENT REGARDING UNITED**
10 **NATIONS PEACEKEEPING OPERATIONS.**

11 (a) IN GENERAL.—It is the policy of the United
12 States that the Permanent Representative of the United
13 States to the United Nations—

14 (1) support the development and implementa-
15 tion of standard performance assessment systems
16 and investigative measures to identify exemplary
17 performance and address mission-specific and sys-
18 tem-wide weaknesses;

19 (2) support the full implementation of a man-
20 agement reform agenda that decentralizes decision-
21 making authority, simplifies and streamlines policy
22 and processes, and strengthens accountability and
23 transparency for managing United Nations offices
24 and functions;

1 (3) advocate for the development of a common
2 political strategy in-country among relevant actors,
3 including regional organizations, Member States,
4 international financial institutions, and United Na-
5 tions agencies, funds, and programs;

6 (4) advocate for robust engagement with host
7 countries and local communities, including pushing
8 for resources to be directed to community-led peace
9 initiatives;

10 (5) support efforts to deploy more mobile,
11 adaptable, and agile forces for more effective peace-
12 keeping operations;

13 (6) support the development of a system-wide
14 strategy on sustainable peacekeeping transitions that
15 ensure planning and decision-making is based on
16 measurable benchmarks, including ensuring the pro-
17 tection of civilians;

18 (7) lead and advocate for efforts to promote
19 and protect internationally recognized human rights
20 standards regarding United Nations peacekeeping
21 operations, including the robust funding and support
22 of human rights positions;

23 (8) advocate for efforts to develop a more com-
24 prehensive plan for accountability and justice, par-
25 ticularly relating to tracking misconduct and inclu-

1 sion of survivors in decision-making, for peace-
2 keepers and other United Nations staff involved in
3 sexual exploitation, abuse, or other violations of
4 human rights that contravene United Nations and
5 United States rules, regulations, or values; and

6 (9) engage in dialogue with Member States to
7 secure a more favorable modification of United Na-
8 tions scales of assessments of the peacekeeping
9 budget that works to diversify the funding base and
10 create a sustainable funding plan.

11 (b) **ADVOCACY OF PEACEKEEPING REFORMS AT THE**
12 **UNITED NATIONS.**—The Secretary of State shall instruct
13 the Permanent Representative of the United States to the
14 United Nations to use the voice, vote, and influence of the
15 United States at the United Nations to accomplish the
16 policy specified in subsection (a), consistent with the na-
17 tional security interests of the United States.

18 **SEC. 30702. REPEAL OF THE 25 PERCENT CAP ON UNITED**
19 **STATES CONTRIBUTIONS TO UNITED NA-**
20 **TIONS PEACEKEEPING OPERATIONS.**

21 (a) **IN GENERAL.**—Subsection (b) of section 404 of
22 the Foreign Relations Authorization Act, Fiscal Years
23 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e
24 note; relating to a limitation on United States contribu-

1 tions to United Nations peacekeeping operations) is re-
2 pealed.

3 (b) TECHNICAL AND CONFORMING AMENDMENT.—
4 Section 404 of the Foreign Relations Authorization Act,
5 Fiscal Years 1994 and 1995 is amended by striking “(a)
6 REASSESSMENT OF CONTRIBUTIONS PERCENTAGES.—”.

7 (c) EFFECTIVE DATE.—

8 (1) IN GENERAL.—This section and the amend-
9 ments made by this section shall take effect and
10 apply on the date the Secretary of State, pursuant
11 to section 30704, transmits to the Committee on
12 Foreign Affairs of the House of Representative and
13 the Committee on Foreign Relations of the Senate
14 written commitment from the Under-Secretary-Gen-
15 eral for Peace Operations to engage regularly with
16 the United States regarding making significant
17 progress toward implementing peacekeeping reforms
18 described in section 4(c)(4) of the United Nations
19 Participation Act of 1945, as amended by section
20 30703.

21 (2) SNAP-BACK.—If by the date that is five
22 years after the date of the enactment of this Act the
23 Secretary of State, in consultation with the Com-
24 mittee on Foreign Affairs of the House of Rep-
25 resentatives and the Committee on Foreign Rela-

1 tions of the Senate, determines significant progress
2 has not been made toward implementing the peace-
3 keeping reforms described in section 4(c)(4) of the
4 United Nations Participation Act of 1945, as
5 amended by section 30703, the repeal under sub-
6 section (a) of this section of the limitation described
7 in subsection (b) of section 404 of the Foreign Rela-
8 tions Authorization Act, Fiscal Years 1994 and
9 1995 (Public Law 103–236; 22 U.S.C. 287e note;
10 relating to a limitation on United States contribu-
11 tions to United Nations peacekeeping operations)
12 shall be null and void and without force or effect at
13 law, and such subsection (b), as in effect on the day
14 before such date of enactment, shall be carried out
15 as if subsection (a) of this section had not been so
16 enacted.

17 **SEC. 30703. REPORTS ON UNITED STATES EFFORTS TO**
18 **ACHIEVE UNITED NATIONS PEACEKEEPING**
19 **REFORM.**

20 Section 4 of the United Nations Participation Act of
21 1945 (22 U.S.C. 287b) is amended—

22 (1) in subsection (c)—

23 (A) in paragraph (3)—

24 (i) by striking subparagraph (B); and

1 (ii) redesignating subparagraph (C) as
2 subparagraph (B);

3 (B) by redesignating paragraphs (4) and
4 (5) as paragraphs (5) and (6), respectively;

5 (C) by inserting after paragraph (3) the
6 following new paragraph:

7 “(4) UNITED NATIONS PEACEKEEPING RE-
8 FORM.—A description of the status of United States
9 efforts in the United Nations to ensure the United
10 Nations—

11 “(A) develops and implements standard
12 peacekeeping operation performance assessment
13 systems and investigative measures to identify
14 exemplary performance and address operation-
15 specific and system-wide weaknesses;

16 “(B) fully implements a management re-
17 form agenda that decentralizes decision-making
18 authority, simplifies and streamlines policy and
19 processes, and strengthens accountability and
20 transparency for managing United Nations of-
21 fices and functions;

22 “(C) develops for each peacekeeping oper-
23 ation a common political strategy in-country
24 among relevant actors, including regional orga-
25 nizations, Member States, international finan-

1 cial institutions, and United Nations agencies,
2 funds, and programs;

3 “(D) fully engages with host countries and
4 local communities, including directing resources
5 to community-led peace initiatives;

6 “(E) deploys more mobile, adaptable, and
7 agile forces for more effective peacekeeping op-
8 erations;

9 “(F) develops a system-wide strategy on
10 sustainable peacekeeping transitions that en-
11 sure planning and decision-making is based on
12 measurable benchmarks, including ensuring the
13 protection of civilians;

14 “(G) implements a system-wide strategy to
15 protect internationally recognized human rights
16 standards within United Nations peacekeeping
17 operations, including robust funding and sup-
18 port of human rights positions within each
19 peacekeeping operation;

20 “(H) develops a more comprehensive plan
21 for accountability and justice, particularly relat-
22 ing to tracking misconduct and inclusion of sur-
23 vivors in decision-making, for peacekeepers and
24 other United Nations staff involved in sexual
25 exploitation, abuse, or other violations of

1 human rights that contravene United Nations
2 and United States rules, regulations, or values;
3 and

4 “(I) modifies the United Nations scales of
5 assessments of the peacekeeping budget to di-
6 versify the funding base and create a sustain-
7 able funding plan.”; and

8 (2) in subsection (d)(5), by striking subpara-
9 graph (B).

10 **SEC. 30704. STRATEGY TO ADVOCATE FOR PEACEKEEPING**
11 **REFORMS AT THE UNITED NATIONS.**

12 Not later than 90 days after the date of the enact-
13 ment of this Act, the Secretary of State shall submit to
14 the Committee on Foreign Affairs of the House of Rep-
15 resentatives and the Committee on Foreign Relations of
16 the Senate a strategy for working with the United Nations
17 to implement the peacekeeping reforms described in sec-
18 tion 4(c)(4) of the United Nations Participation Act of
19 1945, as amended by section 30703. The Secretary of
20 State shall—

21 (1)(A) seek to obtain written commitment from
22 the Under-Secretary-General for Peace Operations
23 to engage regularly with the United States regarding
24 making significant progress toward implementing
25 such reforms by not later than the date that is five

1 years after the date of the enactment of this Act, in
2 accordance with section 30702; and

3 (B) transmit such commitment to such commit-
4 tees;

5 (2) consult with such committees to establish
6 parameters and benchmarks regarding such imple-
7 mentation; and

8 (3) submit to such committees periodic progress
9 reports regarding—

10 (A) such establishment; and

11 (B) implementation of such reforms.

12 **SEC. 30705. REPORTING REQUIREMENTS.**

13 (a) **STRENGTHENING CONFLICT PREVENTION IN**
14 **UNITED NATIONS MISSIONS.**—Not later than 180 days
15 after the date of the enactment of this Act, the Secretary
16 of State shall submit to the appropriate congressional
17 committees a report analyzing the ways in which conflict
18 prevention aspects of United Nations missions may be
19 strengthened. Such report shall include—

20 (1) an analysis of the performance of existing
21 early warning and rapid response systems and rec-
22 ommendations for the improvement of such systems;

23 (2) an analysis on the performance of the civil-
24 ian components of United Nations special political

1 missions and peacekeeping operations and rec-
2 ommendations for strengthening such components;

3 (3) recommendations on how other United Na-
4 tions entities, including the United Nations
5 Peacebuilding Fund, special political missions, and
6 other agencies, funds, and programs could be better
7 coordinated in a joint strategy; and

8 (4) an assessment of the costs and benefits of
9 the Department of State and the United States
10 Agency for International Development sharing risk
11 analysis data with select multilateral organizations,
12 under specific circumstances, to better promote con-
13 flict prevention before peacekeeping engagement is
14 needed.

15 (b) ENSURING CONSIDERATIONS FOR MISSION
16 TRANSITIONS ARE BASED ON COMPREHENSIVE ASSESS-
17 MENTS OF CONFLICT DYNAMICS AND RISKS TO CIVIL-
18 IANS.—Not later than 180 days after the date of the en-
19 actment of this Act, the Secretary of State shall submit
20 to the appropriate congressional committees a report that
21 analyzes the observed challenges, costs, and benefits of
22 transitioning United Nations peacekeeping operations to
23 host-country security forces, including—

24 (1) case studies of communities that maintained
25 peace and stabilization gains compared with commu-

1 nities that experienced a resurgence in instability, vi-
2 olence, or conflict at least five years after such a
3 transition;

4 (2) an analysis of the transition process and the
5 effectiveness of measures to maintain long-term
6 peace; and

7 (3) an assessment of any additional resources
8 needed to maintain peace and stabilization gains
9 achieved after such a transition.

10 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
11 FINED.—In this section, the term “appropriate congres-
12 sional committees” means—

13 (1) the Committee on Foreign Relations and
14 the Committee on Appropriations of the Senate; and

15 (2) the Committee on Foreign Affairs and the
16 Committee on Appropriations of the House of Rep-
17 resentatives.

18 **TITLE VIII—PREVENTING** 19 **FUTURE PANDEMICS**

20 **SEC. 30801. SHORT TITLE.**

21 This title may be cited as the “Preventing Future
22 Pandemics Act of 2022”.

23 **SEC. 30802. DEFINITIONS.**

24 In this title:

1 (1) WILDLIFE MARKET.—The term “wildlife
2 market”—

3 (A) means a commercial market or sub-
4 section of a commercial market—

5 (i) where live mammalian or avian
6 wildlife is held, slaughtered, or sold for
7 human consumption as food or medicine
8 whether the animals originated in the wild
9 or in a captive environment; and

10 (ii) that delivers a product in commu-
11 nities where alternative nutritional or pro-
12 tein sources are readily available and af-
13 fordable; and

14 (B) does not include—

15 (i) markets in areas where no other
16 practical alternative sources of protein or
17 meat exists, such as wildlife markets in
18 rural areas on which indigenous people and
19 rural local communities rely to feed them-
20 selves and their families; and

21 (ii) processors of dead wild game and
22 fish.

23 (2) COMMERCIAL TRADE IN LIVE WILDLIFE.—
24 The term “commercial trade in live wildlife”—

1 (A) means commercial trade in live wildlife
2 for human consumption as food or medicine;
3 and

4 (B) does not include—
5 (i) fish;
6 (ii) invertebrates;
7 (iii) amphibians and reptiles; and
8 (iv) the meat of ruminant game spe-
9 cies—

10 (I) traded in markets in coun-
11 tries with effective implementation
12 and enforcement of scientifically
13 based, nationally implemented policies
14 and legislation for processing, trans-
15 port, trade, and marketing; and

16 (II) sold after being slaughtered
17 and processed under sanitary condi-
18 tions.

19 (3) ONE HEALTH.—The term “One Health”
20 means a collaborative, multi-sectoral, and
21 transdisciplinary approach working at the local, re-
22 gional, national, and global levels with the goal of
23 achieving optimal health outcomes that recognizes
24 the interconnection between—

1 (A) people, animals, both wild and domes-
2 tic, and plants; and

3 (B) the environment shared by such peo-
4 ple, animals, and plants.

5 (4) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

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

10 (B) the Committee on Appropriations of
11 the Senate;

12 (C) the Committee on Foreign Affairs of
13 the House of Representatives; and

14 (D) the Committee on Appropriations of
15 the House of Representatives.

16 **SEC. 30803. STUDY ON RISK OF WILDLIFE MARKETS ON THE**
17 **EMERGENCE OF NOVEL VIRAL PATHOGENS.**

18 (a) STUDY.—Not later than 30 days after the date
19 of the enactment of this Act, the Secretary of State, in
20 consultation with the Administrator of the United States
21 Agency for International Development, the Secretary of
22 Health and Human Services, the Secretary of the Interior,
23 and the Secretary of Agriculture shall enter into an agree-
24 ment with the National Academies of Sciences, Engineer-
25 ing, and Medicine to evaluate the risk wildlife markets

1 pose to human health through the emergence or reemer-
2 gence of pathogens and activities to reduce the risk of
3 zoonotic spillover. The study shall evaluate—

4 (1) the impact of physical proximity to and the
5 role of human use of terrestrial wildlife for food or
6 medicine on the emergence or reemergence of patho-
7 gens, including novel pathogens;

8 (2) the conditions at live wildlife markets and
9 within the associated supply chain that elevate risk
10 factors leading to such emergence, reemergence, or
11 transmission of pathogens, including sanitary condi-
12 tions and the physical proximity of animals;

13 (3) animal taxa that present a high risk of con-
14 tributing to zoonotic spillover and the associated risk
15 factors that increase the emergence, reemergence, or
16 transmission of pathogens;

17 (4) emerging pathogen risk reduction measures
18 and control options across wildlife markets and the
19 associated supply chain; and

20 (5) the methods by which the United States
21 might work with international partners to effectively
22 promote diversified, culturally appropriate alter-
23 native sources of nutritious food, protein, and re-
24 lated income in communities that currently rely
25 upon the human use of wildlife as food or medicine

1 for subsistence, while ensuring that existing natural
2 habitats are not fragmented, degraded, or destroyed
3 and that human pressure on natural habitats is not
4 increased by this process.

5 (b) REPORT.—Not later than 1 year after the date
6 of the agreement under subsection (a), the Secretaries de-
7 scribed in such subsection shall submit a report on the
8 findings of the study described in such subsection to—

- 9 (1) the appropriate congressional committees;
10 (2) the Committee on Health, Education,
11 Labor, and Pensions and the Committee on Agri-
12 culture, Nutrition, and Forestry of the Senate; and
13 (3) the Committee on Energy and Commerce
14 and the Committee on Agriculture of the House of
15 Representatives.

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated such sums as are necessary
18 for the development of the study described in this section.

19 **SEC. 30804. COUNTRY-DRIVEN APPROACH TO END THE**
20 **COMMERCIAL TRADE IN LIVE WILDLIFE AND**
21 **ASSOCIATED WILDLIFE MARKETS.**

22 (a) IN GENERAL.—Not later than 120 days after the
23 completion of the study required by section 30803, the
24 Secretary of State, in coordination with the Administrator
25 of the United States Agency for International Develop-

1 ment and the heads of other relevant Federal departments
2 and agencies, including the Centers for Disease Control
3 and Prevention, the Secretary of Agriculture, and the Sec-
4 retary of the Interior, and after consideration of the re-
5 sults of such study and best available scientific findings
6 of practices and behaviors occurring at the source of
7 zoonoses spillover and spread, shall publicly release a list
8 of countries the governments of which express willingness
9 to end the domestic and international commercial trade
10 in live wildlife and associated wildlife markets for human
11 consumption, as defined for purposes of this Act—

12 (1) immediately;

13 (2) after a transitional period; and

14 (3) aspirationally, over a long-term period.

15 (b) GLOBAL HEALTH SECURITY ZOOONOSIS PLANS.—

16 The Secretary of State and the Administrator of the
17 United States Agency for International Development shall
18 work bilaterally with the governments of the countries list-
19 ed pursuant to subsection (a) to establish Global Health
20 Security Zoonoses Plans that—

21 (1) outline actions to address novel pathogens
22 of zoonotic origin that have the potential to become
23 epidemics or pandemics;

24 (2) identify incentives and strengthened poli-
25 cies; and

1 (3) provide technical support to communities,
2 policy makers, civil society, law enforcement and
3 other stakeholders to end the domestic and inter-
4 national commercial trade in live wildlife and associ-
5 ated wildlife markets for human consumption imme-
6 diately, during a transitional period, or
7 aspirationally.

8 (c) UPDATES.—The list of countries required by sub-
9 section (a), the corresponding Global Health Security Zo-
10 onosis plans established pursuant to subsection (b), and
11 any actions taken under such plans to end the commercial
12 trade in live wildlife and associated wildlife markets for
13 human consumption immediately, during a transitional pe-
14 riod, or aspirationally, shall be reviewed, updated, and
15 publicly released annually by the Secretary and Adminis-
16 trator, following review of the most recent scientific data.

17 **SEC. 30805. SENSE OF CONGRESS.**

18 It is the sense of Congress that global institutions,
19 including the Food and Agriculture Organization of the
20 United Nations, the World Organisation for Animal
21 Health, the World Health Organization, and the United
22 Nations Environment Programme, together with leading
23 intergovernmental and nongovernmental organizations,
24 veterinary and medical colleges, the Department of State,

1 and the United States Agency for International Develop-
2 ment, should—

3 (1) promote the paradigm of One Health as an
4 effective and integrated way to address the com-
5 plexity of emerging disease threats; and

6 (2) support improved community health, bio-
7 diversity conservation, forest conservation and man-
8 agement, sustainable agriculture, and the safety of
9 livestock, domestic animals, and wildlife in devel-
10 oping countries, particularly in tropical landscapes
11 where there is an elevated risk of zoonotic disease
12 spill over.

13 **SEC. 30806. STATEMENT OF POLICY.**

14 It is the policy of the United States to—

15 (1) support the availability of scalable and sus-
16 tainable alternative sources of protein and nutrition
17 for local communities, where appropriate, in order to
18 minimize human reliance on the commercial trade in
19 live wildlife for human consumption;

20 (2) support foreign governments to—

21 (A) reduce commercial trade in live wildlife
22 for human consumption;

23 (B) transition from the commercial trade
24 in live wildlife for human consumption to

1 sustainably produced alternate protein and nu-
2 tritional sources;

3 (C) establish and effectively manage and
4 protect natural habitat, including protected and
5 conserved areas and the lands of Indigenous
6 peoples and local communities, particularly in
7 countries with tropical forest hotspots for
8 emerging diseases; and

9 (D) strengthen public health capacity, par-
10 ticularly in countries where there is a high risk
11 of emerging zoonotic viruses and other infec-
12 tious diseases;

13 (3) respect the rights and needs of indigenous
14 peoples and local communities dependent on such
15 wildlife for nutritional needs and food security; and

16 (4) facilitate international cooperation by work-
17 ing with international partners through intergovern-
18 mental, international, and nongovernmental organi-
19 zations such as the United Nations to—

20 (A) lead a resolution at the United Nations
21 Security Council or General Assembly and
22 World Health Assembly outlining the danger to
23 human and animal health from emerging
24 zoonotic infectious diseases, with recommenda-
25 tions for implementing the closure of wildlife

1 markets and prevention of the commercial trade
2 in live wildlife for human consumption, except
3 where the consumption of wildlife is necessary
4 for local food security or where such actions
5 would significantly disrupt a readily available
6 and irreplaceable food supply;

7 (B) raise awareness and build stakeholder
8 engagement networks, including civil society,
9 the private sector, and local and regional gov-
10 ernments on the dangerous potential of wildlife
11 markets as a source of zoonotic diseases and re-
12 duce demand for the consumption of wildlife
13 through evidence-based behavior change pro-
14 grams, while ensuring that existing wildlife
15 habitat is not encroached upon or destroyed as
16 part of this process;

17 (C) encourage and support alternative
18 forms of sustainable food production, farming,
19 and shifts to sustainable sources of protein and
20 nutrition instead of terrestrial wildlife, where
21 able and appropriate, and reduce consumer de-
22 mand for terrestrial and freshwater wildlife
23 through enhanced local and national food sys-
24 tems, especially in areas where wildlife markets
25 play a significant role in meeting subsistence

1 needs while ensuring that existing wildlife habi-
2 tat is not encroached upon or destroyed as part
3 of this process; and

4 (D) strive to increase biosecurity and hygi-
5 enic standards implemented in farms, gathering
6 centers, transport, and market systems around
7 the globe, especially those specializing in the
8 provision of products intended for human con-
9 sumption.

10 **SEC. 30807. PREVENTION OF FUTURE ZOO NOTIC SPILL-**
11 **OVER EVENTS.**

12 (a) IN GENERAL.—The Secretary of State and the
13 Administrator of the United States Agency for Inter-
14 national Development, in consultation with the Director
15 of the United States Fish and Wildlife Service, the Sec-
16 retary of Agriculture, the Director of the Centers for Dis-
17 ease Control and Prevention, and the heads of other rel-
18 evant departments and agencies, shall work with foreign
19 governments, multilateral entities, intergovernmental or-
20 ganizations, international partners, private sector part-
21 ners, and nongovernmental organizations to carry out ac-
22 tivities supporting the following objectives, recognizing
23 that multiple interventions will likely be necessary to make
24 an impact, and that interventions will need to be tailored
25 to the situation to—

1 (1) pursuant to section 30804, close wildlife
2 markets and prevent associated commercial trade in
3 live wildlife, placing a priority focus on countries
4 with significant markets for live wildlife for human
5 consumption, high-volume commercial trade and as-
6 sociated markets, trade in and across urban centers,
7 and trade for luxury consumption or where there is
8 no dietary necessity—

9 (A) through existing treaties, conventions,
10 and agreements;

11 (B) by amending existing protocols or
12 agreements;

13 (C) by pursuing new protocols; or

14 (D) by other means of international coordi-
15 nation;

16 (2) improve regulatory oversight and reduce
17 commercial trade in live wildlife and eliminate prac-
18 tices identified to contribute to zoonotic spillover and
19 emerging pathogens;

20 (3) prevent commercial trade in live wildlife
21 through programs that combat wildlife trafficking
22 and poaching, including by—

23 (A) providing assistance to improve law en-
24 forcement;

1 (B) detecting and deterring the illegal im-
2 port, transit, sale, and export of wildlife;

3 (C) strengthening such programs to assist
4 countries through legal reform;

5 (D) improving information sharing and en-
6 hancing capabilities of participating foreign
7 governments;

8 (E) supporting efforts to change behavior
9 and reduce demand for such wildlife products;

10 (F) leveraging United States private sector
11 technologies and expertise to scale and enhance
12 enforcement responses to detect and prevent
13 such trade; and

14 (G) strengthening collaboration with key
15 private sector entities in the transportation in-
16 dustry to prevent and report the transport of
17 such wildlife and wildlife products;

18 (4) leverage strong United States bilateral rela-
19 tionships to support new and existing inter-Ministe-
20 rial collaborations or Task Forces that can serve as
21 regional One Health models;

22 (5) build local agricultural and food safety ca-
23 pacity by leveraging expertise from the United
24 States Department of Agriculture (USDA) and in-

1 stitutions of higher education with agricultural or
2 natural resource expertise;

3 (6) work through international organizations to
4 develop a set of objective risk-based metrics that
5 provide a cross-country comparable measure of the
6 level of risk posed by wildlife trade and marketing
7 and can be used to track progress nations make in
8 reducing risks, identify where resources should be
9 focused, and potentially leverage a peer influence ef-
10 fect;

11 (7) prevent the degradation and fragmentation
12 of forests and other intact ecosystems to minimize
13 interactions between wildlife and human and live-
14 stock populations that could contribute to spillover
15 events and zoonotic disease transmission, including
16 by providing assistance or supporting policies to, for
17 example—

18 (A) conserve, protect, and restore the in-
19 tegrity of such ecosystems;

20 (B) support the rights and needs of Indige-
21 nous People and local communities and their
22 ability to continue their effective stewardship of
23 their traditional lands and territories;

1 (C) support the establishment and effective
2 management of protected areas, prioritizing
3 highly intact areas; and

4 (D) prevent activities that result in the de-
5 struction, degradation, fragmentation, or con-
6 version of intact forests and other intact eco-
7 systems and biodiversity strongholds, including
8 by governments, private sector entities, and
9 multilateral development financial institutions;

10 (8) offer appropriate alternative livelihood and
11 worker training programs and enterprise develop-
12 ment to wildlife traders, wildlife breeders, and local
13 communities whose members are engaged in the
14 commercial trade in live wildlife for human con-
15 sumption;

16 (9) ensure that the rights of Indigenous Peoples
17 and local communities are respected and their au-
18 thority to exercise these rights is protected;

19 (10) strengthen global capacity for prevention,
20 prediction, and detection of novel and existing
21 zoonoses with pandemic potential, including the sup-
22 port of innovative technologies in coordination with
23 the United States Agency for International Develop-
24 ment, the Centers for Disease Control and Preven-

1 tion, and other relevant departments and agencies;
2 and

3 (11) support the development of One Health
4 systems at the local, regional, national, and global
5 levels in coordination with the United States Agency
6 for International Development, the Centers for Dis-
7 ease Control and Prevention, and other relevant de-
8 partments and agencies, particularly in emerging in-
9 fectionous disease hotspots, through a collaborative,
10 multisectoral, and transdisciplinary approach that
11 recognizes the interconnections among people, ani-
12 mals, plants, and their shared environment to
13 achieve equitable and sustainable health outcomes.

14 (b) ACTIVITIES.—

15 (1) GLOBAL COOPERATION.—The United States
16 Government, working through the United Nations
17 and its components, as well as international organi-
18 zation such as Interpol, the Food and Agriculture
19 Organization of the United Nations, and the World
20 Organisation for Animal Health, and in furtherance
21 of the policies described in section 30806, shall—

22 (A) collaborate with other member states,
23 issue declarations, statements, and commu-
24 niques urging countries to close wildlife mar-

1 kets, and prevent commercial trade in live wild-
2 life for human consumption; and

3 (B) urge increased enforcement of existing
4 laws to end wildlife trafficking.

5 (2) INTERNATIONAL COALITIONS.—The Sec-
6 retary of State shall seek to build new, and support
7 existing, international coalitions focused on closing
8 wildlife markets and preventing commercial trade in
9 live wildlife for human consumption, with a focus on
10 the following efforts:

11 (A) Providing assistance and advice to
12 other governments in the adoption of legislation
13 and regulations to close wildlife markets and
14 associated trade over such timeframe and in
15 such manner as to minimize the increase of
16 wildlife trafficking and poaching.

17 (B) Creating economic and enforcement
18 pressure for the immediate shut down of uncon-
19 trolled, unsanitary, or illicit wildlife markets
20 and their supply chains to prevent their oper-
21 ation.

22 (C) Providing assistance and guidance to
23 other governments on measures to prohibit the
24 import, export, and domestic commercial trade

1 in live wildlife for the purpose of human con-
2 sumption.

3 (D) Implementing risk reduction interven-
4 tions and control options to address zoonotic
5 spillover along the supply chain for the wildlife
6 market system.

7 (E) Engaging and receiving guidance from
8 key stakeholders at the ministerial, local gov-
9 ernment, and civil society level, including Indig-
10 enous Peoples, in countries that will be im-
11 pacted by this title and where wildlife markets
12 and associated wildlife trade are the predomi-
13 nant source of meat or protein, in order to miti-
14 gate the impact of any international efforts on
15 food security, nutrition, local customs, conserva-
16 tion methods, or cultural norms.

17 (F) Promoting private sector engagement
18 and public-private partnerships with industry
19 groups (such as the transportation industry) to
20 address transport and movement of live wildlife
21 to supply the commercial trade in live wildlife
22 for human consumption.

23 (c) UNITED STATES AGENCY FOR INTERNATIONAL
24 DEVELOPMENT.—

25 (1) SUSTAINABLE FOOD SYSTEMS FUNDING.—

1 (A) AUTHORIZATION OF APPROPRIA-
2 TIONS.—In addition to any other amounts pro-
3 vided for such purposes, there is authorized to
4 be appropriated such sums as necessary for
5 each fiscal year from 2021 through 2030 to the
6 United States Agency for International Devel-
7 opment to reduce demand for consumption of
8 wildlife from wildlife markets and support shifts
9 to diversified alternative and sustainably pro-
10 duced sources of nutritious food and protein in
11 communities that rely upon the consumption of
12 wildlife for food security, while ensuring that
13 existing wildlife habitat is not encroached upon
14 or destroyed as part of this process, using a
15 multisectoral approach and including support
16 for demonstration programs.

17 (B) ACTIVITIES.—The Bureau for Devel-
18 opment, Democracy and Innovation (DDI), the
19 Bureau for Resilience and Food Security
20 (RFS), and the Bureau for Global Health (GH)
21 of the United States Agency for International
22 Development shall, in partnership with United
23 States and international institutions of higher
24 education and nongovernmental organizations,
25 co-develop approaches focused on safe, sustain-

1 able food systems that support and incentivize
2 the replacement of terrestrial wildlife in diets,
3 while ensuring that existing wildlife habitat is
4 not encroached upon or destroyed as part of
5 this process.

6 (2) ADDRESSING THREATS AND CAUSES OF
7 ZOOBOTIC DISEASE OUTBREAKS.—The Adminis-
8 trator of the United States Agency for International
9 Development, in consultation with the Secretary of
10 the Interior, shall increase activities in United States
11 Agency for International Development programs re-
12 lated to conserving biodiversity, combating wildlife
13 trafficking, sustainable landscapes, global health,
14 food security, and resilience in order to address the
15 threats and causes of zoonotic disease outbreaks, in-
16 cluding through—

17 (A) education;

18 (B) capacity building;

19 (C) strengthening human, livestock, and
20 wildlife health monitoring systems of pathogens
21 of zoonotic origin to support early detection and
22 reporting of novel and known pathogens for
23 emergence of zoonotic disease and strength-
24 ening cross-sectoral collaboration to align risk
25 reduction approaches in consultation with the

1 Director of the Centers for Disease Control and
2 the Secretary of Health and Human Services;

3 (D) improved domestic and wild animal
4 disease monitoring and control at production
5 and market levels;

6 (E) development of alternative livelihood
7 opportunities where possible;

8 (F) preventing degradation and fragmenta-
9 tion of forests and other intact ecosystems and
10 restoring the integrity of such ecosystems, par-
11 ticularly in tropical countries, to prevent the
12 creation of new pathways for zoonotic pathogen
13 transmission that arise from interactions among
14 wildlife, humans, and livestock populations;

15 (G) minimizing interactions between do-
16 mestic livestock and wild animals in markets
17 and captive production;

18 (H) supporting shifts from wildlife markets
19 to diversified, safe, affordable, and accessible al-
20 ternative sources of protein and nutrition
21 through enhanced local and national food sys-
22 tems while ensuring that existing wildlife habi-
23 tat is not encroached upon or destroyed as part
24 of this process;

1 (I) improving community health, forest
2 management practices, and safety of livestock
3 production in tropical landscapes, particularly
4 in hotspots for zoonotic spillover and emerging
5 infectious diseases;

6 (J) preventing degradation and fragmenta-
7 tion of forests and other intact ecosystems, par-
8 ticularly in tropical countries, to minimize inter-
9 actions between wildlife, human, and livestock
10 populations that could contribute to spillover
11 events and zoonotic disease transmission, in-
12 cluding by providing assistance or supporting
13 policies to—

14 (i) conserve, protect, and restore the
15 integrity of such ecosystems; and

16 (ii) support the rights of Indigenous
17 People and local communities and their
18 ability to continue their effective steward-
19 ship of their intact traditional lands and
20 territories; and

21 (K) supporting development and use of
22 multi-data sourced predictive models and deci-
23 sionmaking tools to identify areas of highest
24 probability of zoonotic spillover and to deter-

1 mine cost-effective monitoring and mitigation
2 approaches; and

3 (L) other relevant activities described in
4 section 30806 that are within the mandate of
5 the United States Agency for International De-
6 velopment.

7 (3) IMMEDIATE RELIEF FUNDING TO STABILIZE
8 PROTECTED AREAS.—The Administrator of the
9 United States Agency for International Development
10 and the Secretary of State are authorized to admin-
11 ister immediate relief funding to stabilize protected
12 areas and conservancies.

13 (d) STAFFING REQUIREMENTS.—The Administrator
14 of the United States Agency for International Develop-
15 ment, in collaboration with the United States Fish and
16 Wildlife Service, the United States Department of Agri-
17 culture Animal and Plant Health Inspection Service, the
18 Centers for Disease Control and Prevention, and other
19 Federal entities as appropriate, is authorized to hire addi-
20 tional personnel—

21 (1) to undertake programs aimed at reducing
22 the risks of endemic and emerging infectious dis-
23 eases and exposure to antimicrobial resistant patho-
24 gens;

1 (2) to provide administrative support and re-
2 sources to ensure effective and efficient coordination
3 of funding opportunities and sharing of expertise
4 from relevant United States Agency for Inter-
5 national Development bureaus and programs, includ-
6 ing emerging pandemic threats;

7 (3) to award funding to on-the-ground projects;

8 (4) to provide project oversight to ensure ac-
9 countability and transparency in all phases of the
10 award process; and

11 (5) to undertake additional activities under this
12 title.

13 (e) REPORTING REQUIREMENTS.—

14 (1) UNITED STATES DEPARTMENT OF STATE.—

15 (A) IN GENERAL.—Not later than 180
16 days after the date of the enactment of this
17 Act, and annually thereafter until 2030, the
18 Secretary of State and the Administrator of the
19 United States Agency for International Devel-
20 opment shall submit to the appropriate congres-
21 sional committees a report—

22 (i) describing—

23 (I) the actions taken pursuant to
24 this title, including through the appli-
25 cation of findings and recommenda-

1 tions generated from the study re-
2 quired by section 30803 and the pro-
3 vision of United States technical as-
4 sistance;

5 (II) the impact and effectiveness
6 of international cooperation on shut-
7 ting down wildlife markets;

8 (III) the impact and effectiveness
9 of international cooperation on dis-
10 rupting, deterring, and ultimately
11 ending wildlife trafficking; and

12 (IV) the impact and effectiveness
13 of international cooperation on pre-
14 venting the import, export, and do-
15 mestic commercial trade in live wild-
16 life for the purpose of human use as
17 food or medicine, while accounting for
18 the differentiated needs of vulnerable
19 populations who depend upon such
20 wildlife as a predominant source of
21 meat or protein; and

22 (ii) identifying—

23 (I) foreign countries that con-
24 tinue to enable the operation of wild-
25 life markets as defined by this title

1 and the associated trade of wildlife
2 products for human use as food or
3 medicine that feeds such markets;

4 (II) foreign governments, net-
5 works, or individuals who aid and abet
6 or otherwise facilitate illicit wildlife
7 trafficking; and

8 (III) recommendations for
9 incentivizing or enforcing compliance
10 with laws and policies to close wildlife
11 markets pursuant to section 30804
12 and uncontrolled, unsanitary, or illicit
13 wildlife markets and end the associ-
14 ated commercial trade in live wildlife
15 for human use as food or medicine,
16 which may include visa restrictions
17 and other diplomatic or economic
18 tools.

19 (B) FORM.—The report required under
20 this paragraph shall be submitted in unclassi-
21 fied form, but may include a classified annex.

22 (2) UNITED STATES AGENCY FOR INTER-
23 NATIONAL DEVELOPMENT.—Not later than 180 days
24 after the date of the enactment of this Act, the Ad-
25 ministrator of the United States Agency for Inter-

1 national Development shall submit to the appro-
2 priate congressional committees a report—

3 (A) describing the actions taken pursuant
4 to this title;

5 (B) describing the impact and effectiveness
6 of key strategies for reducing demand for con-
7 sumption of such wildlife and associated wildlife
8 markets;

9 (C) summarizing additional personnel
10 hired with funding authorized under this title,
11 including the number hired in each bureau; and

12 (D) describing partnerships developed with
13 other institutions of higher learning and non-
14 governmental organizations.

15 **SEC. 30808. ONE HEALTH TASK FORCE.**

16 (a) **ESTABLISHMENT.**—There is established a task
17 force to be known as the “One Health Task Force”.

18 (b) **DUTIES OF TASK FORCE.**—The duties of the
19 Task Force shall be to—

20 (1) ensure an integrated approach across the
21 Federal Government and globally to the prevention
22 of, early detection of, preparedness for, and response
23 to zoonotic spillover and the outbreak and trans-
24 mission of zoonotic diseases that may pose a threat
25 to public health security;

1 (2) not later than 1 year after the date of the
2 enactment of this Act, develop and publish, on a
3 publicly accessible website, a plan for global biosecu-
4 rity and zoonotic disease prevention and response
5 that leverages expertise in public health, consumer
6 education and communication, behavior change,
7 wildlife health, wildlife conservation, livestock pro-
8 duction, veterinary health, food safety, sustainable
9 forest management, community-based conservation,
10 rural food security, and indigenous rights to coordi-
11 nate zoonotic disease surveillance internationally, in-
12 cluding support for One Health institutions around
13 the world that can prevent and provide early detec-
14 tion of zoonotic outbreaks; and

15 (3) expand the scope of the implementation of
16 the White House’s Global Health Security Strategy
17 to more robustly support the prevention of zoonotic
18 spillover and respond to zoonotic disease investiga-
19 tions and outbreaks by establishing a 10-year strat-
20 egy with specific Federal Government domestic and
21 international goals, priorities, and timelines for ac-
22 tion, including to—

23 (A) recommend policy actions and mecha-
24 nisms in developing countries to reduce the risk
25 of zoonotic spillover and zoonotic disease emer-

1 gence and transmission, including in support of
2 those activities described in section 30807;

3 (B) identify new mandates, authorities,
4 and incentives needed to strengthen the global
5 zoonotic disease plan under paragraph (2);

6 (C) define and list priority areas as coun-
7 tries or regions determined to be of high risk
8 for zoonotic disease emergence, as well as based
9 on, but not limited to, factors that include wild-
10 life biodiversity, livestock production, human
11 population density, and active drivers of disease
12 emergence such as land use change, including
13 forest degradation and loss, intensification of
14 livestock production, and wildlife trade;

15 (D) prioritize engagement in programs
16 that target tropical countries and regions expe-
17 riencing high rates of biodiversity loss, deforest-
18 ation, forest degradation, and land conversion
19 and countries with significant markets for live
20 wildlife for human consumption; and

21 (E) identify and recommend actions to ad-
22 dress existing gaps in efforts to prevent and re-
23 spond to domestic zoonotic disease emergence
24 and transmission.

25 (c) MEMBERSHIP.—

1 (1) IN GENERAL.—The members of the Task
2 Force established pursuant to subsection (a) shall be
3 composed of representatives from each of the fol-
4 lowing agencies:

5 (A) One permanent Chairperson at the
6 level of Deputy Assistant Secretary or above
7 from the following agencies, to rotate every 2
8 years in an order to be determined by the Ad-
9 ministrator:

10 (i) The Department of Agriculture or
11 the Animal and Plant Health Inspection
12 Service.

13 (ii) The Department of Health and
14 Human Services or the Centers for Disease
15 Control and Prevention.

16 (iii) The Department of the Interior
17 or the United States Fish and Wildlife
18 Service.

19 (iv) The Department of State.

20 (v) The United States Agency for
21 International Development.

22 (vi) The National Security Council.

23 (B) At least 13 additional members, with
24 at least 1 from each of the following agencies:

1 (i) The Centers for Disease Control
2 and Prevention.

3 (ii) The Department of Agriculture.

4 (iii) The Department of Defense.

5 (iv) The Department of State.

6 (v) The Environmental Protection
7 Agency.

8 (vi) The National Science Foundation.

9 (vii) The National Institutes of
10 Health.

11 (viii) The National Institute of Stand-
12 ards and Technology.

13 (ix) The Office of Science and Tech-
14 nology Policy.

15 (x) The United States Agency for
16 International Development.

17 (xi) The United States Fish and Wild-
18 life Service.

19 (xii) The Department of Homeland
20 Security, FEMA.

21 (xiii) United States Customs and Bor-
22 der Protection.

23 (2) TIMING OF APPOINTMENTS.—Appointments
24 to the Task Force shall be made not later than 30
25 days after the date of the enactment of this Act.

1 (3) TERMS.—

2 (A) IN GENERAL.—Each member shall be
3 appointed for a term of 2 years.

4 (B) VACANCIES.—Any member appointed
5 to fill a vacancy occurring before the expiration
6 of the term for which the member's predecessor
7 was appointed shall be appointed only for the
8 remainder of that term. A member may serve
9 after the expiration of that term until a suc-
10 cessor has been appointed.

11 (d) MEETING.—

12 (1) INITIAL MEETING.—The Task Force shall
13 hold its initial meeting not later than 45 days after
14 the final appointment of all members under sub-
15 section (c)(2).

16 (2) MEETINGS.—

17 (A) IN GENERAL.—The Task Force shall
18 meet at the call of the Chairperson.

19 (B) QUORUM.—Eight members of the
20 Task Force shall constitute a quorum, but a
21 lesser number may hold hearings.

22 (e) COMPENSATION.—

23 (1) PROHIBITION OF COMPENSATION.—Except
24 as provided in paragraph (2), members of the Task
25 Force may not receive additional pay, allowances, or

1 benefits by reason of their service on the Task
2 Force.

3 (2) TRAVEL EXPENSES.—Each member shall
4 receive travel expenses, including per diem in lieu of
5 subsistence, in accordance with applicable provisions
6 under subchapter I of chapter 57 of title 5, United
7 States Code.

8 (f) REPORTS.—

9 (1) REPORT TO TASK FORCE.—Not later than
10 6 months after the date of the enactment of this Act
11 and annually thereafter, the Federal agencies listed
12 in subsection (c) shall submit a report to the Task
13 Force containing a detailed statement with respect
14 to the results of any programming within their agen-
15 cies that addresses the goals of zoonotic spillover
16 and disease prevention.

17 (2) REPORT TO CONGRESS.—Not later than 1
18 year after the date of the enactment of this Act and
19 annually thereafter, the Task Force shall submit to
20 the appropriate congressional committees and the
21 National Security Advisor a report containing a de-
22 tailed statement of the recommendations of the
23 Council pursuant to subsection (b).

24 (g) FACA.—Section 14(a)(2)(B) of the Federal Ad-
25 visory Committee Act shall not apply to the Task Force.

1 This task force shall be authorized for 7 years after the
2 date of the enactment of this Act and up to an additional
3 2 years at the discretion of the Task Force Chair.

4 **SEC. 30809. RESERVATION OF RIGHTS.**

5 Nothing in this title shall restrict or otherwise pro-
6 hibit—

7 (1) legal and regulated hunting, fishing, or
8 trapping activities for subsistence, sport, or recre-
9 ation; or

10 (2) the lawful domestic and international trans-
11 port of legally harvested fish or wildlife trophies.

12 **DIVISION E—COMMITTEE ON**
13 **OVERSIGHT AND REFORM**

14 **SEC. 40101. FEDERAL ROTATIONAL CYBER WORKFORCE**
15 **PROGRAM.**

16 (a) DEFINITIONS.—In this section:

17 (1) AGENCY.—The term “agency” has the
18 meaning given the term “Executive agency” in sec-
19 tion 105 of title 5, United States Code, except that
20 the term does not include the Government Account-
21 ability Office.

22 (2) COMPETITIVE SERVICE.—The term “com-
23 petitive service” has the meaning given that term in
24 section 2102 of title 5, United States Code.

25 (3) COUNCILS.—The term “Councils” means—

1 (A) the Chief Human Capital Officers
2 Council established under section 1303 of the
3 Chief Human Capital Officers Act of 2002 (5
4 U.S.C. 1401 note); and

5 (B) the Chief Information Officers Council
6 established under section 3603 of title 44,
7 United States Code.

8 (4) CYBER WORKFORCE POSITION.—The term
9 “cyber workforce position” means a position identi-
10 fied as having information technology, cybersecurity,
11 or other cyber-related functions under section 303 of
12 the Federal Cybersecurity Workforce Assessment
13 Act of 2015 (5 U.S.C. 301 note).

14 (5) DIRECTOR.—The term “Director” means
15 the Director of the Office of Personnel Management.

16 (6) EMPLOYEE.—The term “employee” has the
17 meaning given the term in section 2105 of title 5,
18 United States Code.

19 (7) EMPLOYING AGENCY.—The term “employ-
20 ing agency” means the agency from which an em-
21 ployee is detailed to a rotational cyber workforce po-
22 sition.

23 (8) EXCEPTED SERVICE.—The term “excepted
24 service” has the meaning given that term in section
25 2103 of title 5, United States Code.

1 (9) ROTATIONAL CYBER WORKFORCE POSI-
2 TION.—The term “rotational cyber workforce posi-
3 tion” means a cyber workforce position with respect
4 to which a determination has been made under sub-
5 section (b)(1).

6 (10) ROTATIONAL CYBER WORKFORCE PRO-
7 GRAM.—The term “rotational cyber workforce pro-
8 gram” means the program for the detail of employ-
9 ees among rotational cyber workforce positions at
10 agencies.

11 (11) SECRETARY.—The term “Secretary”
12 means the Secretary of Homeland Security.

13 (b) ROTATIONAL CYBER WORKFORCE POSITIONS.—

14 (1) DETERMINATION WITH RESPECT TO ROTA-
15 TIONAL SERVICE.—

16 (A) IN GENERAL.—The head of each agen-
17 cy may determine that a cyber workforce posi-
18 tion in that agency is eligible for the rotational
19 cyber workforce program, which shall not be
20 construed to modify the requirement under sub-
21 section (c)(2)(C) that participation in the rota-
22 tional cyber workforce program by an employee
23 shall be voluntary.

24 (B) NOTICE PROVIDED.—The head of an
25 agency shall submit to the Director—

1 (i) notice regarding any determination
2 made by the head of the agency under sub-
3 paragraph (A); and

4 (ii) for each position with respect to
5 which the head of the agency makes a de-
6 termination under subparagraph (A), the
7 information required under paragraph
8 (2)(A).

9 (2) PREPARATION OF LIST.—The Director, with
10 assistance from the Councils and the Secretary, shall
11 develop a list of rotational cyber workforce positions
12 that—

13 (A) with respect to each such position, to
14 the extent that the information does not dis-
15 close sensitive national security information, in-
16 cludes—

17 (i) the title of the position;

18 (ii) the occupational series with re-
19 spect to the position;

20 (iii) the grade level or work level with
21 respect to the position;

22 (iv) the agency in which the position
23 is located;

24 (v) the duty location with respect to
25 the position; and

1 (vi) the major duties and functions of
2 the position; and

3 (B) shall be used to support the rotational
4 cyber workforce program.

5 (3) DISTRIBUTION OF LIST.—Not less fre-
6 quently than annually, the Director shall distribute
7 an updated list developed under paragraph (2) to
8 the head of each agency and other appropriate enti-
9 ties.

10 (c) ROTATIONAL CYBER WORKFORCE PROGRAM.—

11 (1) OPERATION PLAN.—

12 (A) IN GENERAL.—Not later than 270
13 days after the date of enactment of this section,
14 and in consultation with the Councils, the Sec-
15 retary, representatives of other agencies, and
16 any other entity as the Director determines ap-
17 propriate, the Director shall develop and issue
18 a Federal Rotational Cyber Workforce Program
19 operation plan providing policies, processes, and
20 procedures for a program for the detailing of
21 employees among rotational cyber workforce po-
22 sitions at agencies, which may be incorporated
23 into and implemented through mechanisms in
24 existence on the date of enactment of this sec-
25 tion.

1 (B) UPDATING.—The Director may, in
2 consultation with the Councils, the Secretary,
3 and other entities as the Director determines
4 appropriate, periodically update the operation
5 plan developed and issued under subparagraph
6 (A).

7 (2) REQUIREMENTS.—The operation plan devel-
8 oped and issued under paragraph (1) shall, at a
9 minimum—

10 (A) identify agencies for participation in
11 the rotational cyber workforce program;

12 (B) establish procedures for the rotational
13 cyber workforce program, including—

14 (i) any training, education, or career
15 development requirements associated with
16 participation in the rotational cyber work-
17 force program;

18 (ii) any prerequisites or requirements
19 for participation in the rotational cyber
20 workforce program; and

21 (iii) appropriate rotational cyber
22 workforce program performance measures,
23 reporting requirements, employee exit sur-
24 veys, and other accountability devices for
25 the evaluation of the program;

1 (C) provide that participation in the rota-
2 tional cyber workforce program by an employee
3 shall be voluntary;

4 (D) provide that an employee shall be eligi-
5 ble to participate in the rotational cyber work-
6 force program if the head of the employing
7 agency of the employee, or a designee of the
8 head of the employing agency of the employee,
9 approves of the participation of the employee;

10 (E) provide that the detail of an employee
11 to a rotational cyber workforce position under
12 the rotational cyber workforce program shall be
13 on a nonreimbursable basis;

14 (F) provide that agencies may agree to
15 partner to ensure that the employing agency of
16 an employee that participates in the rotational
17 cyber workforce program is able to fill the posi-
18 tion vacated by the employee;

19 (G) require that an employee detailed to a
20 rotational cyber workforce position under the
21 rotational cyber workforce program, upon the
22 end of the period of service with respect to the
23 detail, shall be entitled to return to the position
24 held by the employee, or an equivalent position,
25 in the employing agency of the employee with-

1 out loss of pay, seniority, or other rights or
2 benefits to which the employee would have been
3 entitled had the employee not been detailed;

4 (H) provide that discretion with respect to
5 the assignment of an employee under the rota-
6 tional cyber workforce program shall remain
7 with the employing agency of the employee;

8 (I) require that an employee detailed to a
9 rotational cyber workforce position under the
10 rotational cyber workforce program in an agen-
11 cy that is not the employing agency of the em-
12 ployee shall have all the rights that would be
13 available to the employee if the employee were
14 detailed under a provision of law other than
15 this section from the employing agency to the
16 agency in which the rotational cyber workforce
17 position is located;

18 (J) provide that participation by an em-
19 ployee in the rotational cyber workforce pro-
20 gram shall not constitute a change in the condi-
21 tions of the employment of the employee; and

22 (K) provide that an employee participating
23 in the rotational cyber workforce program shall
24 receive performance evaluations relating to serv-

1 ice in the rotational cyber workforce program in
2 a participating agency that are—

3 (i) prepared by an appropriate officer,
4 supervisor, or management official of the
5 employing agency, acting in coordination
6 with the supervisor at the agency in which
7 the employee is performing service in the
8 rotational cyber workforce position;

9 (ii) based on objectives identified in
10 the operation plan with respect to the em-
11 ployee; and

12 (iii) based in whole or in part on the
13 contribution of the employee to the agency
14 in which the employee performed such
15 service, as communicated from that agency
16 to the employing agency of the employee.

17 (3) PROGRAM REQUIREMENTS FOR ROTATIONAL
18 SERVICE.—

19 (A) IN GENERAL.—An employee serving in
20 a cyber workforce position in an agency may,
21 with the approval of the head of the agency,
22 submit an application for detail to a rotational
23 cyber workforce position that appears on the
24 list developed under subsection (b)(2).

1 (B) OPM APPROVAL FOR CERTAIN POSI-
2 TIONS.—An employee serving in a position in
3 the excepted service may only be selected for a
4 rotational cyber workforce position that is in
5 the competitive service with the prior approval
6 of the Office of Personnel Management, in ac-
7 cordance with section 300.301 of title 5, Code
8 of Federal Regulations, or any successor there-
9 to.

10 (C) SELECTION AND TERM.—

11 (i) SELECTION.—The head of an
12 agency shall select an employee for a rota-
13 tional cyber workforce position under the
14 rotational cyber workforce program in a
15 manner that is consistent with the merit
16 system principles under section 2301(b) of
17 title 5, United States Code.

18 (ii) TERM.—Except as provided in
19 clause (iii), and notwithstanding section
20 3341(b) of title 5, United States Code, a
21 detail to a rotational cyber workforce posi-
22 tion shall be for a period of not less than
23 180 days and not more than 1 year.

24 (iii) EXTENSION.—The Chief Human
25 Capital Officer of the agency to which an

1 employee is detailed under the rotational
2 cyber workforce program may extend the
3 period of a detail described in clause (ii)
4 for a period of 60 days unless the Chief
5 Human Capital Officer of the employing
6 agency of the employee objects to that ex-
7 tension.

8 (D) WRITTEN SERVICE AGREEMENTS.—

9 (i) IN GENERAL.—The detail of an
10 employee to a rotational cyber workforce
11 position shall be contingent upon the em-
12 ployee entering into a written service
13 agreement with the employing agency
14 under which the employee is required to
15 complete a period of employment with the
16 employing agency following the conclusion
17 of the detail that is equal in length to the
18 period of the detail.

19 (ii) OTHER AGREEMENTS AND OBLI-
20 GATIONS.—A written service agreement
21 under clause (i) shall not supersede or
22 modify the terms or conditions of any
23 other service agreement entered into by the
24 employee under any other authority or re-
25 lieve the obligations between the employee

1 and the employing agency under such a
2 service agreement. Nothing in this clause
3 prevents an employing agency from termi-
4 nating a service agreement entered into
5 under any other authority under the terms
6 of such agreement or as required by law or
7 regulation.

8 (d) REPORTING BY GAO.—Not later than the end of
9 the third fiscal year after the fiscal year in which the oper-
10 ation plan under subsection (c)(1) is issued, the Comp-
11 troller General of the United States shall submit to Con-
12 gress a report assessing the operation and effectiveness
13 of the rotational cyber workforce program, which shall ad-
14 dress, at a minimum—

15 (1) the extent to which agencies have partici-
16 pated in the rotational cyber workforce program, in-
17 cluding whether the head of each such participating
18 agency has—

19 (A) identified positions within the agency
20 that are rotational cyber workforce positions;

21 (B) had employees from other partici-
22 pating agencies serve in positions described in
23 subparagraph (A); and

24 (C) had employees of the agency request to
25 serve in rotational cyber workforce positions

1 under the rotational cyber workforce program
2 in participating agencies, including a descrip-
3 tion of how many such requests were approved;
4 and

5 (2) the experiences of employees serving in ro-
6 tational cyber workforce positions under the rota-
7 tional cyber workforce program, including an assess-
8 ment of—

9 (A) the period of service;

10 (B) the positions (including grade level and
11 occupational series or work level) held by em-
12 ployees before completing service in a rotational
13 cyber workforce position under the rotational
14 cyber workforce program;

15 (C) the extent to which each employee who
16 completed service in a rotational cyber work-
17 force position under the rotational cyber work-
18 force program achieved a higher skill level, or
19 attained a skill level in a different area, with re-
20 spect to information technology, cybersecurity,
21 or other cyber-related functions; and

22 (D) the extent to which service in rota-
23 tional cyber workforce positions has affected
24 intra-agency and interagency integration and

1 coordination of cyber practices, functions, and
2 personnel management.

3 (e) SUNSET.—Effective 5 years after the date of en-
4 actment of this Act, this section is repealed.

5 **SEC. 40102. AI IN COUNTERTERRORISM OVERSIGHT EN-**
6 **HANCEMENT.**

7 (a) AMENDMENTS TO AUTHORITIES AND RESPON-
8 SIBILITIES OF PRIVACY AND CIVIL LIBERTIES OFFI-
9 CERS.—Section 1062 of the Intelligence Reform and Ter-
10 rorism Prevention Act of 2004 (42 U.S.C 2000ee–1) is
11 amended—

12 (1) in subsection (a)—

13 (A) by redesignating paragraphs (3) and
14 (4) as paragraphs (4) and (5); and

15 (B) by inserting after paragraph (2) the
16 following new paragraph:

17 “(3) provide to the Privacy and Civil Liberties
18 Oversight Board, with respect to covered artificial
19 intelligence-enabled technologies—

20 “(A) not later than 180 days after the date
21 on which this paragraph takes effect, and every
22 6 months thereafter, written notice of the use
23 of such technologies or planned evaluation, use,
24 development, acquisition, retention of services
25 for, or repurposing of such technologies;

1 “(B) access to associated impact state-
2 ments, including system of record notices, pri-
3 vacy impact assessments, and civil liberties im-
4 pact assessments;

5 “(C) access to associated information and
6 materials documenting—

7 “(i) the processes for data collection
8 related to such technologies, for obtaining
9 consent related to the use of such tech-
10 nologies, or for the disclosure of the use of
11 such technologies;

12 “(ii) the algorithms and models of
13 such technologies;

14 “(iii) the data resources used, or to be
15 used, in the training of such technologies,
16 including a comprehensive listing of any
17 data assets or public data assets (or any
18 combination thereof) used, or to be used,
19 in the training of such technologies;

20 “(iv) data governance processes and
21 procedures, including acquisition, protec-
22 tion, retention, sharing, and access, related
23 to data resources associated with such
24 technologies; and

1 “(v) processes for training and test-
2 ing, evaluating, validating, and modifying
3 such technologies; and

4 “(D) access to all other associated infor-
5 mation and materials.”;

6 (2) in subsection (d)(1), by inserting “(includ-
7 ing as described under subsection (a)(3))” after “of-
8 ficer”; and

9 (3) by adding at the end the following:

10 “(i) DEFINITIONS.—In this section:

11 “(1) ARTIFICIAL INTELLIGENCE.—The term
12 ‘artificial intelligence’ has the meaning given that
13 term in section 238(g) of the John S. McCain Na-
14 tional Defense Authorization Act for Fiscal Year
15 2019 (Public Law 115–232; 10 U.S.C. 2358 note).

16 “(2) COVERED ARTIFICIAL INTELLIGENCE-EN-
17 ABLED TECHNOLOGY.—The term ‘covered artificial
18 intelligence-enabled technology’ means an artificial
19 intelligence-enabled technology (including a classified
20 technology)—

21 “(A) in use by the applicable department,
22 agency, or element, to protect the Nation from
23 terrorism; or

24 “(B) that the applicable department, agen-
25 cy, or element plans to evaluate, develop, ac-

1 quire, retain, or repurpose to protect the Nation
2 from terrorism.

3 “(3) DATA ASSET: PUBLIC DATA ASSET.—The
4 terms ‘data asset’ and ‘public data asset’ have the
5 meaning given those terms in section 3502 of title
6 44, United States Code.”.

7 (b) SELF-ASSESSMENT BY PRIVACY AND CIVIL LIB-
8 ERTIES OVERSIGHT BOARD.—Not later than one year
9 after the date of the enactment of this Act, the Privacy
10 and Civil Liberties Oversight Board under section 1061
11 of the Intelligence Reform and Terrorism Prevention Act
12 of 2004 (42 U.S.C. 2000ee) shall provide to the appro-
13 priate committees (as described in subsection (e) of such
14 section) a self-assessment of any change in authorities, re-
15 sources, or organizational structure that may be necessary
16 to carry out the functions described in subsection (d) of
17 such section related to artificial intelligence-enabled tech-
18 nologies.

19 (c) DEFINITION.—In this section, the term “artificial
20 intelligence” has the meaning given that term in section
21 238(g) of the John S. McCain National Defense Author-
22 ization Act for Fiscal Year 2019 (Public Law 115–232;
23 10 U.S.C. 2358 note).

24 (d) EFFECTIVE DATE.—Subsections (a) and (b), and
25 the amendments made by such subsections, shall take ef-

1 fect on the date that is one year after the date of the en-
2 actment of this Act.

3 **SEC. 40103. DEFENSE PRIORITIES EFFECTIVENESS STUDY.**

4 The Comptroller General of the United States shall
5 study the effectiveness of the Defense Priorities and Allo-
6 cations System (as described in part 700 of title 15, Code
7 of Federal Regulations) at assuring the timely availability
8 of industrial resources, including semiconductor and other
9 microelectronics products, to meet national defense and
10 emergency preparedness program requirements.

11 **SEC. 40104. INFLATION STUDY.**

12 The Comptroller General shall, not later than 1 year
13 after the date of the enactment of this Act, conduct a
14 study and submit to the Congress a report that analyzes—

15 (1) the impacts of this Act and the amendments
16 made by this Act on inflation; and

17 (2) how all amounts appropriated pursuant to
18 this Act are spent.

19 **SEC. 40105. GAO REPORT ON INFLATION.**

20 Not later than 18 months after the date of the enact-
21 ment of this Act, the Comptroller General shall submit
22 to Congress a report that includes the following:

23 (1) An analysis of the effects of this Act on in-
24 flation for the year after the date of the enactment
25 of this Act.

1 (2) A projection for how this Act will affect in-
2 flation during the second year following such date of
3 enactment and for every year thereafter for the next
4 8 years.

5 **SEC. 40106. AMERICAN SECURITY DRONE ACT.**

6 (a) **SHORT TITLE.**—This section may be cited as the
7 “American Security Drone Act of 2022”.

8 (b) **DEFINITIONS.**—In this section:

9 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
10 **TEES.**—The term “appropriate congressional com-
11 mittees” means—

12 (A) the congressional defense committees
13 as defined in section 101(a) of title 10, United
14 States Code;

15 (B) the Committee on Science, Space, and
16 Technology, and the Committee on Transpor-
17 tation and Infrastructure of the House of Rep-
18 resentatives; and

19 (C) the Committee on Commerce, Science,
20 and Transportation of the Senate.

21 (2) **COVERED FOREIGN ENTITY.**—The term
22 “covered foreign entity” means an entity included on
23 a list developed and maintained by the Federal Ac-
24 quisition Security Council that includes entities in
25 the following categories:

1 (A) An entity included on the Consolidated
2 Screening List.

3 (B) Any entity that is subject to
4 extrajudicial direction from a foreign govern-
5 ment, as determined by the Secretary of Home-
6 land Security.

7 (C) Any entity the Secretary of Homeland
8 Security, in coordination with the Director of
9 National Intelligence and the Secretary of De-
10 fense, determines poses a national security risk.

11 (D) Any entity domiciled in the People's
12 Republic of China or subject to influence or
13 control by the Government of the People's Re-
14 public of China or the Communist Party of the
15 People's Republic of China, as determined by
16 the Secretary of Homeland Security.

17 (E) Any subsidiary or affiliate of an entity
18 described in subparagraphs (A) through (D).

19 (3) EXECUTIVE AGENCY.—The term “executive
20 agency” has the meaning given that term in section
21 133 of title 41, United States Code.

22 (4) UNMANNED AIRCRAFT SYSTEM; UAS.—Ex-
23 cept as otherwise provided, the terms “unmanned
24 aircraft system” and “UAS” mean an unmanned
25 aircraft and associated elements (consisting of com-

1 munication links and the components that control
2 the unmanned aircraft) that are required for the op-
3 erator to operate safely and efficiently in the na-
4 tional airspace system.

5 (c) PROHIBITION ON PROCUREMENT OF UNMANNED
6 AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTI-
7 TIES.—

8 (1) IN GENERAL.—Except as provided under
9 paragraphs (2) and (3), the head of an executive
10 agency may not procure any unmanned aircraft sys-
11 tem that is manufactured, assembled, designed, or
12 patented by a covered foreign entity that are re-
13 quired for the operator to operate safely and effi-
14 ciently in the national airspace system. The Federal
15 Acquisition Security Council, in coordination with
16 the Secretary of Transportation, shall develop and
17 update a list of associated elements.

18 (2) EXEMPTION.—The Secretary of Homeland
19 Security, the Secretary of Defense, and the Attorney
20 General are exempt from the restriction under para-
21 graph (1) if the operation or procurement—

22 (A) is for the sole purposes of research,
23 evaluation, training, testing, or analysis for—

24 (i) electronic warfare;

25 (ii) information warfare operations;

1 (iii) development of UAS or counter-
2 UAS technology;

3 (iv) counterterrorism or counterintel-
4 ligence activities; or

5 (v) Federal criminal investigations, in-
6 cluding forensic examinations; and

7 (B) is required in the national interest of
8 the United States.

9 (3) WAIVER.—The head of an executive agency
10 may waive the prohibition under paragraph (1)—

11 (A) with the approval of the Secretary of
12 Homeland Security or the Secretary of Defense;
13 and

14 (B) upon notification to Congress.

15 (d) PROHIBITION ON OPERATION OF UNMANNED
16 AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTI-
17 TIES.—

18 (1) PROHIBITION.—

19 (A) IN GENERAL.—Beginning on the date
20 that is 2 years after the date of the enactment
21 of this Act, an executive agency may not oper-
22 ate an unmanned aircraft system manufac-
23 tured, assembled, designed, or patented by a
24 covered foreign entity.

1 (B) APPLICABILITY TO CONTRACTED
2 SERVICES.—The prohibition under subpara-
3 graph (A) applies to any unmanned aircraft
4 systems that are being used by any executive
5 agency through the method of contracting for
6 the services of unmanned aircraft systems.

7 (2) EXEMPTION.—The Secretary of Homeland
8 Security, the Secretary of Defense, and the Attorney
9 General are exempt from the restriction under para-
10 graph (1) if the operation or procurement—

11 (A) is for the sole purposes of research,
12 evaluation, training, testing, or analysis for—

13 (i) electronic warfare;

14 (ii) information warfare operations;

15 (iii) development of UAS or counter-
16 UAS technology;

17 (iv) counterterrorism or counterintel-
18 ligence activities; or

19 (v) Federal criminal investigations, in-
20 cluding forensic examinations; and

21 (B) is required in the national interest of
22 the United States.

23 (3) WAIVER.—The head of an executive agency
24 may waive the prohibition under paragraph (1) on a
25 case-by-case basis—

1 (A) with the approval of the Secretary of
2 Homeland Security or the Secretary of Defense;
3 and

4 (B) upon notification to Congress.

5 (4) REGULATIONS AND GUIDANCE.—Not later
6 than 180 days after the date of the enactment of
7 this Act, the Secretary of Homeland Security shall
8 prescribe regulations or guidance to implement this
9 subsection.

10 (e) PROHIBITION ON USE OF FEDERAL FUNDS FOR
11 PURCHASES AND OPERATION OF UNMANNED AIRCRAFT
12 SYSTEMS FROM COVERED FOREIGN ENTITIES.—

13 (1) IN GENERAL.—Beginning on the date that
14 is 2 years after the date of the enactment of this
15 Act, except as provided in paragraphs (2) and (3),
16 Federal funds awarded through a contract, grant, or
17 cooperative agreement entered into on or after such
18 effective date, or otherwise made available, may not
19 be used—

20 (A) to purchase a unmanned aircraft sys-
21 tem, or a system to counter unmanned aircraft
22 systems, that is manufactured, assembled, de-
23 signed, or patented by a covered foreign entity;
24 or

1 (B) in connection with the operation of
2 such a drone or unmanned aircraft system.

3 (2) EXEMPTION.—An executive agency is ex-
4 empt from the restriction under paragraph (1) if the
5 operation or procurement is for the sole purposes of
6 research, evaluation, training, testing, or analysis, as
7 determined by the Secretary of Homeland Security,
8 the Secretary of Defense, or the Attorney General,
9 for—

10 (A) electronic warfare;

11 (B) information warfare operations;

12 (C) development of UAS or counter-UAS
13 technology;

14 (D) counterterrorism or counterintelligence
15 activities;

16 (E) Federal criminal investigations, includ-
17 ing forensic examinations; or

18 (F) the safe integration of UAS in the na-
19 tional airspace (as determined in consultation
20 with the Secretary of Transportation); and

21 (G) is required in the national interest of
22 the United States.

23 (3) WAIVER.—The head of an executive agency
24 may waive the prohibition under paragraph (1) on a
25 case-by-case basis—

1 (A) with the approval of the Secretary of
2 Homeland Security or the Secretary of Defense;
3 and

4 (B) upon notification to Congress.

5 (4) REGULATIONS.—Not later than 180 days
6 after the date of the enactment of this Act, the Fed-
7 eral Acquisition Regulatory Council shall prescribe
8 regulations or guidance, as necessary, to implement
9 the requirements of this subsection relating to Fed-
10 eral contracts.

11 (f) PROHIBITION ON USE OF GOVERNMENT-ISSUED
12 PURCHASE CARDS TO PURCHASE UNMANNED AIRCRAFT
13 SYSTEMS FROM COVERED FOREIGN ENTITIES.—Effective
14 immediately, Government-issued Purchase Cards may not
15 be used to procure any unmanned aircraft system from
16 a covered foreign entity.

17 (g) MANAGEMENT OF EXISTING INVENTORIES OF
18 UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOR-
19 EIGN ENTITIES.—

20 (1) IN GENERAL.—Effective immediately, all
21 executive agencies must account for existing inven-
22 tories of unmanned aircraft systems manufactured,
23 assembled, designed, or patented by a covered for-
24 eign entity in their personal property accounting sys-
25 tems, regardless of the original procurement cost, or

1 the purpose of procurement due to the special moni-
2 toring and accounting measures necessary to track
3 the items' capabilities.

4 (2) CLASSIFIED TRACKING.—Due to the sen-
5 sitive nature of missions and operations conducted
6 by the United States Government, inventory data re-
7 lated to unmanned aircraft systems manufactured,
8 assembled, designed, or patented by a covered for-
9 eign entity may be tracked at a classified level.

10 (3) EXCEPTIONS.—The Department of Defense
11 and Department of Homeland Security may exclude
12 from the full inventory process, unmanned aircraft
13 systems that are deemed expendable due to mission
14 risk such as recovery issues or that are one-time-use
15 unmanned aircraft system due to requirements and
16 low cost.

17 (h) COMPTROLLER GENERAL REPORT.—Not later
18 than 275 days after the date of the enactment of this Act,
19 the Comptroller General of the United States shall submit
20 to Congress a report on the amount of commercial off-
21 the-shelf drones and unmanned aircraft systems procured
22 by Federal departments and agencies from covered foreign
23 entities.

24 (i) GOVERNMENT-WIDE POLICY FOR PROCUREMENT
25 OF UNMANNED AIRCRAFT SYSTEMS.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Di-
3 rector of the Office of Management and Budget, in
4 coordination with the Department of Homeland Se-
5 curity, Department of Transportation, the Depart-
6 ment of Justice, and other Departments as deter-
7 mined by the Director of the Office of Management
8 and Budget, and in consultation with the National
9 Institute of Standards and Technology, shall estab-
10 lish a government-wide policy for the procurement of
11 UAS—

12 (A) for non-Department of Defense and
13 non-intelligence community operations; and

14 (B) through grants and cooperative agree-
15 ments entered into with non-Federal entities.

16 (2) INFORMATION SECURITY.—The policy devel-
17 oped under paragraph (1) shall include the following
18 specifications, which to the extent practicable, shall
19 be based on industry standards and technical guid-
20 ance from the National Institute of Standards and
21 Technology, to address the risks associated with
22 processing, storing and transmitting Federal infor-
23 mation in a UAS:

24 (A) Protections to ensure controlled access
25 of UAS.

1 (B) Protecting software, firmware, and
2 hardware by ensuring changes to UAS are
3 properly managed, including by ensuring UAS
4 can be updated using a secure, controlled, and
5 configurable mechanism.

6 (C) Cryptographically securing sensitive
7 collected, stored, and transmitted data, includ-
8 ing proper handling of privacy data and other
9 controlled unclassified information.

10 (D) Appropriate safeguards necessary to
11 protect sensitive information, including during
12 and after use of UAS.

13 (E) Appropriate data security to ensure
14 that data is not transmitted to or stored in non-
15 approved locations.

16 (F) The ability to opt out of the uploading,
17 downloading, or transmitting of data that is not
18 required by law or regulation and an ability to
19 choose with whom and where information is
20 shared when it is required.

21 (3) REQUIREMENT.—The policy developed
22 under paragraph (1) shall reflect an appropriate
23 risk-based approach to information security related
24 to use of UAS.

1 (4) REVISION OF ACQUISITION REGULATIONS.—
2 Not later than 180 days after the date on which the
3 policy required under paragraph (1) is issued—

4 (A) the Federal Acquisition Regulatory
5 Council shall revise the Federal Acquisition
6 Regulation, as necessary, to implement the pol-
7 icy; and

8 (B) any executive agency or other Federal
9 entity not subject to, or not subject solely to,
10 the Federal Acquisition Regulation shall revise
11 applicable policy, guidance, or regulations, as
12 necessary, to implement the policy.

13 (5) EXEMPTION.—In developing the policy re-
14 quired under paragraph (1), the Director of the Of-
15 fice of Management and Budget shall incorporate an
16 exemption to the policy for the following reasons:

17 (A) In the case of procurement for the
18 purposes of training, testing or analysis for—

19 (i) electronic warfare; or

20 (ii) information warfare operations.

21 (B) In the case of researching UAS tech-
22 nology, including testing, evaluation, research,
23 or development of technology to counter UAS.

24 (C) In the case of a head of the procuring
25 executive agency determining, in writing, that

1 no product that complies with the information
2 security requirements described in paragraph
3 (2) is capable of fulfilling mission critical per-
4 formance requirements, and such determina-
5 tion—

6 (i) may not be delegated below the
7 level of the Deputy Secretary of the pro-
8 curing executive agency;

9 (ii) shall specify—

10 (I) the quantity of end items to
11 which the waiver applies, the procure-
12 ment value of which may not exceed
13 \$50,000 per waiver; and

14 (II) the time period over which
15 the waiver applies, which shall not ex-
16 ceed 3 years;

17 (iii) shall be reported to the Office of
18 Management and Budget following
19 issuance of such a determination; and

20 (iv) not later than 30 days after the
21 date on which the determination is made,
22 shall be provided to the Committee on
23 Homeland Security and Government Af-
24 fairs of the Senate and the Committee on

1 Oversight and Reform of the House of
2 Representatives.

3 (j) STUDY ON THE SUPPLY CHAIN FOR UNMANNED
4 AIRCRAFT SYSTEMS AND COMPONENTS.—

5 (1) REPORT REQUIRED.—Not later than 180
6 days after the date of the enactment of this Act, the
7 Under Secretary of Defense for Acquisition and
8 Sustainment, in consultation with the Administrator
9 of the National Aeronautics and Space Administra-
10 tion, shall provide to the appropriate congressional
11 committees a report on the supply chain for covered
12 unmanned aircraft systems, including a discussion of
13 current and projected future demand for covered un-
14 manned aircraft systems.

15 (2) ELEMENTS.—The report under paragraph
16 (1) shall include the following:

17 (A) A description of the current and future
18 global and domestic market for covered un-
19 manned aircraft systems that are not widely
20 commercially available except from a covered
21 foreign entity.

22 (B) A description of the sustainability,
23 availability, cost, and quality of secure sources
24 of covered unmanned aircraft systems domesti-

1 cally and from sources in allied and partner
2 countries.

3 (C) The plan of the Secretary of Defense
4 to address any gaps or deficiencies identified in
5 subparagraph (B), including through the use of
6 funds available under the Defense Production
7 Act of 1950 (50 U.S.C. 4501 et seq.) and part-
8 nerships with the National Aeronautics and
9 Space Administration and other interested per-
10 sons.

11 (D) Such other information as the Under
12 Secretary of Defense for Acquisition and
13 Sustainment determines to be appropriate.

14 (3) COVERED UNMANNED AIRCRAFT SYSTEM
15 DEFINED.—In this subsection, the term “covered
16 unmanned aircraft system” means an unmanned air-
17 craft system (as defined in subsection (b)) and any
18 components of such a system.

19 **DIVISION F—COMMITTEE ON**
20 **HOMELAND SECURITY**

21 **SEC. 50101. HOMELAND PROCUREMENT REFORM.**

22 (a) IN GENERAL.—Subtitle D of title VIII of the
23 Homeland Security Act of 2002 (6 U.S.C. 391 et seq.)
24 is amended by adding at the end the following:

1 **“SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RE-**
2 **LATED TO NATIONAL SECURITY INTERESTS.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) COVERED ITEM.—The term ‘covered item’
5 means any of the following:

6 “(A) Footwear provided as part of a uni-
7 form.

8 “(B) Uniforms.

9 “(C) Holsters and tactical pouches.

10 “(D) Patches, insignia, and embellish-
11 ments.

12 “(E) Chemical, biological, radiological, and
13 nuclear protective gear.

14 “(F) Body armor components intended to
15 provide ballistic protection for an individual,
16 consisting of one or more of the following:

17 “(i) Soft ballistic panels.

18 “(ii) Hard ballistic plates.

19 “(iii) Concealed armor carriers worn
20 under a uniform.

21 “(iv) External armor carriers worn
22 over a uniform.

23 “(G) Any other item of clothing or protec-
24 tive equipment as determined appropriate by
25 the Secretary.

1 “(2) FRONTLINE OPERATIONAL COMPONENT.—

2 The term ‘frontline operational component’ means
3 any of the following of the Department:

4 “(A) U.S. Customs and Border Protection.

5 “(B) U.S. Immigration and Customs En-
6 forcement.

7 “(C) The United States Secret Service.

8 “(D) The Transportation Security Admin-
9 istration.

10 “(E) The Coast Guard.

11 “(F) The Federal Protective Service.

12 “(G) The Federal Emergency Management
13 Agency.

14 “(H) The Federal Law Enforcement
15 Training Centers.

16 “(I) The Cybersecurity and Infrastructure
17 Security Agency.

18 “(b) REQUIREMENTS.—

19 “(1) IN GENERAL.—The Secretary shall ensure
20 that any procurement of a covered item for a front-
21 line operational component satisfies the following
22 criteria:

23 “(A) To the maximum extent possible, not
24 less than one-third of funds obligated in a spe-
25 cific fiscal year for the procurement of such

1 covered items shall be covered items that are
2 manufactured or supplied in the United States
3 by entities that qualify as small business con-
4 cerns, as such term is described under section
5 3 of the Small Business Act (15 U.S.C. 632).

6 “(B) Covered items may only be supplied
7 pursuant to subparagraph (A) to the extent
8 that United States entities that qualify as small
9 business concerns are unable to manufacture
10 covered items that meet the criteria identified
11 in subparagraph (C).

12 “(C) Each contractor with respect to the
13 procurement of such a covered item, including
14 the end-item manufacturer of such a covered
15 item—

16 “(i) is an entity registered with the
17 System for Award Management (or suc-
18 cessor system) administered by the General
19 Services Administration; and

20 “(ii) is in compliance with ISO
21 9001:2015 of the International Organiza-
22 tion for Standardization (or successor
23 standard) or a standard determined appro-
24 priate by the Secretary to ensure the qual-

1 ity of products and adherence to applicable
2 statutory and regulatory requirements.

3 “(D) Each supplier of such a covered item
4 with an insignia (such as any patch, badge, or
5 emblem) and each supplier of such an insignia,
6 if such covered item with such insignia or such
7 insignia, as the case may be, is not produced,
8 applied, or assembled in the United States,
9 shall—

10 “(i) store such covered item with such
11 insignia or such insignia in a locked area;

12 “(ii) report any pilferage or theft of
13 such covered item with such insignia or
14 such insignia occurring at any stage before
15 delivery of such covered item with such in-
16 signia or such insignia; and

17 “(iii) destroy any such defective or
18 unusable covered item with insignia or in-
19 signia in a manner established by the Sec-
20 retary, and maintain records, for three
21 years after the creation of such records, of
22 such destruction that include the date of
23 such destruction, a description of the cov-
24 ered item with insignia or insignia de-
25 stroyed, the quantity of the covered item

1 with insignia or insignia destroyed, and the
2 method of destruction.

3 “(2) WAIVER.—

4 “(A) IN GENERAL.—In the case of a na-
5 tional emergency declared by the President
6 under the National Emergencies Act (50 U.S.C.
7 1601 et seq.) or a major disaster declared by
8 the President under section 401 of the Robert
9 T. Stafford Disaster Relief and Emergency As-
10 sistance Act (42 U.S.C. 5170), the Secretary
11 may waive criteria specified in subparagraph
12 (A), (B) or (C) of paragraph (1) if the Sec-
13 retary determines there is an insufficient supply
14 of a covered item that satisfies such criteria.

15 “(B) NOTICE.—Not later than 60 days
16 after the date on which the Secretary deter-
17 mines a waiver under subparagraph (A) is nec-
18 essary, the Secretary shall provide to the Com-
19 mittee on Homeland Security and Govern-
20 mental Affairs and the Committee on Appro-
21 priations of the Senate and the Committee on
22 Homeland Security, the Committee on Over-
23 sight and Reform, and the Committee on Ap-
24 propriations of the House of Representatives

1 notice of such determination, which shall in-
2 clude—

3 “(i) identification of the national
4 emergency or major disaster at issue de-
5 clared by the President;

6 “(ii) identification of the covered item
7 for which the Secretary intends to issue
8 the waiver; and

9 “(iii) a description of the demand for
10 the covered item and corresponding lack of
11 supply from contractors able to satisfy cri-
12 teria specified in subparagraph (B) or (C)
13 of paragraph (1).

14 “(c) PRICING.—The Secretary shall ensure that cov-
15 ered items are purchased at a fair and reasonable price,
16 consistent with the procedures and guidelines specified in
17 the Federal Acquisition Regulation.

18 “(d) REPORT.—Not later than one year after the
19 date of enactment of this section and annually thereafter,
20 the Secretary shall provide to the Committee on Homeland
21 Security, the Committee on Oversight and Reform, and
22 the Committee on Appropriations of the House of Rep-
23 resentatives, and the Committee on Homeland Security
24 and Governmental Affairs and the Committee on Appro-
25 priations of the Senate a briefing on instances in which

1 vendors have failed to meet deadlines for delivery of cov-
2 ered items and corrective actions taken by the Department
3 in response to such instances.

4 “(e) EFFECTIVE DATE.—This section applies with
5 respect to a contract entered into by the Department or
6 any frontline operational component on or after the date
7 that is 180 days after the date of the enactment of this
8 section.”.

9 (b) STUDY.—

10 (1) IN GENERAL.—Not later than 18 months
11 after the date of the enactment of this Act, the Sec-
12 retary of Homeland Security shall submit to the
13 Committee on Homeland Security and Governmental
14 Affairs of the Senate and the Committee on Home-
15 land Security of the House of Representatives a
16 study of the adequacy of uniform allowances pro-
17 vided to employees of frontline operational compo-
18 nents (as such term is defined in section 836 of the
19 Homeland Security Act of 2002, as added by sub-
20 section (a)).

21 (2) REQUIREMENTS.—The study conducted
22 under paragraph (1) shall—

23 (A) be informed by a Department-wide
24 survey of employees from across the Depart-
25 ment of Homeland Security who receive uni-

1 form allowances that seeks to ascertain what, if
2 any, improvements could be made to the cur-
3 rent uniform allowances and what, if any, im-
4 pacts current allowances have had on employee
5 morale and retention;

6 (B) assess the adequacy of the most recent
7 increase made to the uniform allowance for first
8 year employees; and

9 (C) consider increasing by 50 percent, at
10 minimum, the annual allowance for all other
11 employees.

12 (c) ADDITIONAL REPORT.—

13 (1) IN GENERAL.—Not later than 180 days
14 after the date of the enactment of this Act, the Sec-
15 retary of Homeland Security shall provide a report
16 with recommendations on how the Department of
17 Homeland Security could procure additional items
18 from domestic sources and bolster the domestic sup-
19 ply chain for items related to national security to—

20 (A) the Committee on Homeland Security
21 and Governmental Affairs and the Committee
22 on Appropriations of the Senate; and

23 (B) the Committee on Homeland Security,
24 the Committee on Oversight and Reform, and

1 the Committee on Appropriations of the House
2 of Representatives.

3 (2) CONTENTS.—The report required under
4 paragraph (1) shall include the following:

5 (A) A review of the compliance of the De-
6 partment of Homeland Security with the re-
7 quirements under section 604 of title VI of divi-
8 sion A of the American Recovery and Reinvest-
9 ment Act of 2009 (6 U.S.C. 453b) to buy cer-
10 tain items related to national security interests
11 from sources in the United States.

12 (B) An assessment of the capacity of the
13 Department of Homeland Security to procure
14 the following items from domestic sources:

15 (i) Personal protective equipment and
16 other items necessary to respond to a pan-
17 demic such as that caused by COVID–19.

18 (ii) Helmets that provide ballistic pro-
19 tection and other head protection and com-
20 ponents.

21 (iii) Rain gear, cold weather gear, and
22 other environmental and flame resistant
23 clothing.

24 (d) CLERICAL AMENDMENT.—The table of contents
25 in section 1(b) of the Homeland Security Act of 2002

1 (Public Law 107–296; 116 Stat. 2135) is amended by in-
2 serting after the item relating to section 835 the following
3 new item:

“Sec. 836. Requirements to buy certain items related to national security inter-
ests.”.

4 **SEC. 50102. DHS SOFTWARE SUPPLY CHAIN RISK MANAGE-**
5 **MENT.**

6 (a) **GUIDANCE.**—The Secretary of Homeland Secu-
7 rity, acting through the Under Secretary, shall issue guid-
8 ance with respect to new covered contracts.

9 (b) **NEW COVERED CONTRACTS.**—In developing
10 guidance under subsection (a), with respect to each new
11 covered contract, as a condition on the award of such a
12 contract, each contractor responding to a solicitation for
13 such a contract shall submit to the covered officer—

14 (1) a planned bill of materials when submitting
15 a bid proposal; and

16 (2) the certification and notifications described
17 in subsection (d).

18 (c) **UPDATING BILL OF MATERIALS.**—With respect
19 to a covered contract, in the case of a change to the infor-
20 mation included in a bill of materials submitted pursuant
21 to subsection (b)(1), each contractor shall submit to the
22 covered officer in a timely manner the update to such bill
23 of materials.

1 (d) CERTIFICATION AND NOTIFICATIONS.—The cer-
2 tification and notifications referred to in subsection (b)(2),
3 with respect to a covered contract, are the following:

4 (1) A certification that each item listed on the
5 submitted bill of materials is free from all known
6 vulnerabilities or defects affecting the security of the
7 end product or service identified in—

8 (A) the National Institute of Standards
9 and Technology National Vulnerability Data-
10 base; and

11 (B) any database designated by the Under
12 Secretary, in coordination with the Director of
13 the Cybersecurity and Infrastructure Security
14 Agency, that tracks security vulnerabilities and
15 defects in open source or third-party developed
16 software.

17 (2) A notification of each vulnerability or defect
18 affecting the security of the end product or service,
19 if identified, through—

20 (A) the certification of such submitted bill
21 of materials required under paragraph (1); or

22 (B) any other manner of identification.

23 (3) A notification relating to the plan to miti-
24 gate, repair, or resolve each security vulnerability or

1 defect listed in the notification required under para-
2 graph (2).

3 (e) ENFORCEMENT.—In developing guidance under
4 subsection (a), the Secretary of Homeland Security shall
5 instruct covered officers with respect to—

6 (1) the processes available to such officers en-
7 forcing subsections (b) and (c); and

8 (2) when such processes should be used.

9 (f) EFFECTIVE DATE.—The guidance required under
10 subsection (a) shall take effect on the date that is one
11 year after the date of the enactment of this section.

12 (g) REGULATIONS.—The Department shall prescribe
13 such regulations as may be necessary to carry out this
14 section.

15 (h) GAO REPORT.—Not later than two years after
16 the date of the enactment of this Act, the Comptroller
17 General of the United States shall submit to the Secretary
18 of Homeland Security, the Committee on Homeland Secu-
19 rity of the House of Representatives, and the Committee
20 on Homeland Security and Governmental Affairs of the
21 Senate a report that includes—

22 (1) a review of the implementation of this sec-
23 tion;

1 (2) information relating to the engagement of
2 the Department of Homeland Security with indus-
3 try;

4 (3) an assessment of how the guidance issued
5 pursuant to subsection (a) complies with Executive
6 Order No. 14208 (86 Fed. Reg. 26633; relating to
7 improving the nation’s cybersecurity); and

8 (4) any recommendations relating to improving
9 the supply chain with respect to covered contracts.

10 (i) DEFINITIONS.—In this section:

11 (1) BILL OF MATERIALS.—The term “bill of
12 materials” means a list of the parts and components
13 (whether new or reused) of an end product or serv-
14 ice, including, with respect to each part and compo-
15 nent, information relating to the origin, composition,
16 integrity, and any other information as determined
17 appropriate by the Under Secretary.

18 (2) COVERED CONTRACT.—The term “covered
19 contract” means a contract relating to the procure-
20 ment of covered information and communications
21 technology or services for the Department of Home-
22 land Security.

23 (3) COVERED INFORMATION AND COMMUNICA-
24 TIONS TECHNOLOGY OR SERVICES.—The term “cov-

1 ered information and communications technology or
2 services” means the terms—

3 (A) “information technology” (as such
4 term is defined in section 11101(6) of title 40,
5 United States Code);

6 (B) “information system” (as such term is
7 defined in section 3502(8) of title 44, United
8 States Code);

9 (C) “telecommunications equipment” (as
10 such term is defined in section 3(52) of the
11 Communications Act of 1934 (47 U.S.C.
12 153(52))); and

13 (D) “telecommunications service” (as such
14 term is defined in section 3(53) of the Commu-
15 nications Act of 1934 (47 U.S.C. 153(53))).

16 (4) COVERED OFFICER.—The term “covered of-
17 ficer” means—

18 (A) a contracting officer of the Depart-
19 ment of Homeland Security; and

20 (B) any other official of the Department as
21 determined appropriate by the Under Secretary.

22 (5) SOFTWARE.—The term “software” means
23 computer programs and associated data that may be
24 dynamically written or modified during execution.

1 (6) UNDER SECRETARY.—The term “Under
2 Secretary” means the Under Secretary for Manage-
3 ment of the Department of Homeland Security.

4 **SEC. 50103. DEPARTMENT OF HOMELAND SECURITY MEN-**
5 **TOR-PROTÉGÉ PROGRAM.**

6 (a) IN GENERAL.—Subtitle H of title VIII of the
7 Homeland Security Act of 2002 (6 U.S.C. 451 et seq.)
8 is amended by adding at the end the following new section:

9 **“SEC. 890B. MENTOR-PROTÉGÉ PROGRAM.**

10 “(a) ESTABLISHMENT.—There is established in the
11 Department a mentor-protégé program (in this section re-
12 ferred to as the ‘Program’) under which a mentor firm
13 enters into an agreement with a protégé firm for the pur-
14 pose of assisting the protégé firm to compete for prime
15 contracts and subcontracts of the Department.

16 “(b) ELIGIBILITY.—The Secretary shall establish cri-
17 teria for mentor firms and protégé firms to be eligible to
18 participate in the Program, including a requirement that
19 a firm is not included on any list maintained by the Fed-
20 eral Government of contractors that have been suspended
21 or debarred.

22 “(c) PROGRAM APPLICATION AND APPROVAL.—

23 “(1) APPLICATION.—The Secretary, acting
24 through the Office of Small and Disadvantaged
25 Business Utilization of the Department, shall estab-

1 lish a process for submission of an application joint-
2 ly by a mentor firm and the protégé firm selected by
3 the mentor firm. The application shall include each
4 of the following:

5 “(A) A description of the assistance to be
6 provided by the mentor firm, including, to the
7 extent available, the number and a brief de-
8 scription of each anticipated subcontract to be
9 awarded to the protégé firm.

10 “(B) A schedule with milestones for
11 achieving the assistance to be provided over the
12 period of participation in the Program.

13 “(C) An estimate of the costs to be in-
14 curred by the mentor firm for providing assist-
15 ance under the Program.

16 “(D) Attestations that Program partici-
17 pants will submit to the Secretary reports at
18 times specified by the Secretary to assist the
19 Secretary in evaluating the protégé firm’s devel-
20 opmental progress.

21 “(E) Attestations that Program partici-
22 pants will inform the Secretary in the event of
23 a change in eligibility or voluntary withdrawal
24 from the Program.

1 “(2) APPROVAL.—Not later than 60 days after
2 receipt of an application pursuant to paragraph (1),
3 the head of the Office of Small and Disadvantaged
4 Business Utilization shall notify applicants of ap-
5 proval or, in the case of disapproval, the process for
6 resubmitting an application for reconsideration.

7 “(3) RESCISSION.—The head of the Office of
8 Small and Disadvantaged Business Utilization may
9 rescind the approval of an application under this
10 subsection if it determines that such action is in the
11 best interest of the Department.

12 “(d) PROGRAM DURATION.—A mentor firm and
13 protégé firm approved under subsection (c) shall enter into
14 an agreement to participate in the Program for a period
15 of not less than 36 months.

16 “(e) PROGRAM BENEFITS.—A mentor firm and
17 protégé firm that enter into an agreement under this sec-
18 tion may receive the following Program benefits:

19 “(1) With respect to an award of a contract
20 that requires a subcontracting plan, a mentor firm
21 may receive evaluation credit for participating in the
22 Program.

23 “(2) With respect to an award of a contract
24 that requires a subcontracting plan, a mentor firm
25 may receive credit for a protégé firm performing as

1 a first tier subcontractor or a subcontractor at any
2 tier in an amount equal to the total dollar value of
3 any subcontracts awarded to such protégé firm.

4 “(3) A protégé firm may receive technical, man-
5 agerial, financial, or any other mutually agreed upon
6 benefit from a mentor firm, including a subcontract
7 award.

8 “(f) REPORTING.—Not later than one year after the
9 date of the enactment of this section and annually there-
10 after, the head of the Office of Small and Disadvantaged
11 Business Utilization shall submit to the Committee on
12 Homeland Security and Governmental Affairs and the
13 Committee on Small Business and Entrepreneurship of
14 the Senate and the Committee on Homeland Security and
15 the Committee on Small Business of the House of Rep-
16 resentatives a report covering the immediately preceding
17 12 month period that—

18 “(1) identifies each agreement between a men-
19 tor firm and a protégé firm entered into under this
20 section, including the number of protégé firm par-
21 ticipants that are—

22 “(A) small business concerns;

23 “(B) small business concerns owned and
24 controlled by veterans;

1 “(C) small business concerns owned and
2 controlled by service-disabled veterans;

3 “(D) qualified HUBZone small business
4 concerns;

5 “(E) small business concerns owned and
6 controlled by socially and economically dis-
7 advantaged individuals;

8 “(F) small business concerns owned and
9 controlled by women;

10 “(G) historically Black colleges and univer-
11 sities; and

12 “(H) minority-serving institutions;

13 “(2) describes the type of assistance provided
14 by mentor firms to protégé firms;

15 “(3) identifies contracts within the Department
16 in which a mentor firm serving as the prime con-
17 tractor provided subcontracts to a protégé firm
18 under the Program; and

19 “(4) assesses the degree to which there has
20 been—

21 “(A) an increase in the technical capabili-
22 ties of protégé firms; and

23 “(B) an increase in the quantity and esti-
24 mated value of prime contract and subcontract

1 awards to protégé firms for the period covered
2 by each such report.

3 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion may be construed to limit, diminish, impair, or other-
5 wise affect the authority of the Department to participate
6 in any program carried out by or requiring approval of
7 the Small Business Administration or adopt or follow any
8 regulation or policy that the Administrator of the Small
9 Business Administration may promulgate, except that, to
10 the extent that any provision of this section conflicts with
11 any other provision of law, regulation, or policy, this sec-
12 tion shall control.

13 “(h) DEFINITIONS.—In this section:

14 “(1) HISTORICALLY BLACK COLLEGE OR UNI-
15 VERSITY.—The term ‘historically Black college or
16 university’ has the meaning given the term ‘part B
17 institution’ in section 322 of the Higher Education
18 Act of 1965 (20 U.S.C. 1061).

19 “(2) MENTOR FIRM.—The term ‘mentor firm’
20 means a for-profit business concern that is not a
21 small business concern that—

22 “(A) has the ability to assist and commits
23 to assisting a protégé to compete for Federal
24 prime contracts and subcontracts; and

1 “(B) satisfies any other requirements im-
2 posed by the Secretary.

3 “(3) MINORITY-SERVING INSTITUTION.—The
4 term ‘minority-serving institution’ means an institu-
5 tion of higher education described in section 371 of
6 the Higher Education Act of 1965 (20 U.S.C.
7 1067q(a)).

8 “(4) PROTÉGÉ FIRM.—The term ‘protégé firm’
9 means a small business concern, a historically Black
10 college or university, or a minority-serving institu-
11 tion that—

12 “(A) is eligible to enter into a prime con-
13 tract or subcontract with the Department; and

14 “(B) satisfies any other requirements im-
15 posed by the Secretary.

16 “(5) SMALL BUSINESS ACT DEFINITIONS.—The
17 terms ‘small business concern’, ‘small business con-
18 cern owned and controlled by veterans’, ‘small busi-
19 ness concern owned and controlled by service-dis-
20 abled veterans’, ‘qualified HUBZone small business
21 concern’, ‘and small business concern owned and
22 controlled by women’ have the meanings given such
23 terms, respectively, under section 3 of the Small
24 Business Act (15 U.S.C. 632). The term ‘small busi-
25 ness concern owned and controlled by socially and

1 economically disadvantaged individuals’ has the
2 meaning given such term in section 8(d)(3)(C) of
3 the Small Business Act (15 U.S.C. 637(d)(3)(C)).”.

4 (b) CLERICAL AMENDMENT.—The table of contents
5 in section 1(b) of the Homeland Security Act of 2002 is
6 amended by inserting after the item relating to section
7 890A the following new item:

“Sec. 890B. Mentor-protégé program.”.

8 **SEC. 50104. UNMANNED AERIAL SECURITY.**

9 (a) PROHIBITION ON AGENCY OPERATION OR PRO-
10 CUREMENT.—Except as provided in subsection (b) and
11 subsection (c)(3), the Secretary of Homeland Security
12 may not operate, provide financial assistance for, or enter
13 into or renew a contract for the procurement of—

14 (1) an unmanned aircraft system (UAS) that—

15 (A) is manufactured in a covered foreign
16 country or by a corporation domiciled in a cov-
17 ered foreign country;

18 (B) uses flight controllers, radios, data
19 transmission devices, cameras, or gimbals man-
20 ufactured in a covered foreign country or by a
21 corporation domiciled in a covered foreign coun-
22 try;

23 (C) uses a ground control system or oper-
24 ating software developed in a covered foreign

1 country or by a corporation domiciled in a cov-
2 ered foreign country; or

3 (D) uses network connectivity or data stor-
4 age located in a covered foreign country or ad-
5 ministered by a corporation domiciled in a cov-
6 ered foreign country;

7 (2) a software operating system associated with
8 a UAS that uses network connectivity or data stor-
9 age located in a covered foreign country or adminis-
10 tered by a corporation domiciled in a covered foreign
11 country; or

12 (3) a system for the detection or identification
13 of a UAS, which system is manufactured in a cov-
14 ered foreign country or by a corporation domiciled in
15 a covered foreign country.

16 (b) WAIVER.—

17 (1) IN GENERAL.—The Secretary of Homeland
18 Security is authorized to waive the prohibition under
19 subsection (a) if the Secretary certifies in writing to
20 the Committee on Homeland Security of the House
21 of Representatives and the Committee on Homeland
22 Security and Governmental Affairs of the Senate
23 and the Permanent Select Committee on Intelligence
24 of the House of Representatives and the Select Com-
25 mittee on Intelligence of the Senate that a UAS, a

1 software operating system associated with a UAS, or
2 a system for the detection or identification of a UAS
3 referred to in any of subparagraphs (A) through (C)
4 of paragraph (1) of such subsection that is the sub-
5 ject of such a waiver is required—

6 (A) in the national interest of the United
7 States;

8 (B) for counter-UAS surrogate research,
9 testing, development, evaluation, or training; or

10 (C) for intelligence, electronic warfare, or
11 information warfare operations, testing, anal-
12 ysis, and or training.

13 (2) NOTICE.—The certification described in
14 paragraph (1) shall be submitted to the Committees
15 specified in such paragraph by not later than the
16 date that is 14 days after the date on which a waiv-
17 er is issued under such paragraph.

18 (c) EFFECTIVE DATES.—

19 (1) IN GENERAL.—This section shall take effect
20 on the date that is 120 days after the date of the
21 enactment of this Act.

22 (2) WAIVER PROCESS.—Not later than 60 days
23 after the date of the enactment of this Act, the Sec-
24 retary of Homeland Security shall establish a proc-
25 ess by which the head of an office or component of

1 the Department of Homeland Security may request
2 a waiver under subsection (b).

3 (3) EXCEPTION.—Notwithstanding the prohibi-
4 tion under subsection (a), the head of an office or
5 component of the Department of Homeland Security
6 may continue to operate a UAS, a software oper-
7 ating system associated with a UAS, or a system for
8 the detection or identification of a UAS described in
9 any of paragraphs (1) through (3) of such sub-
10 section that was in the inventory of such office or
11 component on the day before the effective date of
12 this section until—

13 (A) such time as the Secretary of Home-
14 land Security has—

15 (i) granted a waiver relating thereto
16 under subsection (b), or

17 (ii) declined to grant such a waiver, or

18 (B) one year after the date of the enact-
19 ment of this Act,

20 whichever is later.

21 (d) DRONE ORIGIN SECURITY REPORT TO CON-
22 GRESS.—Not later than 180 days after the date of the
23 enactment of this Act, the Secretary of Homeland Security
24 shall submit to the Committee on Homeland Security of
25 the House of Representatives and the Committee on

1 Homeland Security and Governmental Affairs of the Sen-
2 ate a terrorism threat assessment and report that contains
3 information relating to the following:

4 (1) The extent to which the Department of
5 Homeland Security has previously analyzed the
6 threat that a UAS, a software operating system as-
7 sociated with a UAS, or a system for the detection
8 or identification of a UAS from a covered foreign
9 country operating in the United States poses, and
10 the results of such analysis.

11 (2) The number of UAS, software operating
12 systems associated with a UAS, or systems for the
13 detection or identification of a UAS from a covered
14 foreign country in operation by the Department, in-
15 cluding an identification of the component or office
16 of the Department at issue, as of such date.

17 (3) The extent to which information gathered
18 by such a UAS, a software operating system associ-
19 ated with a UAS, or a system for the detection or
20 identification of a UAS from a covered foreign coun-
21 try could be employed to harm the national or eco-
22 nomic security of the United States.

23 (e) DEFINITIONS.—In this section:

24 (1) COVERED FOREIGN COUNTRY.—The term
25 “covered foreign country” means a country that—

1 (A) the intelligence community has identi-
2 fied as a foreign adversary in its most recent
3 Annual Threat Assessment; or

4 (B) the Secretary of Homeland Security,
5 in coordination with the Director of National
6 Intelligence, has identified as a foreign adver-
7 sary that is not included in such Annual Threat
8 Assessment.

9 (2) INTELLIGENCE COMMUNITY.—The term
10 “intelligence community” has the meaning given
11 such term in section 3(4) of the National Security
12 Act of 1947 (50 U.S.C. 3003(4)).

13 (3) UNMANNED AIRCRAFT SYSTEM; UAS.—The
14 terms “unmanned aircraft system” and “UAS” have
15 the meaning given the term “unmanned aircraft sys-
16 tem” in section 341 of the FAA Modernization Act
17 of 2018 (Public Law 115–254).

18 **SEC. 50105. METRICS AND REPORTS ON TECHNOLOGIES RE-**
19 **LATING TO IRREGULAR MIGRATION ALONG**
20 **THE SOUTHERN BORDER.**

21 (a) METRICS.—Not later than one year after the date
22 of the enactment of this Act, the Commissioner of U.S.
23 Customs and Border Protection (CBP) shall develop
24 metrics to measure how procured technologies have helped
25 deter or address irregular migration along the southern

1 border, including ways in which technologies have altered
2 migration routes and patterns.

3 (b) REPORTS.—

4 (1) INITIAL REPORT.—Not later than 180 days
5 after the date of the enactment of this Act, the
6 Commissioner shall submit to the Committee on
7 Homeland Security of the House of Representatives
8 and the Committee on Homeland Security and Gov-
9 ernmental Affairs a report on progress made toward
10 developing the metrics required under subsection (a).

11 (2) FINAL REPORT.—Not later than 180 days
12 after completion of the development of such metrics,
13 the Commissioner shall submit to the Committee on
14 Homeland Security of the House of Representatives
15 and the Committee on Homeland Security and Gov-
16 ernmental Affairs a report on the findings of CBP
17 relating to the effectiveness of implemented tech-
18 nologies on deterring or addressing irregular migra-
19 tion along the southern border.

20 **SEC. 50106. REPORT ON CURRENT STANDARDS AND GUIDE-**
21 **LINES FOR MANAGING PORTS OF ENTRY**
22 **UNDER THE CONTROL OF THE DEPARTMENT**
23 **OF HOMELAND SECURITY.**

24 Not later than 180 days after the date of the enact-
25 ment of this Act, the Secretary of Homeland Security, in

1 coordination with the Secretary of Commerce, shall submit
2 to the Committee on Homeland Security of the House of
3 Representatives and the Committee on Homeland Security
4 and Governmental Affairs a report that contains an as-
5 sessment of the current standards and guidelines for man-
6 aging ports of entry under the control of the Department
7 of Homeland Security. Such assessment shall include in-
8 formation relating to the following:

9 (1) Staffing levels and need for additional staff-
10 ing.

11 (2) Rules governing the actions of Office of
12 Field Operations officers.

13 (3) Average delays for transit through air, land,
14 and sea ports of entry.

15 (4) Assessment of existing efforts and tech-
16 nologies used for border security, and the effect of
17 the use of such efforts and technologies on facili-
18 tating trade at ports of entry and their impact on
19 civil rights, private property rights, privacy rights,
20 and civil liberties.

21 (5) Economic impact of the policies and prac-
22 tices of CBP Agricultural Specialists and Office of
23 Field Operations personnel.

24 (6) Physical infrastructure and technological
25 needs at ports of entry.

1 (7) Data reflecting the specific needs of geo-
2 graphically separate ports of entry within the same
3 U.S. Border Patrol sector.

4 **SEC. 50107. IMPROVING CYBERSECURITY OF SMALL ENTI-**
5 **TIES.**

6 (a) DEFINITIONS.—In this section:

7 (1) ADMINISTRATOR.—The term “Adminis-
8 trator” means the Administrator of the Small Busi-
9 ness Administration.

10 (2) ANNUAL CYBERSECURITY REPORT; SMALL
11 BUSINESS; SMALL ENTITY; SMALL GOVERNMENTAL
12 JURISDICTION; SMALL ORGANIZATION.—The terms
13 “annual cybersecurity report”, “small business”,
14 “small entity”, “small governmental jurisdiction”,
15 and “small organization” have the meanings given
16 those terms in section 2220D of the Homeland Se-
17 curity Act of 2002, as added by subsection (b).

18 (3) CISA.—The term “CISA” means the Cy-
19 bersecurity and Infrastructure Security Agency.

20 (4) COMMISSION.—The term “Commission”
21 means the Federal Trade Commission.

22 (5) SECRETARY.—The term “Secretary” means
23 the Secretary of Commerce.

24 (b) ANNUAL REPORT.—

1 (1) AMENDMENT.—Subtitle A of title XXII of
2 the Homeland Security Act of 2002 (6 U.S.C. 651
3 et seq.) is amended by adding at the end the fol-
4 lowing:

5 **“SEC. 2220D. ANNUAL CYBERSECURITY REPORT FOR**
6 **SMALL ENTITIES.**

7 “(a) DEFINITIONS.—

8 “(1) ADMINISTRATION.—The term ‘Administra-
9 tion’ means the Small Business Administration.

10 “(2) ADMINISTRATOR.—The term ‘Adminis-
11 trator’ means the Administrator of the Administra-
12 tion.

13 “(3) ANNUAL CYBERSECURITY REPORT.—The
14 term ‘annual cybersecurity report’ means the annual
15 cybersecurity report published and promoted under
16 subsections (b) and (c), respectively.

17 “(4) COMMISSION.—The term ‘Commission’
18 means the Federal Trade Commission.

19 “(5) ELECTRONIC DEVICE.—The term ‘elec-
20 tronic device’ means any electronic equipment that
21 is—

22 “(A) used by an employee or contractor of
23 a small entity for the purpose of performing
24 work for the small entity;

1 “(B) capable of connecting to the internet
2 or another communication network; and

3 “(C) capable of sending, receiving, or proc-
4 essing personal information.

5 “(6) NIST.—The term ‘NIST’ means the Na-
6 tional Institute of Standards and Technology.

7 “(7) SMALL BUSINESS.—The term ‘small busi-
8 ness’ has the meaning given the term ‘small business
9 concern’ under section 3 of the Small Business Act
10 (15 U.S.C. 632).

11 “(8) SMALL ENTITY.—The term ‘small entity’
12 means—

13 “(A) a small business;

14 “(B) a small governmental jurisdiction;
15 and

16 “(C) a small organization.

17 “(9) SMALL GOVERNMENTAL JURISDICTION.—
18 The term ‘small governmental jurisdiction’ means
19 governments of cities, counties, towns, townships,
20 villages, school districts, or special districts with a
21 population of less than 50,000.

22 “(10) SMALL ORGANIZATION.—The term ‘small
23 organization’ means any not-for-profit enterprise
24 that is independently owned and operated and is not
25 dominant in its field.

1 “(b) ANNUAL CYBERSECURITY REPORT.—

2 “(1) IN GENERAL.—Not later than 180 days
3 after the date of enactment of this section, and not
4 less frequently than annually thereafter, the Director
5 shall publish a report for small entities that docu-
6 ments and promotes evidence-based cybersecurity
7 policies and controls for use by small entities, which
8 shall—

9 “(A) include basic controls that have the
10 most impact in protecting small entities against
11 common cybersecurity threats and risks;

12 “(B) include protocols and policies to ad-
13 dress common cybersecurity threats and risks
14 posed by electronic devices, regardless of wheth-
15 er the electronic devices are—

16 “(i) issued by the small entity to em-
17 ployees and contractors of the small entity;
18 or

19 “(ii) personal to the employees and
20 contractors of the small entity; and

21 “(C) recommend, as practicable—

22 “(i) measures to improve the cyberse-
23 curity of small entities; and

24 “(ii) configurations and settings for
25 some of the most commonly used software

1 that can improve the cybersecurity of small
2 entities.

3 “(2) EXISTING RECOMMENDATIONS.—The Di-
4 rector shall ensure that each annual cybersecurity
5 report published under paragraph (1) incorporates—

6 “(A) cybersecurity resources developed by
7 NIST, as required by the NIST Small Business
8 Cybersecurity Act (Public Law 115–236); and

9 “(B) the most recent version of the Cyber-
10 security Framework, or successor resource,
11 maintained by NIST.

12 “(3) CONSIDERATION FOR SPECIFIC TYPES OF
13 SMALL ENTITIES.—The Director may include and
14 prioritize the development of cybersecurity rec-
15 ommendations, as required under paragraph (1), ap-
16 propriate for specific types of small entities in addi-
17 tion to recommendations applicable for all small en-
18 tities.

19 “(4) CONSULTATION.—In publishing the annual
20 cybersecurity report under paragraph (1), the Direc-
21 tor shall, to the degree practicable and as appro-
22 priate, consult with—

23 “(A) the Administrator, the Secretary of
24 Commerce, the Commission, and the Director of
25 NIST;

1 “(B) small entities, insurers, State govern-
2 ments, companies that work with small entities,
3 and academic and Federal and non-Federal ex-
4 perts in cybersecurity; and

5 “(C) any other entity as determined appro-
6 priate by the Director.

7 “(c) PROMOTION OF ANNUAL CYBERSECURITY RE-
8 PORT FOR SMALL BUSINESSES.—

9 “(1) PUBLICATION.—The annual cybersecurity
10 report, and previous versions of the report as appro-
11 priate, published under subsection (b)(1) shall be—

12 “(A) made available, prominently and free
13 of charge, on the public website of the Agency;
14 and

15 “(B) linked to from relevant portions of
16 the websites of the Administration and the Mi-
17 nority Business Development Agency, as deter-
18 mined by the Administrator and the Director of
19 the Minority Business Development Agency, re-
20 spectively.

21 “(2) PROMOTION GENERALLY.—The Director,
22 the Administrator, and the Secretary of Commerce
23 shall, to the degree practicable, promote the annual
24 cybersecurity report through relevant resources that
25 are intended for or known to be regularly used by

1 small entities, including agency documents, websites,
2 and events.

3 “(d) TRAINING AND TECHNICAL ASSISTANCE.—The
4 Director, the Administrator, and the Director of the Mi-
5 nority Business Development Agency shall make available
6 to employees of small entities voluntary training and tech-
7 nical assistance on how to implement the recommenda-
8 tions of the annual cybersecurity report.”.

9 (2) TECHNICAL AND CONFORMING AMEND-
10 MENT.—The table of contents in section 1(b) of the
11 Homeland Security Act of 2002 (Public 107–296;
12 116 Stat. 2135) is amended by inserting after the
13 item relating to section 2220C the following:

“Sec. 2220D. Annual cybersecurity report for small entities.”.

14 (c) REPORT TO CONGRESS.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date of enactment of this Act, and annually
17 thereafter for 10 years, the Secretary shall submit to
18 Congress a report describing methods to improve the
19 cybersecurity of small entities, including through the
20 adoption of policies, controls, and classes of products
21 and services that have been demonstrated to reduce
22 cybersecurity risk.

23 (2) MATTERS TO BE INCLUDED.—The report
24 required under paragraph (1) shall—

1 (A) identify barriers or challenges for
2 small entities in purchasing or acquiring classes
3 of products and services that promote the cy-
4 bersecurity of small entities;

5 (B) assess market availability, market pric-
6 ing, and affordability of classes of products and
7 services that promote the cybersecurity of small
8 entities, with particular attention to identifying
9 high-risk and underserved sectors or regions;

10 (C) estimate the costs and benefits of poli-
11 cies that promote the cybersecurity of small en-
12 tities, including—

13 (i) tax breaks;

14 (ii) grants and subsidies; and

15 (iii) other incentives as determined
16 appropriate by the Secretary;

17 (D) describe evidence-based cybersecurity
18 controls and policies that improve the cyberse-
19 curity of small entities;

20 (E) with respect to the incentives described
21 in subparagraph (C), recommend measures that
22 can effectively improve cybersecurity at scale
23 for small entities; and

24 (F) include any other matters as the Sec-
25 retary determines relevant.

1 (3) SPECIFIC SECTORS OF SMALL ENTITIES.—

2 In preparing the report required under paragraph
3 (1), the Secretary may include matters applicable for
4 specific sectors of small entities in addition to mat-
5 ters applicable to all small entities.

6 (4) CONSULTATION.—In preparing the report
7 required under paragraph (1), the Secretary shall
8 consult with—

9 (A) the Administrator, the Director of
10 CISA, and the Commission; and

11 (B) small entities, insurers of risks related
12 to cybersecurity, State governments, cybersecu-
13 rity and information technology companies that
14 work with small entities, and academic and
15 Federal and non-Federal experts in cybersecu-
16 rity.

17 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion or the amendments made by this section shall be con-
19 strued to provide any additional regulatory authority to
20 CISA.

21 **SEC. 50108. CRITICAL TECHNOLOGY SECURITY CENTERS.**

22 (a) CRITICAL TECHNOLOGY SECURITY CENTERS.—
23 Title III of the Homeland Security Act of 2002 (6 U.S.C.
24 181 et seq.) is amended by adding at the end the following
25 new section:

1 **“SEC. 323. CRITICAL TECHNOLOGY SECURITY CENTERS.**

2 “(a) ESTABLISHMENT.—Not later than 180 days
3 after the date of the enactment of this section, the Sec-
4 retary, acting through the Under Secretary for Science
5 and Technology, and in coordination with the Director of
6 the Cybersecurity and Infrastructure Security Agency,
7 shall award grants, contracts, or cooperative agreements
8 to covered entities for the establishment of not fewer than
9 four cybersecurity-focused Critical Technology Security
10 Centers to evaluate and test the security of devices and
11 technologies that underpin national critical functions.

12 “(b) INITIAL CENTERS.—With respect to the Critical
13 Technology Security Centers referred to in subsection (a),
14 four of such centers shall be as follows:

15 “(1) The Center for Network Technology Secu-
16 rity, to study the security of information and com-
17 munications technology that underpins national crit-
18 ical functions related to communications.

19 “(2) The Center for Connected Industrial Con-
20 trol System Security, to study the security of con-
21 nected programmable data logic controllers, super-
22 visory control and data acquisition servers, and
23 other networked industrial equipment.

24 “(3) The Center for Open Source Software Se-
25 curity, to study vulnerabilities in open source soft-
26 ware used to support national critical functions.

1 “(4) The Center for Federal Critical Software
2 Security, to study the security of software used by
3 the Federal Government that performs functions
4 critical to trust (such as affording or requiring ele-
5 vated system privileges or direct access to net-
6 working and computing resources).

7 “(c) ADDITIONAL CENTERS.—The Under Secretary
8 may, in coordination with the Director, award grants, con-
9 tracts, or cooperative agreements to covered entities for
10 the establishment of additional Critical Technology Secu-
11 rity Centers to address technologies vital to national crit-
12 ical functions.

13 “(d) SELECTION OF CRITICAL TECHNOLOGIES.—Be-
14 fore awarding a grant, contract, or cooperative agreement
15 to a covered entity to establish a Critical Technology Secu-
16 rity Center, the Under Secretary shall consult with the
17 Director, who shall provide the Under Secretary a list of
18 technologies within the remit of the center that support
19 national critical functions.

20 “(e) RESPONSIBILITIES.—In studying the security of
21 technologies within its remit, each center shall have the
22 following responsibilities:

23 “(1) Conducting rigorous security testing to
24 identify vulnerabilities in such technologies.

1 “(2) Reporting new vulnerabilities found and
2 the tools, techniques, and practices used to uncover
3 such vulnerabilities to the developers of such tech-
4 nologies in question and to the Cybersecurity and
5 Infrastructure Security Agency.

6 “(3) With respect to such technologies, devel-
7 oping new capabilities for vulnerability discovery,
8 management, and mitigation.

9 “(4) Assessing the security of software essential
10 to national critical functions.

11 “(5) Supporting existing communities of inter-
12 est, including by granting funds, in remediating
13 vulnerabilities discovered within such technologies.

14 “(6) Utilizing findings to inform and support
15 the future work of the Cybersecurity and Infrastruc-
16 ture Security Agency.

17 “(f) APPLICATION.—To be eligible for an award of
18 a grant, contract, or cooperative agreement as a Critical
19 Technology Security Center pursuant to subsection (a), a
20 covered entity shall submit to the Secretary an application
21 at such time, in such manner, and including such informa-
22 tion as the Secretary may require.

23 “(g) PUBLIC REPORTING OF VULNERABILITIES.—
24 The Undersecretary shall ensure that vulnerabilities iden-
25 tified by a Critical Technology Security Center are pub-

1 licy reported through the National Vulnerability Data-
2 base, as appropriate.

3 “(h) ADDITIONAL GUIDANCE.—The Under Sec-
4 retary, in coordination with the Director, shall develop,
5 and periodically update, guidance, including eligibility and
6 any additional requirements, for how Critical Technology
7 Security Centers may award funds to communities of in-
8 terest to remediate vulnerabilities under subsection (e)(5).

9 “(i) BIENNIAL REPORTS.—Not later than one year
10 after the date of the enactment of this section and every
11 two years thereafter, the Under Secretary shall submit to
12 the appropriate congressional committees a report that in-
13 cludes, with respect to each Critical Technology Security
14 Center the following:

15 “(1) A summary of the work performed by each
16 such center.

17 “(2) Information relating to the allocation of
18 Federal funds at each such center.

19 “(3) A description of each vulnerability identi-
20 fied, including information relating to the cor-
21 responding software weakness.

22 “(4) An assessment of the criticality of each
23 vulnerability identified pursuant to paragraph (3).

24 “(5) A list of critical technologies studied by
25 each center, including an explanation by the Under

1 Secretary for any deviations from the list of tech-
2 nologies provided by the Director before the distribu-
3 tion of funding to the center.

4 “(6) A list of tools, techniques, and procedures
5 used by each such center.

6 “(j) CONSULTATION WITH RELEVANT AGENCIES.—

7 In carrying out this section, the Under Secretary shall
8 consult with the heads of other Federal agencies con-
9 ducting cybersecurity research, including the following:

10 “(1) The National Institute of Standards and
11 Technology.

12 “(2) The National Science Foundation.

13 “(3) Relevant agencies within the Department
14 of Energy.

15 “(4) Relevant agencies within the Department
16 of Defense.

17 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this sec-
19 tion—

20 “(1) \$40,000,000 for fiscal year 2022;

21 “(2) \$42,000,000 for fiscal year 2023;

22 “(3) \$44,000,000 for fiscal year 2024;

23 “(4) \$46,000,000 for fiscal year 2025; and

24 “(5) \$49,000,000 for fiscal year 2026.

25 “(l) DEFINITIONS.—In this section:

1 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term ‘appropriate congressional com-
3 mittees’ means—

4 “(A) the Committee on Homeland Security
5 of the House of Representatives; and

6 “(B) the Committee on Homeland Security
7 and Governmental Affairs of the Senate.

8 “(2) COVERED ENTITY.—The term ‘covered en-
9 tity’ means a university or federally funded research
10 and development center, including a national labora-
11 tory, or a consortia thereof.

12 “(3) CRITICAL TECHNOLOGY.—The term ‘crit-
13 ical technology’ means technology relating to a na-
14 tional critical function.

15 “(4) OPEN SOURCE SOFTWARE.—The term
16 ‘open source software’ means software for which the
17 human-readable source code is freely available for
18 use, study, re-use, modification, enhancement, and
19 redistribution by the users of such software.”.

20 (b) IDENTIFICATION OF CERTAIN TECHNOLOGY.—
21 Paragraph (1) of section 2202(e) of the Homeland Secu-
22 rity Act of 2002 (6 U.S.C. 603(e)) is amended by adding
23 at the end the following new subparagraph:

24 “(S) To identify the technologies within
25 the remits of the Critical Technology Security

1 centers as described in section 322 that are
2 vital to national critical functions.”.

3 (c) CLERICAL AMENDMENT.—The table of contents
4 in section 1(b) of the Homeland Security Act of 2002 is
5 amended by inserting after the item relating to section
6 321 the following new item:

“Sec. 323. Critical Technology Security Centers.”.

7 **DIVISION G—COMMITTEE ON**
8 **FINANCIAL SERVICES**
9 **TITLE I—U.S. POLICY ON WORLD**
10 **BANK GROUP AND ASIAN DE-**
11 **VELOPMENT BANK LOANS TO**
12 **CHINA**

13 **SEC. 60101. U.S. POLICY ON WORLD BANK GROUP AND**
14 **ASIAN DEVELOPMENT BANK LOANS TO**
15 **CHINA.**

16 Title XVI of the International Financial Institutions
17 Act (22 U.S.C. 262p et seq.) is amended by adding at
18 the end the following:

19 **“SEC. 1632. U.S. POLICY ON WORLD BANK GROUP AND**
20 **ASIAN DEVELOPMENT BANK LOANS TO**
21 **CHINA.**

22 “(a) IN GENERAL.—The Secretary of the Treasury
23 shall instruct the United States Executive Directors at the
24 World Bank Group and the Asian Development Bank to
25 use the voice and vote of the United States at the respec-

1 tive institution to vote against any assistance to the Peo-
2 ple’s Republic of China unless the Secretary of the Treas-
3 ury has certified to the appropriate congressional commit-
4 tees that—

5 “(1) the Government of the People’s Republic
6 of China and any lenders owned or controlled by the
7 Government of the People’s Republic of China have
8 credibly committed—

9 “(A) to participate in multilateral debt re-
10 lief initiatives on terms at least comparable to
11 other Group of 20 governments;

12 “(B) to the practice of presumptive public
13 disclosure of the terms and conditions on which
14 they extend credit to other governments (with-
15 out regard to the form of any such extension of
16 credit);

17 “(C) not to enforce any agreement terms
18 that may impair their own or the borrowers’ ca-
19 pacity fully to implement commitments de-
20 scribed under subparagraphs (A) and (B); and

21 “(D) not to enter into any agreement con-
22 taining terms that may impair their own or the
23 borrowers’ capacity fully to implement commit-
24 ments described under subparagraphs (A) and
25 (B); and

1 “(2) such assistance contributes significantly to
2 the provision of a global public good that serves the
3 national interest of the United States, such as lim-
4 iting the negative impacts of climate change.

5 “(b) DEFINITIONS.—In this section:

6 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES.—The term ‘appropriate congressional com-
8 mittees’ means the Committee on Financial Services
9 of the House of Representatives and the Committee
10 on Foreign Relations of the Senate.

11 “(2) WORLD BANK GROUP DEFINED.—The
12 term ‘World Bank Group’ means the International
13 Bank for Reconstruction and Development, the
14 International Development Association, the Inter-
15 national Finance Corporation, and the Multilateral
16 Investment Guarantee Agency.”.

17 **TITLE II—PROHIBITIONS OR**
18 **CONDITIONS ON CERTAIN**
19 **TRANSMITTALS OF FUNDS**

20 **SEC. 60201. FINDINGS.**

21 Congress finds the following:

22 (1) The Financial Crimes Enforcement Net-
23 work (FinCEN) is the Financial Intelligence Unit of
24 the United States tasked with safeguarding the fi-
25 nancial system from illicit use, combating money

1 laundrying and its related crimes including ter-
2 rorism, and promoting national security.

3 (2) Per statute, FinCEN may require domestic
4 financial institutions and financial agencies to take
5 certain “special measures” against jurisdictions, in-
6 stitutions, classes of transactions, or types of ac-
7 counts determined to be of primary money laun-
8 dering concern, providing the Secretary with a range
9 of options, such as enhanced record-keeping, that
10 can be adapted to target specific money laundrying
11 and terrorist financing and to bring pressure on
12 those that pose money laundrying threats.

13 (3) This special-measures authority was grant-
14 ed in 2001, when most cross-border transactions oc-
15 curred through correspondent or payable-through ac-
16 counts held with large financial institutions which
17 serve as intermediaries to facilitate financial trans-
18 actions on behalf of other banks.

19 (4) Innovations in financial services have trans-
20 formed and expanded methods of cross-border trans-
21 actions that could not have been envisioned 20 years
22 ago when FinCEN was given its special-measures
23 authority.

24 (5) These innovations, particularly through dig-
25 ital assets and informal value transfer systems, while

1 useful to legitimate consumers and law enforcement,
2 can be tools abused by bad actors like sanctions
3 evaders, fraudsters, money launderers, and those
4 who commit ransomware attacks on victimized U.S.
5 companies and which abuse the financial system to
6 move and obscure the proceeds of their crimes.

7 (6) Ransomware attacks on U.S. companies re-
8 quiring payments in cryptocurrencies have increased
9 in recent years, with the U.S. Treasury estimating
10 that ransomware payments in the United States
11 reached \$590 million in just the first half of 2021,
12 compared to a total of \$416 million in 2020.

13 (7) In July 2021, the White House, with sup-
14 port of U.S. allies, asserted that the People's Repub-
15 lic of China was responsible for ransomware oper-
16 ations against private companies that included de-
17 mands of millions of dollars, including the 2021
18 ransomware attacks that breached Microsoft email
19 systems and affected thousands of consumers, State
20 and local municipalities, and government contractors
21 attributed to a cyber espionage group with links to
22 the Chinese Ministry of State Security.

23 (8) As ransomware attacks organized by Chi-
24 nese and other foreign bad actors continue to grow
25 in size and scope, modernizing FinCEN's special

1 measure authorities will empower FinCEN to adapt
2 its existing tools, monitor and obstruct global finan-
3 cial threats, and meet the challenges of combating
4 21st century financial crime.

5 **SEC. 60202. PROHIBITIONS OR CONDITIONS ON CERTAIN**
6 **TRANSMITTALS OF FUNDS.**

7 Section 5318A of title 31, United States Code, is
8 amended—

9 (1) in subsection (a)(2)(C), by striking “sub-
10 section (b)(5)” and inserting “paragraphs (5) and
11 (6) of subsection (b)”;

12 (2) in subsection (b)—

13 (A) in paragraph (5), by striking “for on
14 behalf of a foreign banking institution”;

15 (B) by adding at the end the following:

16 “(6) PROHIBITIONS OR CONDITIONS ON CER-
17 TAIN TRANSMITTALS OF FUNDS.—If the Secretary
18 finds a jurisdiction outside of the United States, 1
19 or more financial institutions operating outside of
20 the United States, 1 or more types of accounts with-
21 in, or involving, a jurisdiction outside of the United
22 States, or 1 or more classes of transactions within,
23 or involving, a jurisdiction outside of the United
24 States to be of primary money laundering concern,
25 the Secretary, in consultation with the Secretary of

1 the State, the Attorney General, and the Chairman
2 of the Board of Governors of the Federal Reserve
3 System, may prohibit, or impose conditions upon
4 certain transmittals of funds (as such term may be
5 defined by the Secretary in a special measure
6 issuance, by regulation, or as otherwise permitted by
7 law), to or from any domestic financial institution or
8 domestic financial agency if such transmittal of
9 funds involves any such jurisdiction, institution, type
10 of account, or class of transaction.”.

11 **TITLE III—U.S. STOCK EX-**
12 **CHANGE TRADING PROHIBI-**
13 **TION FOR 2 CONSECUTIVE**
14 **AUDITOR NON-INSPECTION**
15 **YEARS**

16 **SEC. 60301. TRADING PROHIBITION FOR 2 CONSECUTIVE**
17 **NON-INSPECTION YEARS.**

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

20 (1) in paragraph (2)(A)(ii), by striking “the
21 foreign jurisdiction described in clause (i)” and in-
22 serting “a foreign jurisdiction”; and

23 (2) in paragraph (3)—

24 (A) in the paragraph heading, by striking
25 “3” and inserting “2”; and

1 (B) in subparagraph (A), in the matter
2 preceding clause (i), by striking “3” and insert-
3 ing “2”.

4 **TITLE IV—COMBATING WILD-**
5 **LIFE TRAFFICKING FINANC-**
6 **ING AND PROCEEDS STUDY**
7 **ACT**

8 **SEC. 60401. FINDINGS.**

9 Congress finds the following:

10 (1) The 2017 report by the think tank, Global
11 Financial Integrity, entitled “Transnational Crime
12 and the Developing World”, determined that the an-
13 nual global retail value of illegal wildlife trade is be-
14 tween \$5 billion to \$23 billion, and when losses to
15 ecosystem services are considered, the World Bank
16 estimates the cost of environmental crime is between
17 \$1 trillion and \$2 trillion, annually.

18 (2) Wildlife traffickers do not prefer particular
19 species or commodities, but instead, according to the
20 non-governmental organization, United for Wildlife,
21 wildlife traffickers focus on the demand, availability,
22 profit potential, and relatively low risk associated
23 with acquiring, trading, and distributing wildlife
24 globally.

1 (3) The trafficking of wildlife affects human
2 health because of undetected spread of zoonotic dis-
3 eases, scarcity in food resources, and the environ-
4 mental results of degraded ecosystems.

5 (4) Also, the trafficking of illicit wildlife such as
6 pangolins from Africa, macaws from Peru, turtles
7 from the United States, and rosewood species smug-
8 gled globally threatens our national security at home
9 and American interests abroad because rogue orga-
10 nizations, including transnational criminal organiza-
11 tions, use the proceeds to fund illegal and violent
12 acts throughout the world, fueling corruption and
13 benefiting from corrupt government officials, weak-
14 ening the rule of law, and distorting commercial
15 markets.

16 (5) Many of these supply chains are affected by
17 Chinese activity, from the criminal organizations in-
18 volved in the initial poaching of targeted commod-
19 ities to the demand for goods produced from endan-
20 gered plants and animals.

21 (6) The Organized Crime Drug Enforcement
22 Task Forces conducted an investigation known as
23 “Operation Apex” which identified extensive overlaps
24 among drug trafficking organizations, professional

1 money launderers, and wildlife trafficking syn-
2 dicates.

3 (7) A study conducted by Federal entities that
4 examined wildlife trafficking networks determined
5 that—

6 (A) more than two-thirds of persons traf-
7 ficking wildlife also trafficked narcotics;

8 (B) 10 percent of persons trafficking wild-
9 life were doing so to finance terrorism; and

10 (C) a small percentage of persons traf-
11 ficking wildlife were doing so to finance the pro-
12 liferation of nuclear materials.

13 (8) Because wildlife trafficking is executed as
14 part of a commodity-agnostic global enterprise, the
15 United States and allies of the United States should
16 focus efforts to reduce wildlife trafficking on cur-
17 tailing the expansive networks that traffic wildlife
18 and other goods and on bringing enforcement ac-
19 tions against persons who launder the proceeds of
20 those persons who traffic wildlife rather than pursue
21 specific nations, groups, or commodities.

22 (9) In the past decade, the illicit wildlife trade
23 has moved online, mainly to social media platforms,
24 creating jurisdictional and technical challenges for
25 law enforcement.

1 **SEC. 60402. STUDY.**

2 (a) IN GENERAL.—The Secretary of the Treasury
3 and the Secretary of the Interior, acting through the U.S.
4 Fish and Wildlife Service, shall jointly, not later than 2
5 years after the date of the enactment of this Act, conduct
6 a study with respect to wildlife trafficking financing and
7 proceeds and submit a report on such study to—

8 (1) the Committees on Financial Services and
9 Natural Resources and the Permanent Select Com-
10 mittee on Intelligence of the House of Representa-
11 tives; and

12 (2) the Committees on Banking, Housing, and
13 Urban Affairs and Energy and Natural Resources
14 and the Select Committee on Intelligence of the Sen-
15 ate.

16 (b) CONSULTATION.—In conducting the study re-
17 quired under subsection (a), the Secretary of the Treasury
18 and the Secretary of the Interior shall consult with such
19 other Federal officials as the Secretaries determine appro-
20 priate, including the Secretary of State, the Director of
21 National Intelligence, the Director of Homeland Security
22 Investigations, the Attorney General, and the Secretary of
23 Defense.

24 (c) INPUT.—In conducting the study required under
25 subsection (a), the Secretary of the Treasury and the Sec-
26 retary of the Interior shall solicit and incorporate, where

1 possible and as determined appropriate by the Secretaries,
2 input from—

3 (1) domestic, foreign, and multilateral law en-
4 forcement organizations,

5 (2) the intelligence community;

6 (3) wildlife advocates;

7 (4) experts in transnational organized crime,
8 cyber-crime, and illicit finance; and

9 (5) nongovernmental organizations, academia,
10 foundations, and other public and private entities.

11 (d) CONTENTS OF REPORT.—The report required
12 under subsection (a) shall include—

13 (1) an overview of the criminal and complicit
14 actors, including individuals, organizations, corrupt
15 networks, and nations, that participate in wildlife
16 trafficking from source to market, both proactively
17 and permissively;

18 (2) an overview of the types of wildlife traf-
19 ficked, for what purposes, and from where;

20 (3) an overview of the roles of professional
21 money launderers, corporate and trust formation
22 agents, kleptocrats, and other supply chain and fi-
23 nancial facilitators with respect to wildlife traf-
24 ficking;

1 (4) a discussion, based on a consideration of
2 relevant prior studies and investigations, of the con-
3 vergence of wildlife trafficking with other types of
4 trafficking, including trafficking in persons, timber
5 trafficking, and narcotics trafficking, including
6 shared supply chains and financial facilitators;

7 (5) an overview of the national security implica-
8 tions associated with wildlife trafficking and the fi-
9 nancing and proceeds of wildlife trafficking, includ-
10 ing—

11 (A) potential threats to security, including
12 corruption and State instability resulting from
13 wildlife trafficking; and

14 (B) potential threats to public health, in-
15 cluding global pandemic and ecosystem collapse;

16 (6) an examination of how anti-corruption ac-
17 tivities might be leveraged with respect to mitigating
18 the ways in which corrupt officials and politically ex-
19 posed persons enable and engage in wildlife traf-
20 ficking financing and proceeds;

21 (7) an examination of payments methods used
22 to facilitate the trafficking of wildlife, including its
23 financing and proceeds;

1 (8) an examination of how online platforms are
2 used to facilitate trafficking and trafficking-related
3 payments that—

4 (A) describes the extent to which illicit
5 wildlife trade occurs online, including through
6 social media platforms, ecommerce sites, and
7 encrypted messaging and other surface web
8 platforms;

9 (B) identifies payments- and proceeds-re-
10 lated reasons that different online platforms
11 may be chosen by persons trafficking in wildlife;
12 and

13 (C) identifies online platforms that are
14 used most for transactions and payments in-
15 volving trafficking in wildlife;

16 (9) an examination of private-sector best prac-
17 tices for combating wildlife trafficking financing and
18 proceeds (including those found in the financial serv-
19 ices industry), as well as any practices that have not
20 had success combating wildlife trafficking financing
21 and proceeds;

22 (10) a discussion of ways in which existing
23 laws, multilateral agreements, and forums could be
24 expanded or modified to combat wildlife trafficking
25 financing and disrupt its proceeds;

1 (11) an identification of tools of international
2 and national engagement, including partnerships
3 with private sector and international financial insti-
4 tutions, that could be coordinated to combat wildlife
5 trafficking financing and disrupt its proceeds;

6 (12) recommendations about ways in which
7 interdisciplinary collaboration across Federal agen-
8 cies could be incentivized to maximize information
9 and analysis from investigations into other types of
10 trafficking and which may benefit from the informa-
11 tion and analysis gleaned from wildlife trafficking
12 investigations;

13 (13) an examination of how data collection, col-
14 laboration, analysis, and technology tools, including
15 artificial intelligence and machine learning might be
16 leveraged to combat wildlife trafficking and its pro-
17 ceeds;

18 (14) a recommendation of whether Congress
19 should renew the wildlife trafficking task force au-
20 thorized in the END Act and sunseting in Decem-
21 ber 2021; and

22 (15) an examination of how anti-corruption ac-
23 tivities and practices could be included in existing
24 Federal and international wildlife trafficking preven-
25 tion and enforcement efforts.

1 (e) CLASSIFICATION OF REPORT.—The report re-
2 quired under subsection (a) may be submitted in classified
3 form but shall have an unclassified annex or executive
4 summary.

5 **TITLE V—STUDY ON CHINESE**
6 **SUPPORT FOR AFGHAN IL-**
7 **LICIT FINANCE**

8 **SEC. 60501. STUDY ON CHINESE SUPPORT FOR AFGHAN IL-**
9 **LICIT FINANCE.**

10 (a) FINDINGS.—Congress finds the following:

11 (1) Though China and Afghanistan share only
12 a small land border, when it comes to illicit financial
13 activity between the two countries, China has a dem-
14 onstrated history of permissiveness regarding traf-
15 ficking and money laundering that could support
16 both the Taliban and its associates.

17 (2) A 2014 Financial Action Task Force report
18 titled, “Financial Flows Linked to the Production
19 and Trafficking of Afghan Opiates” found evidence
20 of import/export companies registered in China that
21 were transferring funds to Afghanistan, likely as
22 part of trade-based money laundering schemes cen-
23 tered around illicit opium production and trafficking,
24 which, per the United Nations Office on Drugs and

1 Crime (UNODC), is one of the Taliban's main
2 sources of income.

3 (3) Since the U.S. withdrawal from Afghanistan
4 in August 2021, China has announced its willingness
5 to lend financial support and legitimacy to the
6 Taliban-led government in Afghanistan, including
7 Afghan Interior Minister, Sirajuddin Haqqani, a
8 member of the U.S.-sanctions designated Foreign
9 Terrorist Organization, the Haqqani Network.

10 (4) China's permissive policies regarding Af-
11 ghan illicit finance run counter to the strategic in-
12 terests of the United States with respect to coun-
13 tering trafficking and preventing terrorist groups
14 from accessing the international financial system.

15 (5) China's role as a critical source of financial
16 wherewithal for the Taliban and its associates to
17 process and implement drug and other illicit-activity
18 transactions warrants further study as these actions
19 pose a threat both to the safety and security of the
20 people of Afghanistan and the international commu-
21 nity.

22 (6) Congress needs to better understand how
23 China could leverage its relationships and resources
24 within Afghanistan and how these activities could di-
25 rectly or indirectly provide financial support to ter-

1 rorist organizations, including the Taliban and its
2 associates.

3 (b) STUDY.—

4 (1) REQUIREMENT.—Not later than one year
5 after the date of the enactment of this Act, the Sec-
6 retary of Treasury shall provide to the Committee on
7 Financial Services and the Committee on Foreign
8 Affairs of the House of Representatives and the
9 Committee on Banking, Housing, and Urban Affairs
10 and the Committee on Foreign Relations of the Sen-
11 ate and the Permanent Select Committee on Intel-
12 ligence of the House of Representatives and the Se-
13 lect Committee on Intelligence of the Senate a re-
14 port on the financial activities of China and Chinese
15 entities in connection with the finances of Afghani-
16 stan and the Taliban.

17 (2) MATTERS INCLUDED.—The report under
18 paragraph (1) shall include the following:

19 (A) An assessment of the activities under-
20 taken by the People’s Republic of China and
21 Chinese-registered companies to support illicit
22 financial networks in Afghanistan, particularly
23 such networks involved in narcotics trafficking,
24 illicit financial transactions, official corruption,

1 natural resources exploitation, and terrorist net-
2 works.

3 (B) An assessment of financial, commer-
4 cial, and economic activities undertaken by
5 China and Chinese companies in Afghanistan to
6 support Chinese policies counter to American
7 strategic interests.

8 (C) Information relating to the impacts of
9 existing United States and multilateral laws,
10 regulations, and sanctions, including environ-
11 mental and public health impacts of natural re-
12 sources exploitation.

13 (D) Any recommendations to Congress re-
14 garding legislative or regulatory improvements
15 necessary to support the identification and dis-
16 ruption of Chinese-supported illicit financial
17 networks in Afghanistan.

18 (3) FORM.—The report under paragraph (1)
19 may include a classified annex.

1 **TITLE VI—U.S. POLICY ON MUL-**
2 **TILATERAL DEVELOPMENT**
3 **BANK CO-FINANCING AR-**
4 **RANGEMENTS WITH CHINA’S**
5 **INFRASTRUCTURE BANK**

6 **SEC. 60601. U.S. POLICY ON CO-FINANCING ARRANGEMENTS**
7 **AT THE MULTILATERAL DEVELOPMENT**
8 **BANKS.**

9 Title XVI of the International Financial Institutions
10 Act (22 U.S.C. 262p et seq.), as amended by section
11 60101, is further amended by adding at the end the fol-
12 lowing:

13 **“SEC. 1633. U.S. POLICY ON CO-FINANCING ARRANGEMENTS**
14 **AT THE MULTILATERAL DEVELOPMENT**
15 **BANKS.**

16 “The Secretary of the Treasury shall instruct the
17 United States Executive Directors at the multilateral de-
18 velopment banks (as defined in section 1701(c)(4)) to use
19 the voice and vote of the United States to vote against
20 any program or project at the respective institution if it
21 includes joint or parallel financing provided by the Asian
22 Infrastructure Investment Bank unless the Secretary of
23 the Treasury has certified to the Committee on Financial
24 Services of the House of Representatives and the Com-

1 mittee on Foreign Relations of the Senate that the Asian
2 Infrastructure Investment Bank—

3 “(1) has the authority and the resources to pro-
4 vide grants and concessional assistance to countries
5 eligible to borrow from the International Develop-
6 ment Association on terms similar to those provided
7 to these countries by the International Development
8 Association; and

9 “(2) has demonstrated a track record of pro-
10 viding such assistance to these countries.”

11 **TITLE VII—CHINA FINANCIAL** 12 **THREAT MITIGATION**

13 **SEC. 60701. CHINA FINANCIAL THREAT MITIGATION.**

14 (a) REPORT.—The Secretary of the Treasury shall
15 conduct a study and issue a report that includes a descrip-
16 tion and analysis of any risks to the financial stability of
17 the United States and the global economy emanating from
18 the People’s Republic of China, along with any rec-
19 ommendations to the United States representatives at rel-
20 evant international organizations as appropriate to
21 strengthen international cooperation to monitor and miti-
22 gate such financial stability risks.

23 (b) TRANSMISSION OF REPORT.—The Secretary of
24 the Treasury shall transmit the report required under sub-
25 section (a) no later than December 31, 2022, to the Com-

1 mittees on Financial Services and Foreign Affairs of the
2 House of Representatives, the Committees on Banking,
3 Housing, and Urban Affairs and Foreign Relations of the
4 Senate, and to the United States representatives at rel-
5 evant international organizations, as appropriate.

6 (c) CLASSIFICATION.—The report required under
7 subsection (a) shall be unclassified, but may contain a
8 classified annex.

9 (d) PUBLICATION OF REPORT.—The Secretary of the
10 Treasury shall publish the report required under sub-
11 section (a) (other than any classified annex) on the
12 website of the Department of the Treasury no later than
13 December 31, 2022.

14 **TITLE VIII—SUPPORT FOR DEBT**
15 **RELIEF FOR DEVELOPING**
16 **COUNTRIES**

17 **SEC. 60801. SUPPORT FOR INTERNATIONAL INITIATIVES TO**
18 **PROVIDE DEBT RELIEF TO DEVELOPING**
19 **COUNTRIES WITH UNSUSTAINABLE LEVELS**
20 **OF DEBT.**

21 (a) DEBT RELIEF.—The Secretary of the Treasury,
22 in consultation with the Secretary of State, shall—

23 (1) engage with international financial institu-
24 tions and official and commercial creditors to ad-
25 vance support for prompt and effective implementa-

1 tion and improvement of the Common Framework
2 for Debt Treatments beyond the Debt Service Sus-
3 pension Initiative (in this section referred to as the
4 “Common Framework”), and any successor frame-
5 work or similar coordinated international debt treat-
6 ment process through the establishment and publica-
7 tion of clear and accountable—

8 (A) debt treatment benchmarks designed
9 to achieve debt sustainability for each partici-
10 pating debtor;

11 (B) standards for equitable burden sharing
12 among all creditors with material claims on
13 each participating debtor, without regard for
14 their official, private, or hybrid status;

15 (C) robust debt disclosure, including but
16 not limited to inter-creditor data sharing and a
17 broad presumption in favor of public disclosure
18 of material terms and conditions of claims on
19 participating debtors;

20 (D) expanded eligibility criteria to include
21 all countries with unsustainable levels of sov-
22 ereign debt;

23 (E) standards for comprehensive creditor
24 participation consistent with robust application

1 of the policies of the International Monetary
2 Funds relating to lending into arrears; and

3 (F) consistent enforcement and improve-
4 ment of the policies of multilateral institutions
5 relating to asset-based and revenue-based bor-
6 rowing by participating debtors, and coordi-
7 nated standards on restructuring collateralized
8 debt;

9 (2) engage with international financial institu-
10 tions and official and commercial creditors to ad-
11 vance support for a comprehensive and effective debt
12 payment standstill for each participating debtor
13 from the time of its application for, and until the
14 completion of its negotiations under, the Common
15 Framework, or any successor framework or similar
16 coordinated international debt treatment process:
17 provided, however, that any such standstill should
18 incentivize prompt and comprehensive debt restruc-
19 turing agreement and provide temporary cash flow
20 relief for the debtor, without exacerbating its vulner-
21 ability to debt distress; and

22 (3) instruct the United States Executive Direc-
23 tor at the International Monetary Fund and the
24 United States Executive Director at the World Bank
25 to use the voice and vote of the United States to ad-

1 vance the efforts described in paragraphs (1) and
2 (2), including by urging international financial insti-
3 tutions to participate in debt relief, without under-
4 mining their ability to continue to provide new and
5 additional flows of aid and assistance.

6 (b) REPORTING REQUIREMENT.—Not later than 120
7 days after the date of the enactment of this Act, and annu-
8 ally thereafter until the end of the COVID–19 pandemic,
9 as determined by the World Health Organization, the Sec-
10 retary of the Treasury, in coordination with the Secretary
11 of State, shall submit to the Committees on Banking,
12 Housing, and Urban Affairs and Foreign Relations of the
13 Senate and the Committees on Financial Services and
14 Foreign Affairs of the House of Representatives a report
15 that describes—

16 (1) actions that have been taken, in coordina-
17 tion with international financial institutions, by offi-
18 cial creditors, including the government of, and
19 state-owned enterprises in, the People’s Republic of
20 China, and relevant commercial creditor groups to
21 advance debt relief for countries with unsustainable
22 debt that have sought relief under the Common
23 Framework, any successor framework or mechanism,
24 or under any other coordinated international ar-
25 rangement for sovereign debt restructuring;

1 (2) any implementation challenges that hinder
2 the ability of the Common Framework to provide
3 timely debt restructuring for any country with
4 unsustainable debt that seeks debt relief or debt
5 payment relief, including any refusal of any creditors
6 to participate in equitable burden sharing, including
7 but not limited to failure to share (or publish, as ap-
8 propriate) all material information needed to assess
9 debt sustainability and inter-creditor equity;

10 (3) recommendations on how to address chal-
11 lenges identified in paragraph (2);

12 (4) any United States policy concerns with re-
13 spect to providing debt relief to specific countries;
14 and

15 (5) the transparency and accountability meas-
16 ures established or proposed to ensure that resources
17 freed up by the debt relief described in paragraph
18 (1) are used for activities that respond to the health,
19 economic, and social effects of the COVID–19 pan-
20 demic, climate change resiliency, or help ensure eq-
21 uitable recoveries and growth.

1 **TITLE IX—SECURING AMERICA’S**
2 **VACCINES FOR EMERGENCIES**

3 **SEC. 60901. SHORT TITLE.**

4 This title may be cited as the “Securing America’s
5 Vaccines for Emergencies Act of 2022” or the “SAVE Act
6 of 2022”.

7 **SEC. 60902. SECURING ESSENTIAL MEDICAL MATERIALS.**

8 (a) STATEMENT OF POLICY.—Section 2(b) of the De-
9 fense Production Act of 1950 (50 U.S.C. 4502) is amend-
10 ed—

11 (1) by redesignating paragraphs (3) through
12 (8) as paragraphs (4) through (9), respectively; and

13 (2) by inserting after paragraph (2) the fol-
14 lowing:

15 “(3) authorities under this Act should be used
16 when appropriate to ensure the availability of med-
17 ical materials essential to national defense, including
18 through measures designed to secure the drug sup-
19 ply chain, and taking into consideration the impor-
20 tance of United States competitiveness, scientific
21 leadership and cooperation, and innovative capac-
22 ity;”.

23 (b) STRENGTHENING DOMESTIC CAPABILITY.—Sec-
24 tion 107 of the Defense Production Act of 1950 (50
25 U.S.C. 4517) is amended—

1 Health Service Act (42 U.S.C. 262)) to diagnose,
2 cure, mitigate, treat, or prevent disease) essential to
3 national defense, to the extent necessary for the pur-
4 poses of this Act.

5 “(2) An analysis of vulnerabilities to existing
6 supply chains for such medical materials, and rec-
7 ommendations to address the vulnerabilities.

8 “(3) Measures to be undertaken by the Presi-
9 dent to diversify such supply chains, as appropriate
10 and as required for national defense.

11 “(4) A discussion of—

12 “(A) any significant effects resulting from
13 the plan and measures described in this sub-
14 section on the production, cost, or distribution
15 of biological products (as that term is defined
16 in section 351 of the Public Health Service Act
17 (42 U.S.C. 262)) or any other devices or drugs
18 (as defined under the Federal Food, Drug, and
19 Cosmetic Act (21 U.S.C. 301 et seq.));

20 “(B) a timeline to ensure that essential
21 components of the supply chain for medical ma-
22 terials are not under the exclusive control of a
23 foreign government in a manner that the Presi-
24 dent determines could threaten the national de-
25 fense of the United States; and

1 “(C) efforts to mitigate any risks resulting
2 from the plan and measures described in this
3 subsection to United States competitiveness,
4 scientific leadership, and innovative capacity,
5 including efforts to cooperate and proactively
6 engage with United States allies.

7 “(b) PROGRESS REPORT.—Following submission of
8 the strategy under subsection (a), the President shall sub-
9 mit to the appropriate Members of Congress an annual
10 progress report until September 30, 2025, evaluating the
11 implementation of the strategy, and may include updates
12 to the strategy as appropriate. The strategy and progress
13 reports shall be submitted in unclassified form but may
14 contain a classified annex.

15 “(c) APPROPRIATE MEMBERS OF CONGRESS.—The
16 term ‘appropriate Members of Congress’ means the
17 Speaker, majority leader, and minority leader of the
18 House of Representatives, the majority leader and minor-
19 ity leader of the Senate, the Chairman and Ranking Mem-
20 ber of the Committee on Financial Services, the Chairman
21 and Ranking Member of the Committee on Energy and
22 Commerce of the House of Representatives, and the
23 Chairman and Ranking Member of the Committee on
24 Banking, Housing, and Urban Affairs of the Senate.”.

1 **SEC. 60903. INVESTMENT IN SUPPLY CHAIN SECURITY.**

2 (a) IN GENERAL.—Section 303 of the Defense Pro-
3 duction Act of 1950 (50 U.S.C. 4533) is amended by add-
4 ing at the end the following:

5 “(h) INVESTMENT IN SUPPLY CHAIN SECURITY.—

6 “(1) IN GENERAL.—In addition to other au-
7 thorities in this title, the President may make avail-
8 able to an eligible entity described in paragraph (2)
9 payments to increase the security of supply chains
10 and supply chain activities, if the President certifies
11 to Congress not less than 30 days before making
12 such a payment that the payment is critical to meet
13 national defense requirements of the United States.

14 “(2) ELIGIBLE ENTITY.—An eligible entity de-
15 scribed in this paragraph is an entity that—

16 “(A) is organized under the laws of the
17 United States or any jurisdiction within the
18 United States; and

19 “(B) produces—

20 “(i) one or more critical components;

21 “(ii) critical technology; or

22 “(iii) one or more products or raw
23 materials for the security of supply chains
24 or supply chain activities.

25 “(3) DEFINITIONS.—In this subsection, the
26 terms ‘supply chain’ and ‘supply chain activities’

1 have the meanings given those terms by the Presi-
2 dent by regulation.”.

3 (b) REGULATIONS.—

4 (1) IN GENERAL.—Not later than 90 days after
5 the date of the enactment of this Act, the President
6 shall prescribe regulations setting forth definitions
7 for the terms “supply chain” and “supply chain ac-
8 tivities” for the purposes of section 303(h) of the
9 Defense Production Act of 1950 (50 U.S.C.
10 4533(h)), as added by subsection (a).

11 (2) SCOPE OF DEFINITIONS.—The definitions
12 required by paragraph (1)—

13 (A) shall encompass—

14 (i) the organization, people, activities,
15 information, and resources involved in the
16 delivery and operation of a product or serv-
17 ice used by the Government; or

18 (ii) critical infrastructure as defined
19 in Presidential Policy Directive 21 (Feb-
20 ruary 12, 2013; relating to critical infra-
21 structure security and resilience); and

22 (B) may include variations as determined
23 necessary and appropriate by the President for
24 purposes of national defense.

1 **TITLE X—COVID-19 EMERGENCY**
2 **MEDICAL SUPPLIES EN-**
3 **HANCEMENT**

4 **SEC. 61001. SHORT TITLE.**

5 This title may be cited as the “COVID-19 Emer-
6 gency Medical Supplies Enhancement Act of 2022”.

7 **SEC. 61002. DETERMINATION ON EMERGENCY SUPPLIES**
8 **AND OTHER PUBLIC HEALTH EMERGENCIES.**

9 (a) COVID-19 PANDEMIC RESPONSE.—For the pur-
10 poses of section 101 of the Defense Production Act of
11 1950 (50 U.S.C. 4511), the following materials may be
12 deemed by the President, during the COVID-19 emer-
13 gency period, to be scarce and critical materials essential
14 to the national defense and otherwise meet the require-
15 ments of section 101(b) of such Act, and funds available
16 to implement such Act may be used for the purchase, pro-
17 duction (including the construction, repair, and retro-
18 fitting of government-owned facilities as necessary), or
19 distribution of such materials:

20 (1) In vitro diagnostic products (as defined in
21 section 809.3(a) of title 21, Code of Federal Regula-
22 tions) for the detection of SARS-CoV-2 or the diag-
23 nosis of the virus that causes COVID-19, and the
24 reagents and other materials necessary for pro-
25 ducing, conducting, or administering such products,

1 and the machinery, equipment, laboratory capacity,
2 or other technology necessary to produce such prod-
3 ucts.

4 (2) Face masks and personal protective equip-
5 ment, including non-surgical isolation gowns, face
6 shields, nitrile gloves, N-95 filtering facepiece res-
7 pirators, and any other masks or equipment (includ-
8 ing durable medical equipment) determined by the
9 Secretary of Health and Human Services to be need-
10 ed to respond to the COVID-19 pandemic, and the
11 materials, machinery, additional manufacturing lines
12 or facilities, or other technology necessary to
13 produce such equipment.

14 (3) Drugs and devices (as those terms are de-
15 fined in the Federal Food, Drug, and Cosmetic Act
16 (21 U.S.C. 301 et seq.)) and biological products (as
17 that term is defined by section 351 of the Public
18 Health Service Act (42 U.S.C. 262)) that are ap-
19 proved, cleared, licensed, or authorized under either
20 of such Acts for use in treating or preventing
21 COVID-19 and symptoms related to COVID-19,
22 and any materials, manufacturing machinery, addi-
23 tional manufacturing or fill-finish lines or facilities,
24 technology, or equipment (including durable medical
25 equipment) necessary to produce or use such drugs,

1 biological products, or devices (including syringes,
2 vials, or other supplies or equipment related to deliv-
3 ery, distribution, or administration).

4 (4) Any other medical equipment or supplies
5 determined by the Secretary of Health and Human
6 Services or the Secretary of Homeland Security to
7 be scarce and critical materials essential to the na-
8 tional defense for purposes of section 101 of the De-
9 fense Production Act of 1950 (50 U.S.C. 4511).

10 (b) FUTURE PREPAREDNESS FOR HEALTH EMER-
11 GENCIES.—Section 702(14) of the Defense Production
12 Act of 1950 is amended by striking “and critical infra-
13 structure protection and restoration” and inserting “, crit-
14 ical infrastructure protection and restoration, and public
15 health emergency preparedness and response activities”.

16 **SEC. 61003. EXERCISE OF TITLE I AUTHORITIES IN RELA-**
17 **TION TO CONTRACTS BY STATE, LOCAL, OR**
18 **TRIBAL GOVERNMENTS.**

19 (a) IN GENERAL.—In exercising authorities under
20 title I of the Defense Production Act of 1950 (50 U.S.C.
21 4511 et seq.) during the COVID–19 emergency period, the
22 President (and any officer or employee of the United
23 States to which authorities under such title I have been
24 delegated)—

1 (1) may exercise the prioritization or allocation
2 authority provided in such title I to exclude any ma-
3 terials described in section 61002 ordered by a
4 State, local, or Tribal government that are scheduled
5 to be delivered within 15 days of the time at
6 which—

7 (A) the purchase order or contract by the
8 Federal Government for such materials is
9 made; or

10 (B) the materials are otherwise allocated
11 by the Federal Government under the authori-
12 ties contained in such Act; and

13 (2) shall, within 24 hours of any exercise of the
14 prioritization or allocation authority provided in such
15 title I—

16 (A) to the extent practicable notify any
17 State, local, or Tribal government if the Presi-
18 dent determines that the exercise of such au-
19 thorities would delay the receipt of such mate-
20 rials ordered by such government; and

21 (B) take such steps as may be necessary,
22 and as authorized by law, to ensure that such
23 materials ordered by such government are deliv-
24 ered in the shortest possible period, consistent

1 with the purposes of the Defense Production
2 Act of 1950.

3 (b) UPDATE TO FEDERAL REGULATIONS.—

4 (1) DPAS.—Not later than 30 days after the
5 date of enactment of this Act, the Defense Property
6 Accountability System regulations (15 CFR part
7 700) shall be revised to reflect the requirements of
8 subsection (a).

9 (2) FAR.—Not later than 30 days after the re-
10 visions required by paragraph (1) are made, the
11 Federal Acquisition Regulation shall be revised to
12 reflect the requirements of subsection (a), consistent
13 with the revisions made pursuant to paragraph (1).

14 **SEC. 61004. ENGAGEMENT WITH THE PRIVATE SECTOR.**

15 (a) OUTREACH REPRESENTATIVE.—Consistent with
16 the authorities in title VII of the Defense Production Act
17 of 1950 (50 U.S.C. 4551 et seq.), the Administrator of
18 the Federal Emergency Management Agency, in consulta-
19 tion with the Secretary of Health and Human Services,
20 may designate or appoint, pursuant to section 703 of such
21 Act (50 U.S.C. 4553), an individual to be known as the
22 “Outreach Representative” for the COVID–19 emergency
23 period. Such individual shall—

1 necessary to produce or use the materials described in sec-
2 tion 61002 to the extent necessary for the national defense
3 during the COVID–19 emergency period.

4 **SEC. 61006. ENHANCED REPORTING DURING COVID-19**
5 **EMERGENCY.**

6 (a) REPORT ON EXERCISING AUTHORITIES UNDER
7 THE DEFENSE PRODUCTION ACT OF 1950.—

8 (1) IN GENERAL.—Not later than 90 days after
9 the date of the enactment of this Act, the President,
10 in consultation with the Administrator of the Fed-
11 eral Emergency Management Agency, the Secretary
12 of Defense, and the Secretary of Health and Human
13 Services, shall submit to the appropriate congress-
14 sional committees a report on the exercise of au-
15 thorities under titles I, III, and VII of the Defense
16 Production Act of 1950 (50 U.S.C. 4501 et seq.)
17 prior to the date of such report for the purposes of
18 the COVID–19 response.

19 (2) CONTENTS.—The report required under
20 subsection (a) and the update required under para-
21 graph (3) shall include the following:

22 (A) IN GENERAL.—With respect to each
23 exercise of such authority—

24 (i) an explanation of the purpose of
25 the applicable contract, purchase order, or

1 other exercise of authority (including an
2 allocation of materials, services, and facili-
3 ties under section 101(a)(2) of the Defense
4 Production Act of 1950 (50 U.S.C.
5 4511(a)(2));

6 (ii) the cost of such exercise of au-
7 thority; and

8 (iii) if applicable—

9 (I) the amount of goods that
10 were purchased or allocated;

11 (II) an identification of the entity
12 awarded a contract or purchase order
13 or that was the subject of the exercise
14 of authority; and

15 (III) an identification of any en-
16 tity that had shipments delayed by the
17 exercise of any authority under the
18 Defense Production Act of 1950 (50
19 U.S.C. 4501 et seq.).

20 (B) CONSULTATIONS.—A description of
21 any consultations conducted with relevant
22 stakeholders on the needs addressed by the ex-
23 ercise of the authorities described in paragraph
24 (1).

1 (3) UPDATE.—The President shall provide an
2 additional briefing to the appropriate congressional
3 committees on the matters described under para-
4 graph (2) no later than four months after the sub-
5 mission of the report.

6 (b) EXERCISE OF LOAN AUTHORITIES.—

7 (1) IN GENERAL.—Any loan made pursuant to
8 section 302 or 303 of the Defense Production Act of
9 1950, carried out by the United States International
10 Development Finance Corporation pursuant to the
11 authorities delegated by Executive Order No. 13922,
12 shall be subject to the notification requirements con-
13 tained in section 1446 of the BUILD Act of 2018
14 (22 U.S.C. 9656).

15 (2) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—For purposes of the notifications required by
17 paragraph (1) the term “appropriate congressional
18 committees”, as used section 1446 of the BUILD
19 Act of 2018, shall be deemed to include the Com-
20 mittee on Financial Services of the House of Rep-
21 resentatives and the Committee on Banking, Hous-
22 ing and Urban Development of the Senate.

23 (c) SUNSET.—The requirements of this section shall
24 terminate on the end of the COVID–19 emergency period.

1 **SEC. 61007. REPORT ON ACTIVITIES INVOLVING SMALL**
2 **BUSINESS.**

3 The report required by section 304(f)(3) of the De-
4 fense Production Act of 1950 (50 U.S.C. 4534(f)(3)) for
5 fiscal years 2023 and 2024 shall include the percentage
6 of contracts awarded using funds to carry out the Defense
7 Production Act of 1950 for each of the fiscal years 2023
8 and 2024, respectively, to small business concerns (as de-
9 fined under section 702 of such Act).

10 **SEC. 61008. DEFINITIONS.**

11 In this title:

12 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
13 **TEES.**—The term “appropriate congressional com-
14 mittees” means the Committees on Appropriations,
15 Armed Services, Energy and Commerce, Financial
16 Services, and Homeland Security of the House of
17 Representatives and the Committees on Appropria-
18 tions, Armed Services, Banking, Housing, and
19 Urban Affairs, Health, Education, Labor, and Pen-
20 sions, Homeland Security and Governmental Affairs,
21 and Veterans’ Affairs of the Senate.

22 (2) **COVID–19 EMERGENCY PERIOD.**—The
23 term “COVID–19 emergency period” means the pe-
24 riod beginning on the date of enactment of this Act
25 and ending on the earlier of—

1 (A) the end of the incident period for the
2 emergency declared on March 13, 2020, by the
3 President under section 501 of the Robert T.
4 Stafford Disaster Relief and Emergency Assist-
5 ance Act (42 U.S.C. 4121 et seq.) relating to
6 the Coronavirus Disease 2019 (COVID-19)
7 pandemic; or

8 (B) September 30, 2025.

9 (3) RELEVANT STAKEHOLDER.—The term “rel-
10 evant stakeholder” means—

11 (A) representative private sector entities;

12 (B) representatives of the nonprofit sector;

13 (C) representatives of primary and sec-
14 ondary school systems; and

15 (D) representatives of organizations rep-
16 resenting workers, including health workers,
17 manufacturers, teachers, other public sector
18 employees, and service sector workers.

19 (4) STATE.—The term “State” means each of
20 the several States, the District of Columbia, Puerto
21 Rico, and any territory of the United States.

1 **TITLE XI—AFGHAN TRADE**
2 **ZONES FOR LICIT TRADE**

3 **SEC. 61101. STUDY AND REPORT ON FEASIBILITY OF ESTAB-**
4 **LISHMENT AND IMPLEMENTATION OF AF-**
5 **GHAN TRADE ZONES FOR LICIT TRADE.**

6 (a) **IN GENERAL.**—To facilitate a secure path of licit
7 market activity to support the legitimate economy and the
8 humanitarian needs to every day Afghans, the Secretary
9 of the Treasury and the Secretary of State, in consultation
10 with the heads of other Federal agencies as appropriate,
11 shall jointly conduct a study on the management of sanc-
12 tions imposed against Afghan individuals, including with
13 respect granting of licenses to such individuals, to facili-
14 tate the implementation of foreign trade zones in Afghani-
15 stan for licit trade.

16 (b) **MATTERS TO BE INCLUDED.**—The study re-
17 quired under subsection (a) should—

18 (1) identify individuals described in subsection
19 (a) that, if sanctions imposed against such individ-
20 uals are revised or licenses are granted to such indi-
21 viduals, could establish and implement such foreign
22 trade zones but still maintain United States national
23 security; and

1 (2) review the possibility of establishing such
2 foreign trade zones within the current sanctions re-
3 gime, including—

4 (A) identifying such individuals that would
5 implement foreign trade zones;

6 (B) identifying the programs under which
7 such individuals are sanctioned to determine if
8 revised sanctions or granting of licenses is ap-
9 propriate;

10 (C) identifying the possibility of such indi-
11 viduals implementing such foreign trade zones;
12 and

13 (D) identifying any potential conflicts with
14 non-United States or other foreign allied sanc-
15 tions, such as sanctions imposed by the United
16 Nations or the European Union.

17 (c) REPORT.—The Secretary of the Treasury and the
18 Secretary of State shall jointly submit to Congress a re-
19 port on the results of the study.

1 **TITLE XII—INTERAGENCY TASK**
2 **FORCE TO ADDRESS CHINESE**
3 **MARKET MANIPULATION IN**
4 **THE UNITED STATES**

5 **SEC. 61201. ESTABLISHMENT OF INTERAGENCY TASK**
6 **FORCE TO ADDRESS CHINESE MARKET MA-**
7 **NIPLICATION IN THE UNITED STATES.**

8 (a) IN GENERAL.—The Department of Justice, the
9 Federal Trade Commission, the Department of the Treas-
10 ury, the Securities and Exchange Commission, and such
11 other Federal agencies as the President determines appro-
12 priate shall establish a joint interagency task force to in-
13 vestigate allegations of systemic market manipulation and
14 other potential violations of antitrust and competition laws
15 in the United States by companies established in the Peo-
16 ple’s Republic of China, including allegations of efforts to
17 illegally capture market share, fix or manipulate prices,
18 and control the supply of goods in critical industries of
19 the United States, including—

- 20 (1) the pharmaceutical and medical devices in-
21 dustry;
- 22 (2) the renewable energy industry;
- 23 (3) the steel and aluminum industries; and
- 24 (4) such other industries as the task force con-
25 siders appropriate.

1 (b) REPORT.—Not later than 180 days after the date
2 of enactment of this Act, the President shall provide to
3 the appropriate congressional committees—

4 (1) a briefing on the progress of the inter-
5 agency task force and its findings as described in
6 subsection (a); and

7 (2) recommendations to the committees on po-
8 tential amendments to antitrust and competition
9 laws in the United States that would strengthen the
10 ability of United States antitrust enforcement agen-
11 cies to bring actions against anticompetitive business
12 practices by Chinese companies.

13 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
14 FINED.—In this section, the term “appropriate congres-
15 sional committees” means—

16 (1) the Committee on Banking, Housing, and
17 Urban Affairs, the Committee on Foreign Relations,
18 the Committee on Finance, the Committee on the
19 Judiciary, and the Committee on Commerce,
20 Science, and Transportation of the Senate; and

21 (2) the Committee on Financial Services, the
22 Committee on Foreign Affairs, the Committee on
23 Ways and Means, the Committee on the Judiciary,
24 and the Committee on Energy and Commerce of the
25 House of Representatives.

1 **SEC. 61202. EXPANSION OF STUDY AND STRATEGY ON**
2 **MONEY LAUNDERING BY THE PEOPLE’S RE-**
3 **PUBLIC OF CHINA TO INCLUDE RISKS OF**
4 **CONTRIBUTING TO CORRUPTION.**

5 (a) **IN GENERAL.**—Section 6507 of the Anti-Money
6 Laundering Act of 2020 (division F of Public Law 116–
7 283) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (3), by striking “; and”
10 and inserting a semicolon;

11 (B) in paragraph (4), by striking the pe-
12 riod at the end and inserting “; and”; and

13 (C) by adding at the end the following:

14 “(5) the ways in which such increased illicit fi-
15 nance risks may contribute to corruption involving
16 Chinese firms and a strategy to combat such corrup-
17 tion.”; and

18 (2) in subsection (b), by inserting “and corrup-
19 tion” after “activities”.

20 (b) **EFFECTIVE DATE.**—The amendments made by
21 subsection (a) shall take effect as if included in the enact-
22 ment of the Anti-Money Laundering Act of 2020 (division
23 F of Public Law 116–283).

1 **TITLE XIII—DISCLOSURE RE-**
2 **QUIREMENTS RELATING TO**
3 **CERTAIN EXEMPTED TRANS-**
4 **ACTIONS**

5 **SEC. 61301. IN GENERAL.**

6 (a) AMENDMENT.—The Securities Exchange Act of
7 1934 is amended by inserting after section 13A (15 U.S.C.
8 78m–1) the following:

9 **“SEC. 13B. DISCLOSURE REQUIREMENTS RELATING TO**
10 **CERTAIN EXEMPTED TRANSACTIONS.**

11 “(a) IN GENERAL.—Notwithstanding any other pro-
12 vision of law, in the case of an issuer that conducts a cov-
13 ered exempted transaction, such issuer shall provide to the
14 Commission, at such time and in such manner as the Com-
15 mission may prescribe, the following:

16 “(1) The identity of the issuer.

17 “(2) The place of incorporation of the issuer.

18 “(3) The amount of the issuance and the net
19 proceeds to the issuer.

20 “(4) The principal beneficial owners of the
21 issuer.

22 “(5) The intended use of the proceeds from
23 such issuance, including—

24 “(A) each country in which the issuer in-
25 tends to invest such proceeds; and

1 “(B) each industry in which the issuer in-
2 tends to invest such proceeds.

3 “(6) The exemption the issuer relies on with re-
4 spect to such covered exempted transaction.

5 “(b) AUTHORITY TO REVISE AND PROMULGATE
6 RULES, REGULATIONS, AND FORMS.—The Commission
7 shall, for the protection of investors and fair and orderly
8 markets, revise and promulgate such rules, regulations,
9 and forms as may be necessary to carry out this section.
10 The Commission shall also issue rules to set conditions
11 for future use of the exemptions for those issuers who do
12 not comply with the disclosure requirements of this sec-
13 tion.

14 “(c) COVERED EXEMPTED TRANSACTION.—The
15 term ‘covered exempted transaction’ means an issuance of
16 a security that is exempt from registration under section
17 5 of the Securities Act of 1933 (15 U.S.C. 77e) that—

18 “(1) is structured or intended to comply with—

19 “(A) Rule 506(b) of Regulation D, as pro-
20 mulgated by the Commission;

21 “(B) Regulation S, as promulgated by the
22 Commission; or

23 “(C) Rule 144A, as promulgated by the
24 Commission; and

25 “(2) either—

1 “(A) has an issuance equal to \$25,000,000
2 or greater; or

3 “(B) with respect to any 1-year period,
4 has, together with all covered exempted trans-
5 actions in that period, an aggregate issuance of
6 \$50,000,000 or greater.”.

7 (b) APPLICABILITY.—The amendment made by sub-
8 section (a) shall apply with respect to issuers of covered
9 exempt transactions on the date that is 270 days after
10 the date of the enactment of this Act.

11 (c) REPORT.—The Commission shall, each quarter,
12 submit to the Committee of Financial Services of the
13 House of Representatives and Committee of Banking,
14 Housing, and Urban Affairs of the Senate a report that
15 includes all information submitted by an issuer under sec-
16 tion 13B of the Securities Exchange Act of 1934, as added
17 by subsection (a), during the previous quarter if such
18 issuer—

19 (1) is—

20 (A) incorporated in the People’s Republic
21 of China; or

22 (B) incorporated outside the People’s Re-
23 public of China and has significant entities
24 within the People’s Republic of China being
25 consolidated with the issuer where the assets of

1 those entities within the People’s Republic of
 2 China constitute the majority of assets of the
 3 consolidated entity; or

4 (2) discloses in a filing made pursuant to sec-
 5 tion 13B of the Securities Exchange Act of 1934, as
 6 added by subsection (a), that the issuer intends to
 7 invest the proceeds from issuance of an exempted
 8 transaction in the People’s Republic of China.

9 **TITLE XIV—SAFE BANKING**

10 **SEC. 61401. SHORT TITLE; TABLE OF CONTENTS; PURPOSE.**

11 (a) **SHORT TITLE.**—This title may be cited as the
 12 “Secure And Fair Enforcement Banking Act of 2022” or
 13 the “SAFE Banking Act of 2022”.

14 (b) **TABLE OF CONTENTS.**—The table of contents for
 15 this title is as follows:

TITLE XIV—SAFE BANKING

- Sec. 61401. Short title; table of contents; purpose.
- Sec. 61402. Safe harbor for depository institutions.
- Sec. 61403. Protections for ancillary businesses.
- Sec. 61404. Protections under Federal law.
- Sec. 61405. Rules of construction.
- Sec. 61406. Requirements for filing suspicious activity reports.
- Sec. 61407. Guidance and examination procedures.
- Sec. 61408. Annual diversity and inclusion report.
- Sec. 61409. GAO study on diversity and inclusion.
- Sec. 61410. GAO study on effectiveness of certain reports on finding certain persons.
- Sec. 61411. Application of this title with respect to hemp-related legitimate businesses and hemp-related service providers.
- Sec. 61412. Banking services for hemp-related legitimate businesses and hemp-related service providers.
- Sec. 61413. Requirements for deposit account termination requests and orders.
- Sec. 61414. Definitions.
- Sec. 61415. Discretionary surplus funds.

1 (c) PURPOSE.—The purpose of this title is to increase
2 public safety by ensuring access to financial services to
3 cannabis-related legitimate businesses and service pro-
4 viders and reducing the amount of cash at such busi-
5 nesses.

6 **SEC. 61402. SAFE HARBOR FOR DEPOSITORY INSTITUTIONS.**

7 (a) IN GENERAL.—A Federal banking regulator may
8 not—

9 (1) terminate or limit the deposit insur-
10 ance or share insurance of a depository institu-
11 tion under the Federal Deposit Insurance Act
12 (12 U.S.C. 1811 et seq.), the Federal Credit
13 Union Act (12 U.S.C. 1751 et seq.), or take
14 any other adverse action against a depository
15 institution under section 8 of the Federal De-
16 posit Insurance Act (12 U.S.C. 1818) solely be-
17 cause the depository institution provides or has
18 provided financial services to a cannabis-related
19 legitimate business or service provider;

20 (2) prohibit, penalize, or otherwise discour-
21 age a depository institution from providing fi-
22 nancial services to a cannabis-related legitimate
23 business or service provider or to a State, polit-
24 ical subdivision of a State, or Indian Tribe that

1 exercises jurisdiction over cannabis-related le-
2 gitimate businesses;

3 (3) recommend, incentivize, or encourage a
4 depository institution not to offer financial serv-
5 ices to an account holder, or to downgrade or
6 cancel the financial services offered to an ac-
7 count holder solely because—

8 (A) the account holder is a cannabis-
9 related legitimate business or service pro-
10 vider, or is an employee, owner, or oper-
11 ator of a cannabis-related legitimate busi-
12 ness or service provider;

13 (B) the account holder later becomes
14 an employee, owner, or operator of a can-
15 nabis-related legitimate business or service
16 provider; or

17 (C) the depository institution was not
18 aware that the account holder is an em-
19 ployee, owner, or operator of a cannabis-re-
20 lated legitimate business or service pro-
21 vider;

22 (4) take any adverse or corrective super-
23 visory action on a loan made to—

24 (A) a cannabis-related legitimate busi-
25 ness or service provider, solely because the

1 business is a cannabis-related legitimate
2 business or service provider;

3 (B) an employee, owner, or operator
4 of a cannabis-related legitimate business or
5 service provider, solely because the em-
6 ployee, owner, or operator is employed by,
7 owns, or operates a cannabis-related legiti-
8 mate business or service provider, as appli-
9 cable; or

10 (C) an owner or operator of real es-
11 tate or equipment that is leased to a can-
12 nabis-related legitimate business or service
13 provider, solely because the owner or oper-
14 ator of the real estate or equipment leased
15 the equipment or real estate to a cannabis-
16 related legitimate business or service pro-
17 vider, as applicable; or

18 (5) prohibit or penalize a depository insti-
19 tution (or entity performing a financial service
20 for or in association with a depository institu-
21 tion) for, or otherwise discourage a depository
22 institution (or entity performing a financial
23 service for or in association with a depository
24 institution) from, engaging in a financial service

1 for a cannabis-related legitimate business or
2 service provider.

3 (b) SAFE HARBOR APPLICABLE TO DE NOVO INSTI-
4 TUTIONS.—Subsection (a) shall apply to an institution ap-
5 plying for a depository institution charter to the same ex-
6 tent as such subsection applies to a depository institution.

7 **SEC. 61403. PROTECTIONS FOR ANCILLARY BUSINESSES.**

8 For the purposes of sections 1956 and 1957 of title
9 18, United States Code, and all other provisions of Fed-
10 eral law, the proceeds from a transaction involving activi-
11 ties of a cannabis-related legitimate business or service
12 provider shall not be considered proceeds from an unlawful
13 activity solely because—

14 (1) the transaction involves proceeds from a
15 cannabis-related legitimate business or service pro-
16 vider; or

17 (2) the transaction involves proceeds from—

18 (A) cannabis-related activities described in
19 section 61414(4)(B) conducted by a cannabis-
20 related legitimate business; or

21 (B) activities described in section
22 61414(13)(A) conducted by a service provider.

23 **SEC. 61404. PROTECTIONS UNDER FEDERAL LAW.**

24 (a) IN GENERAL.—With respect to providing a finan-
25 cial service to a cannabis-related legitimate business

1 (where such cannabis-related legitimate business operates
2 within a State, political subdivision of a State, or Indian
3 country that allows the cultivation, production, manufac-
4 ture, sale, transportation, display, dispensing, distribution,
5 or purchase of cannabis pursuant to a law or regulation
6 of such State, political subdivision, or Indian Tribe that
7 has jurisdiction over the Indian country, as applicable) or
8 a service provider (wherever located), a depository institu-
9 tion, entity performing a financial service for or in associa-
10 tion with a depository institution, or insurer that provides
11 a financial service to a cannabis-related legitimate busi-
12 ness or service provider, and the officers, directors, and
13 employees of that depository institution, entity, or insurer
14 may not be held liable pursuant to any Federal law or
15 regulation—

16 (1) solely for providing such a financial service;

17 or

18 (2) for further investing any income derived
19 from such a financial service.

20 (b) PROTECTIONS FOR FEDERAL RESERVE BANKS
21 AND FEDERAL HOME LOAN BANKS.—With respect to
22 providing a service to a depository institution that pro-
23 vides a financial service to a cannabis-related legitimate
24 business (where such cannabis-related legitimate business
25 operates within a State, political subdivision of a State,

1 or Indian country that allows the cultivation, production,
2 manufacture, sale, transportation, display, dispensing, dis-
3 tribution, or purchase of cannabis pursuant to a law or
4 regulation of such State, political subdivision, or Indian
5 Tribe that has jurisdiction over the Indian country, as ap-
6 plicable) or service provider (wherever located), a Federal
7 reserve bank or Federal Home Loan Bank, and the offi-
8 cers, directors, and employees of the Federal reserve bank
9 or Federal Home Loan Bank, may not be held liable pur-
10 suant to any Federal law or regulation—

11 (1) solely for providing such a service; or

12 (2) for further investing any income derived
13 from such a service.

14 (c) PROTECTIONS FOR INSURERS.—With respect to
15 engaging in the business of insurance within a State, polit-
16 ical subdivision of a State, or Indian country that allows
17 the cultivation, production, manufacture, sale, transpor-
18 tation, display, dispensing, distribution, or purchase of
19 cannabis pursuant to a law or regulation of such State,
20 political subdivision, or Indian Tribe that has jurisdiction
21 over the Indian country, as applicable, an insurer that en-
22 gages in the business of insurance with a cannabis-related
23 legitimate business or service provider or who otherwise
24 engages with a person in a transaction permissible under
25 State law related to cannabis, and the officers, directors,

1 and employees of that insurer may not be held liable pur-
2 suant to any Federal law or regulation—

3 (1) solely for engaging in the business of insur-
4 ance; or

5 (2) for further investing any income derived
6 from the business of insurance.

7 (d) FORFEITURE.—

8 (1) DEPOSITORY INSTITUTIONS.—A depository
9 institution that has a legal interest in the collateral
10 for a loan or another financial service provided to an
11 owner, employee, or operator of a cannabis-related
12 legitimate business or service provider, or to an
13 owner or operator of real estate or equipment that
14 is leased or sold to a cannabis-related legitimate
15 business or service provider, shall not be subject to
16 criminal, civil, or administrative forfeiture of that
17 legal interest pursuant to any Federal law for pro-
18 viding such loan or other financial service.

19 (2) FEDERAL RESERVE BANKS AND FEDERAL
20 HOME LOAN BANKS.—A Federal reserve bank or
21 Federal Home Loan Bank that has a legal interest
22 in the collateral for a loan or another financial serv-
23 ice provided to a depository institution that provides
24 a financial service to a cannabis-related legitimate
25 business or service provider, or to an owner or oper-

1 ator of real estate or equipment that is leased or
2 sold to a cannabis-related legitimate business or
3 service provider, shall not be subject to criminal,
4 civil, or administrative forfeiture of that legal inter-
5 est pursuant to any Federal law for providing such
6 loan or other financial service.

7 **SEC. 61405. RULES OF CONSTRUCTION.**

8 (a) NO REQUIREMENT TO PROVIDE FINANCIAL
9 SERVICES.—Nothing in this title shall require a depository
10 institution, entity performing a financial service for or in
11 association with a depository institution, or insurer to pro-
12 vide financial services to a cannabis-related legitimate
13 business, service provider, or any other business.

14 (b) GENERAL EXAMINATION, SUPERVISORY, AND
15 ENFORCEMENT AUTHORITY.—Nothing in this title may
16 be construed in any way as limiting or otherwise restrict-
17 ing the general examination, supervisory, and enforcement
18 authority of the Federal banking regulators, provided that
19 the basis for any supervisory or enforcement action is not
20 the provision of financial services to a cannabis-related le-
21 gitimate business or service provider.

22 (c) BUSINESS OF INSURANCE.—Nothing in this title
23 shall interfere with the regulation of the business of insur-
24 ance in accordance with the Act of March 9, 1945 (59
25 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly

1 known as the “McCarran-Ferguson Act”) and the Dodd-
2 Frank Wall Street Reform and Consumer Protection Act
3 (12 U.S.C. 5301 et seq.).

4 **SEC. 61406. REQUIREMENTS FOR FILING SUSPICIOUS AC-**
5 **TIVITY REPORTS.**

6 Section 5318(g) of title 31, United States Code, is
7 amended by adding at the end the following:

8 “(5) REQUIREMENTS FOR CANNABIS-RELATED
9 LEGITIMATE BUSINESSES.—

10 “(A) IN GENERAL.—With respect to a fi-
11 nancial institution or any director, officer, em-
12 ployee, or agent of a financial institution that
13 reports a suspicious transaction pursuant to
14 this subsection, if the reason for the report re-
15 lates to a cannabis-related legitimate business
16 or service provider, the report shall comply with
17 appropriate guidance issued by the Financial
18 Crimes Enforcement Network. Not later than
19 the end of the 180-day period beginning on the
20 date of enactment of this paragraph, the Sec-
21 retary shall update the February 14, 2014,
22 guidance titled ‘BSA Expectations Regarding
23 Marijuana-Related Businesses’ (FIN–2014–
24 G001) to ensure that the guidance is consistent
25 with the purpose and intent of the SAFE

1 Banking Act of 2022 and does not significantly
2 inhibit the provision of financial services to a
3 cannabis-related legitimate business or service
4 provider in a State, political subdivision of a
5 State, or Indian country that has allowed the
6 cultivation, production, manufacture, transpor-
7 tation, display, dispensing, distribution, sale, or
8 purchase of cannabis pursuant to law or regula-
9 tion of such State, political subdivision, or In-
10 dian Tribe that has jurisdiction over the Indian
11 country.

12 “(B) DEFINITIONS.—For purposes of this
13 paragraph:

14 “(i) CANNABIS.—The term ‘cannabis’
15 has the meaning given the term ‘mari-
16 huana’ in section 102 of the Controlled
17 Substances Act (21 U.S.C. 802).

18 “(ii) CANNABIS-RELATED LEGITIMATE
19 BUSINESS.—The term ‘cannabis-related le-
20 gitimate business’ has the meaning given
21 that term in section 61414 of the SAFE
22 Banking Act of 2022.

23 “(iii) INDIAN COUNTRY.—The term
24 ‘Indian country’ has the meaning given
25 that term in section 1151 of title 18.

1 “(iv) INDIAN TRIBE.—The term ‘In-
2 dian Tribe’ has the meaning given that
3 term in section 102 of the Federally Rec-
4 ognized Indian Tribe List Act of 1994 (25
5 U.S.C. 479a).

6 “(v) FINANCIAL SERVICE.—The term
7 ‘financial service’ has the meaning given
8 that term in section 61414 of the SAFE
9 Banking Act of 2022.

10 “(vi) SERVICE PROVIDER.—The term
11 ‘service provider’ has the meaning given
12 that term in section 61414 of the SAFE
13 Banking Act of 2022.

14 “(vii) STATE.—The term ‘State’
15 means each of the several States, the Dis-
16 trict of Columbia, the Commonwealth of
17 Puerto Rico, and any territory or posses-
18 sion of the United States.”.

19 **SEC. 61407. GUIDANCE AND EXAMINATION PROCEDURES.**

20 Not later than 180 days after the date of enactment
21 of this Act, the Financial Institutions Examination Coun-
22 cil shall develop uniform guidance and examination proce-
23 dures for depository institutions that provide financial
24 services to cannabis-related legitimate businesses and
25 service providers.

1 **SEC. 61408. ANNUAL DIVERSITY AND INCLUSION REPORT.**

2 The Federal banking regulators shall issue an annual
3 report to Congress containing—

4 (1) information and data on the availability of
5 access to financial services for minority-owned and
6 women-owned cannabis-related legitimate businesses;
7 and

8 (2) any regulatory or legislative recommenda-
9 tions for expanding access to financial services for
10 minority-owned and women-owned cannabis-related
11 legitimate businesses.

12 **SEC. 61409. GAO STUDY ON DIVERSITY AND INCLUSION.**

13 (a) STUDY.—The Comptroller General of the United
14 States shall carry out a study on the barriers to market-
15 place entry, including in the licensing process, and the ac-
16 cess to financial services for potential and existing minor-
17 ity-owned and women-owned cannabis-related legitimate
18 businesses.

19 (b) REPORT.—The Comptroller General shall issue a
20 report to the Congress—

21 (1) containing all findings and determinations
22 made in carrying out the study required under sub-
23 section (a); and

24 (2) containing any regulatory or legislative rec-
25 ommendations for removing barriers to marketplace
26 entry, including in the licensing process, and ex-

1 panding access to financial services for potential and
2 existing minority-owned and women-owned cannabis-
3 related legitimate businesses.

4 **SEC. 61410. GAO STUDY ON EFFECTIVENESS OF CERTAIN**
5 **REPORTS ON FINDING CERTAIN PERSONS.**

6 Not later than 2 years after the date of the enact-
7 ment of this Act, the Comptroller General of the United
8 States shall carry out a study on the effectiveness of re-
9 ports on suspicious transactions filed pursuant to section
10 5318(g) of title 31, United States Code, at finding individ-
11 uals or organizations suspected or known to be engaged
12 with transnational criminal organizations and whether any
13 such engagement exists in a State, political subdivision,
14 or Indian Tribe that has jurisdiction over Indian country
15 that allows the cultivation, production, manufacture, sale,
16 transportation, display, dispensing, distribution, or pur-
17 chase of cannabis. The study shall examine reports on sus-
18 picious transactions as follows:

19 (1) During the period of 2014 until the date of
20 the enactment of this Act, reports relating to mari-
21 juana-related businesses.

22 (2) During the 1-year period after date of the
23 enactment of this Act, reports relating to cannabis-
24 related legitimate businesses.

1 **SEC. 61411. APPLICATION OF THIS TITLE WITH RESPECT TO**
2 **HEMP-RELATED LEGITIMATE BUSINESSES**
3 **AND HEMP-RELATED SERVICE PROVIDERS.**

4 (a) **IN GENERAL.**—The provisions of this title (other
5 than sections 61406 and 61410) shall apply with respect
6 to hemp-related legitimate businesses and hemp-related
7 service providers in the same manner as such provisions
8 apply with respect to cannabis-related legitimate busi-
9 nesses and service providers.

10 (b) **DEFINITIONS.**—In this section:

11 (1) **CBD.**—The term “CBD” means
12 cannabidiol.

13 (2) **HEMP.**—The term “hemp” has the meaning
14 given that term under section 297A of the Agricul-
15 tural Marketing Act of 1946 (7 U.S.C. 1639o).

16 (3) **HEMP-RELATED LEGITIMATE BUSINESS.**—
17 The term “hemp-related legitimate business” means
18 a manufacturer, producer, or any person or company
19 that—

20 (A) engages in any activity described in
21 subparagraph (B) in conformity with the Agri-
22 cultural Improvement Act of 2018 (Public Law
23 115–334) and the regulations issued to imple-
24 ment such Act by the Department of Agri-
25 culture, where applicable, and the law of a

1 State or political subdivision thereof or Indian
2 Tribe; and

3 (B) participates in any business or orga-
4 nized activity that involves handling hemp,
5 hemp-derived CBD products, and other hemp-
6 derived cannabinoid products, including culti-
7 vating, producing, extracting, manufacturing,
8 selling, transporting, displaying, dispensing, dis-
9 tributing, or purchasing hemp, hemp-derived
10 CBD products, and other hemp-derived
11 cannabinoid products.

12 (4) HEMP-RELATED SERVICE PROVIDER.—The
13 term “hemp-related service provider”—

14 (A) means a business, organization, or
15 other person that—

16 (i) sells goods or services to a hemp-
17 related legitimate business; or

18 (ii) provides any business services, in-
19 cluding the sale or lease of real or any
20 other property, legal or other licensed serv-
21 ices, or any other ancillary service, relating
22 to hemp, hemp-derived CBD products, or
23 other hemp-derived cannabinoid products;
24 and

1 (B) does not include a business, organiza-
2 tion, or other person that participates in any
3 business or organized activity that involves han-
4 dling hemp, hemp-derived CBD products, or
5 other hemp-derived cannabinoid products, in-
6 cluding cultivating, producing, manufacturing,
7 selling, transporting, displaying, dispensing, dis-
8 tributing, or purchasing hemp, hemp-derived
9 CBD products, and other hemp-derived
10 cannabinoid products.

11 **SEC. 61412. BANKING SERVICES FOR HEMP-RELATED LE-**
12 **GITIMATE BUSINESSES AND HEMP-RELATED**
13 **SERVICE PROVIDERS.**

14 (a) FINDINGS.—The Congress finds that—

15 (1) the Agriculture Improvement Act of 2018
16 (Public Law 115–334) legalized hemp by removing
17 it from the definition of “marihuana” under the
18 Controlled Substances Act;

19 (2) despite the legalization of hemp, some hemp
20 businesses (including producers, manufacturers, and
21 retailers) continue to have difficulty gaining access
22 to banking products and services; and

23 (3) businesses involved in the sale of hemp-de-
24 rived CBD products are particularly affected, due to
25 confusion about the legal status of such products.

1 (b) FEDERAL BANKING REGULATORS' HEMP BANK-
2 ING GUIDANCE.—Not later than the end of the 90-day pe-
3 riod beginning on the date of enactment of this Act, the
4 Federal banking regulators shall update their existing
5 guidance, as applicable, regarding the provision of finan-
6 cial services to hemp-related legitimate businesses and
7 hemp-related service providers to address—

8 (1) compliance with financial institutions' exist-
9 ing obligations under Federal laws and imple-
10 menting regulations determined relevant by the Fed-
11 eral banking regulators, including subchapter II of
12 chapter 53 of title 31, United States Code, and its
13 implementing regulation in conformity with this title
14 and the Department of Agriculture's rules regulating
15 domestic hemp production (7 CFR 990); and

16 (2) best practices for financial institutions to
17 follow when providing financial services, including
18 processing payments, to hemp-related legitimate
19 businesses and hemp-related service providers.

20 (c) DEFINITIONS.—In this section:

21 (1) FINANCIAL INSTITUTION.—The term “fi-
22 nancial institution”—

23 (A) has the meaning given that term under
24 section 5312(a) of title 31, United States Code;
25 and

1 (B) includes a bank holding company, as
2 defined under section 2(a) of the Bank Holding
3 Company Act of 1956 (12 U.S.C. 1841(a)).

4 (2) HEMP TERMS.—The terms “CBD”,
5 “hemp”, “hemp-related legitimate business”, and
6 “hemp-related service provider” have the meaning
7 given those terms, respectively, under section 61411.

8 **SEC. 61413. REQUIREMENTS FOR DEPOSIT ACCOUNT TER-**
9 **MINATION REQUESTS AND ORDERS.**

10 (a) TERMINATION REQUESTS OR ORDERS MUST BE
11 VALID.—

12 (1) IN GENERAL.—An appropriate Federal
13 banking agency may not formally or informally re-
14 quest or order a depository institution to terminate
15 a specific customer account or group of customer ac-
16 counts or to otherwise restrict or discourage a de-
17 pository institution from entering into or maintain-
18 ing a banking relationship with a specific customer
19 or group of customers unless—

20 (A) the agency has a valid reason for such
21 request or order; and

22 (B) such reason is not based solely on rep-
23 utation risk.

24 (2) TREATMENT OF NATIONAL SECURITY
25 THREATS.—If an appropriate Federal banking agen-

1 cy believes a specific customer or group of customers
2 is, or is acting as a conduit for, an entity which—

3 (A) poses a threat to national security;

4 (B) is involved in terrorist financing;

5 (C) is an agency of the Government of
6 Iran, North Korea, Syria, or any country listed
7 from time to time on the State Sponsors of
8 Terrorism list;

9 (D) is located in, or is subject to the juris-
10 diction of, any country specified in subpara-
11 graph (C); or

12 (E) does business with any entity described
13 in subparagraph (C) or (D), unless the appro-
14 priate Federal banking agency determines that
15 the customer or group of customers has used
16 due diligence to avoid doing business with any
17 entity described in subparagraph (C) or (D),

18 such belief shall satisfy the requirement under para-
19 graph (1).

20 (b) NOTICE REQUIREMENT.—

21 (1) IN GENERAL.—If an appropriate Federal
22 banking agency formally or informally requests or
23 orders a depository institution to terminate a spe-
24 cific customer account or a group of customer ac-
25 counts, the agency shall—

1 (A) provide such request or order to the
2 institution in writing; and

3 (B) accompany such request or order with
4 a written justification for why such termination
5 is needed, including any specific laws or regula-
6 tions the agency believes are being violated by
7 the customer or group of customers, if any.

8 (2) JUSTIFICATION REQUIREMENT.—A jus-
9 tification described under paragraph (1)(B) may not
10 be based solely on the reputation risk to the deposi-
11 tory institution.

12 (c) CUSTOMER NOTICE.—

13 (1) NOTICE REQUIRED.—Except as provided
14 under paragraph (2) or as otherwise prohibited from
15 being disclosed by law, if an appropriate Federal
16 banking agency orders a depository institution to
17 terminate a specific customer account or a group of
18 customer accounts, the depository institution shall
19 inform the specific customer or group of customers
20 of the justification for the customer's account termi-
21 nation described under subsection (b).

22 (2) NOTICE PROHIBITED.—

23 (A) NOTICE PROHIBITED IN CASES OF NA-
24 TIONAL SECURITY.—If an appropriate Federal
25 banking agency requests or orders a depository

1 institution to terminate a specific customer ac-
2 count or a group of customer accounts based on
3 a belief that the customer or customers pose a
4 threat to national security, or are otherwise de-
5 scribed under subsection (a)(2), neither the de-
6 pository institution nor the appropriate Federal
7 banking agency may inform the customer or
8 customers of the justification for the customer's
9 account termination.

10 (B) NOTICE PROHIBITED IN OTHER
11 CASES.—If an appropriate Federal banking
12 agency determines that the notice required
13 under paragraph (1) may interfere with an au-
14 thorized criminal investigation, neither the de-
15 pository institution nor the appropriate Federal
16 banking agency may inform the specific cus-
17 tomer or group of customers of the justification
18 for the customer's account termination.

19 (d) REPORTING REQUIREMENT.—Each appropriate
20 Federal banking agency shall issue an annual report to
21 the Congress stating—

22 (1) the aggregate number of specific customer
23 accounts that the agency requested or ordered a de-
24 pository institution to terminate during the previous
25 year; and

1 (2) the legal authority on which the agency re-
2 lied in making such requests and orders and the fre-
3 quency on which the agency relied on each such au-
4 thority.

5 (e) DEFINITIONS.—For purposes of this section:

6 (1) APPROPRIATE FEDERAL BANKING AGEN-
7 CY.—The term “appropriate Federal banking agen-
8 cy” means—

9 (A) the appropriate Federal banking agen-
10 cy, as defined under section 3 of the Federal
11 Deposit Insurance Act (12 U.S.C. 1813); and

12 (B) the National Credit Union Administra-
13 tion, in the case of an insured credit union.

14 (2) DEPOSITORY INSTITUTION.—The term “de-
15 pository institution” means—

16 (A) a depository institution, as defined
17 under section 3 of the Federal Deposit Insur-
18 ance Act (12 U.S.C. 1813); and

19 (B) an insured credit union.

20 **SEC. 61414. DEFINITIONS.**

21 In this title:

22 (1) BUSINESS OF INSURANCE.—The term
23 “business of insurance” has the meaning given such
24 term in section 1002 of the Dodd-Frank Wall Street

1 Reform and Consumer Protection Act (12 U.S.C.
2 5481).

3 (2) CANNABIS.—The term “cannabis” has the
4 meaning given the term “marihuana” in section 102
5 of the Controlled Substances Act (21 U.S.C. 802).

6 (3) CANNABIS PRODUCT.—The term “cannabis
7 product” means any article which contains cannabis,
8 including an article which is a concentrate, an edi-
9 ble, a tincture, a cannabis-infused product, or a top-
10 ical.

11 (4) CANNABIS-RELATED LEGITIMATE BUSI-
12 NESS.—The term “cannabis-related legitimate busi-
13 ness” means a manufacturer, producer, or any per-
14 son or company that—

15 (A) engages in any activity described in
16 subparagraph (B) pursuant to a law established
17 by a State or a political subdivision of a State,
18 as determined by such State or political subdivi-
19 sion; and

20 (B) participates in any business or orga-
21 nized activity that involves handling cannabis or
22 cannabis products, including cultivating, pro-
23 ducing, manufacturing, selling, transporting,
24 displaying, dispensing, distributing, or pur-
25 chasing cannabis or cannabis products.

1 (5) DEPOSITORY INSTITUTION.—The term “de-
2 pository institution” means—

3 (A) a depository institution as defined in
4 section 3(c) of the Federal Deposit Insurance
5 Act (12 U.S.C. 1813(c));

6 (B) a Federal credit union as defined in
7 section 101 of the Federal Credit Union Act
8 (12 U.S.C. 1752); or

9 (C) a State credit union as defined in sec-
10 tion 101 of the Federal Credit Union Act (12
11 U.S.C. 1752).

12 (6) FEDERAL BANKING REGULATOR.—The
13 term “Federal banking regulator” means each of the
14 Board of Governors of the Federal Reserve System,
15 the Bureau of Consumer Financial Protection, the
16 Federal Deposit Insurance Corporation, the Federal
17 Housing Finance Agency, the Financial Crimes En-
18 forcement Network, the Office of Foreign Asset
19 Control, the Office of the Comptroller of the Cur-
20 rency, the National Credit Union Administration,
21 the Department of the Treasury, or any Federal
22 agency or department that regulates banking or fi-
23 nancial services, as determined by the Secretary of
24 the Treasury.

1 (7) FINANCIAL SERVICE.—The term “financial
2 service”—

3 (A) means a financial product or service,
4 as defined in section 1002 of the Dodd-Frank
5 Wall Street Reform and Consumer Protection
6 Act (12 U.S.C. 5481), regardless if the cus-
7 tomer receiving the product or service is a con-
8 sumer or commercial entity;

9 (B) means a financial product or service,
10 or any combination of products and services,
11 permitted to be provided by—

12 (i) a national bank or a financial sub-
13 sidiary pursuant to the authority provided
14 under—

15 (I) the provision designated
16 “Seventh” of section 5136 of the Re-
17 vised Statutes of the United States
18 (12 U.S.C. 24); or

19 (II) section 5136A of the Revised
20 Statutes of the United States (12
21 U.S.C. 24a); and

22 (ii) a Federal credit union, pursuant
23 to the authority provided under the Fed-
24 eral Credit Union Act;

25 (C) includes the business of insurance;

1 (D) includes, whether performed directly or
2 indirectly, the authorizing, processing, clearing,
3 settling, billing, transferring for deposit, trans-
4 mitting, delivering, instructing to be delivered,
5 reconciling, collecting, or otherwise effectuating
6 or facilitating of payments or funds, where such
7 payments or funds are made or transferred by
8 any means, including by the use of credit cards,
9 debit cards, other payment cards, or other ac-
10 cess devices, accounts, original or substitute
11 checks, or electronic funds transfers;

12 (E) includes acting as a money transmit-
13 ting business which directly or indirectly makes
14 use of a depository institution in connection
15 with effectuating or facilitating a payment for
16 a cannabis-related legitimate business or service
17 provider in compliance with section 5330 of
18 title 31, United States Code, and any applicable
19 State law; and

20 (F) includes acting as an armored car
21 service for processing and depositing with a de-
22 pository institution or a Federal reserve bank
23 with respect to any monetary instruments (as
24 defined under section 1956(c)(5) of title 18,
25 United States Code.

1 (8) INDIAN COUNTRY.—The term “Indian coun-
2 try” has the meaning given that term in section
3 1151 of title 18.

4 (9) INDIAN TRIBE.—The term “Indian Tribe”
5 has the meaning given that term in section 102 of
6 the Federally Recognized Indian Tribe List Act of
7 1994 (25 U.S.C. 479a).

8 (10) INSURER.—The term “insurer” has the
9 meaning given that term under section 313(r) of
10 title 31, United States Code.

11 (11) MANUFACTURER.—The term “manufac-
12 turer” means a person who manufactures, com-
13 pounds, converts, processes, prepares, or packages
14 cannabis or cannabis products.

15 (12) PRODUCER.—The term “producer” means
16 a person who plants, cultivates, harvests, or in any
17 way facilitates the natural growth of cannabis.

18 (13) SERVICE PROVIDER.—The term “service
19 provider”—

20 (A) means a business, organization, or
21 other person that—

22 (i) sells goods or services to a can-
23 nabis-related legitimate business; or

24 (ii) provides any business services, in-
25 cluding the sale or lease of real or any

1 other property, legal or other licensed serv-
2 ices, or any other ancillary service, relating
3 to cannabis; and

4 (B) does not include a business, organiza-
5 tion, or other person that participates in any
6 business or organized activity that involves han-
7 dling cannabis or cannabis products, including
8 cultivating, producing, manufacturing, selling,
9 transporting, displaying, dispensing, distrib-
10 uting, or purchasing cannabis or cannabis prod-
11 ucts.

12 (14) STATE.—The term “State” means each of
13 the several States, the District of Columbia, the
14 Commonwealth of Puerto Rico, and any territory or
15 possession of the United States.

16 **SEC. 61415. DISCRETIONARY SURPLUS FUNDS.**

17 Section 7(a)(3)(A) of the Federal Reserve Act (12
18 U.S.C. 289(a)(3)(A)) is amended by reducing the dollar
19 figure by \$6,000,000.

20 **DIVISION H—COMMITTEE ON**
21 **NATURAL RESOURCES**
22 **TITLE I—ILLEGAL FISHING AND**
23 **FORCED LABOR PREVENTION**

24 **SEC. 70101. DEFINITIONS.**

25 In this title, the following definitions apply:

1 (1) OPPRESSIVE CHILD LABOR.—The term “op-
2 pressive child labor” has the meaning given such
3 term in section 3 of the Fair Labor Standards Act
4 of 1938 (29 U.S.C. 203).

5 (2) FORCED LABOR.—The term “forced labor”
6 means any labor or service provided for or obtained
7 by any means described in section 1589(a) of title
8 18, United States Code.

9 (3) HUMAN TRAFFICKING.—The term “human
10 trafficking” has the meaning given the term “severe
11 forms of trafficking in persons” in section 103 of
12 the Trafficking Victims Protection Act of 2000 (22
13 U.S.C. 7102).

14 (4) ILLEGAL, UNREPORTED, OR UNREGULATED
15 FISHING.—The term “illegal, unreported, or unregu-
16 lated fishing” has the meaning given such term in
17 section 609 of the High Seas Driftnet Fishing Mora-
18 torium Protection Act (16 U.S.C. 1826j(e)), as
19 amended by this title.

20 (5) SEAFOOD.—The term “seafood” means fish
21 meal, and all marine animal and plant life meant for
22 consumption as food other than marine mammals
23 and birds, including fish, shellfish, shellfish prod-
24 ucts, and processed fish.

1 (6) SEAFOOD IMPORT MONITORING PROGRAM.—

2 The term “Seafood Import Monitoring Program”
3 means the Seafood Traceability Program established
4 under section 300.324 of title 50, Code of Federal
5 Regulations.

6 (7) SECRETARY.—The term “Secretary” means
7 the Secretary of Commerce, acting through the Ad-
8 ministrator of the National Oceanic and Atmos-
9 pheric Administration.

10 **SEC. 70102. AUTHORIZATION OF APPROPRIATIONS.**

11 There is authorized to be appropriated to the Sec-
12 retary \$20,000,000 for each of fiscal years 2022 through
13 2027 to carry out subtitle A, subtitle B, and the amend-
14 ments made by those subtitles.

15 **Subtitle A—Combating Human**
16 **Trafficking Through Seafood**
17 **Import Monitoring**

18 **SEC. 70111. DEFINITIONS.**

19 In this subtitle, the following additional definitions
20 apply:

21 (1) COMPETENT AUTHORITY.—The term “com-
22 petent authority” means government and any third
23 party that meets certain governing criteria. Such cri-
24 teria shall be established by regulation, after out-
25 reach to key environmental and labor stakeholders.

1 (2) UNIQUE VESSEL IDENTIFIER.—The term
2 “unique vessel identifier” means a unique number
3 that stays with a vessel for the duration of the ves-
4 sel’s life, regardless of changes in flag, ownership,
5 name, or other changes to the vessel.

6 **SEC. 70112. EXPANSION OF SEAFOOD IMPORT MONITORING**
7 **PROGRAM TO ALL SPECIES.**

8 The Secretary shall, not later than 2 years after the
9 date of enactment of this Act, expand the Seafood Import
10 Monitoring Program to apply to all seafood and seafood
11 products imported into the United States.

12 **SEC. 70113. ENHANCEMENT OF SEAFOOD IMPORT MONI-**
13 **TORING PROGRAM AUTOMATED COMMER-**
14 **CIAL ENVIRONMENT MESSAGE SET.**

15 The Secretary, in coordination with the Commis-
16 sioner of U.S. Customs and Border Protection, shall, not
17 later than 6 months after the date of enactment of this
18 Act, develop a strategy to improve the quality and
19 verifiability of already collected Seafood Import Moni-
20 toring Program Message Set data elements in the Auto-
21 mated Commercial Environment system that prioritizes
22 the use of enumerated data types, such as checkboxes,
23 dropdown menus, or radio buttons, and any additional ele-
24 ments the Agency finds necessary, among other options,
25 rather than open text fields, for—

- 1 (1) authorization to fish;
- 2 (2) unique vessel identifier (if available);
- 3 (3) catch document identifier;
- 4 (4) location of wild-capture harvest and landing
- 5 or aquaculture location;
- 6 (5) type of fishing gear used to harvest the fish;
- 7 (6) name of farm or aquaculture facility, if ap-
- 8 plicable; and
- 9 (7) location of aquaculture facility, if applicable.

10 **SEC. 70114. ADDITIONAL DATA REQUIREMENTS FOR SEA-**
11 **FOOD IMPORT MONITORING PROGRAM DATA**
12 **COLLECTION.**

13 (a) IN GENERAL.—Not later than 1 year after date
14 of enactment of this Act, the Secretary shall revise section
15 300.324 of title 50, Code of Federal Regulations, to—

16 (1) require at the time of entry for imported
17 seafood and seafood products—

18 (A) location of catch or cultivation, includ-
19 ing—

20 (i) geographic location at a resolution
21 of not less than 1 degree latitude by 1 de-
22 gree longitude;

23 (ii) the country code of the Inter-
24 national Organization for Standardization
25 if the catch was within the exclusive eco-

1 nomic zone or territorial waters of a coun-
2 try;

3 (iii) if appropriate, the regional fish-
4 eries management organization or organi-
5 zations having jurisdiction over the catch,
6 if it occurs within the jurisdiction of any
7 regional fisheries management organiza-
8 tion; and

9 (iv) the Food and Agriculture Organi-
10 zation major fishing area codes;

11 (B) electronic reports of chain-of-custody
12 records that identify, including with unique ves-
13 sel identifiers when applicable, each custodian
14 of the seafood, including transshippers, proc-
15 essors, storage facilities, and distributors and
16 the physical address of such facilities;

17 (C) maritime mobile service identity num-
18 ber of harvesting and transshipment vessels;
19 and

20 (D) beneficial owner of each harvesting
21 and transshipment vessel or aquaculture facil-
22 ity, when applicable;

23 (2) require all importers submitting seafood im-
24 port data to require prior notification and submis-

1 sion of seafood import data at least 72 hours and no
2 more than 15 days prior to entry; and

3 (3) require verification and certification of har-
4 vest information by competent authorities at all
5 major transfer points in the supply chain, including
6 harvest, landing, processing, and transshipment at
7 the time of entry.

8 (b) FORCED LABOR.—The Secretary, working in con-
9 sultation with the Secretary of Homeland Security, the
10 Secretary of Labor, and the Secretary of State, shall, not
11 later than 1 year after the date of enactment of this Act,
12 complete a regulatory process to establish additional key
13 data elements for the Seafood Import Monitoring Pro-
14 gram, that collect information about labor conditions in
15 the harvest, transshipment, and processing of imported
16 fish and fish products.

17 (c) INTERNATIONAL FISHERIES TRADE PERMIT.—
18 Not later than 1 year after the date of enactment of this
19 Act, the Secretary shall—

20 (1) publish and maintain on the website of the
21 National Marine Fisheries Service a list of all cur-
22 rent International Fisheries Trade Permit holders,
23 including the name of the permit holder and expira-
24 tion date of the permit;

1 (2) begin to revoke, modify, or deny issuance of
2 an International Fisheries Trade Permit with re-
3 spect to a permit holder or applicant that has vio-
4 lated any requirement of section 300.322, 300.323,
5 300.324, or 300.325 of title 50, Code of Federal
6 Regulations; and

7 (3) require an International Fisheries Trade
8 Permit for importers.

9 **SEC. 70115. IMPORT AUDITS.**

10 (a) **AUDIT PROCEDURES.**—The Secretary shall, not
11 later than 1 year after the date of enactment of this Act,
12 implement procedures to audit information and supporting
13 records of sufficient numbers of imports of seafood and
14 seafood products subject to the Seafood Import Moni-
15 toring Program to support statistically robust conclusions
16 that the samples audited are representative of all seafood
17 imports with respect to a given year.

18 (b) **ANNUAL REVISION.**—In developing the proce-
19 dures required in subsection (a), the Secretary shall, not
20 less frequently than once each year, revise such procedures
21 to prioritize for audit those imports originating from coun-
22 tries—

23 (1) identified pursuant to sections 609(b) or
24 610(a) of the High Seas Driftnet Fishing Morato-
25 rium Protection Act (16 U.S.C. 1826j(b) or

1 1826k(a)) that have not yet received a subsequent
2 positive certification pursuant to sections 609(d) or
3 610(c) of such Act, respectively;

4 (2) identified by an appropriate regional fishery
5 management organization as being the flag state or
6 landing location of vessels identified by other coun-
7 tries or regional fisheries management organizations
8 as engaging in illegal, unreported, or unregulated
9 fishing;

10 (3) identified as having human trafficking, in-
11 cluding forced labor, in any part of the seafood sup-
12 ply chain, including on vessels flagged in such coun-
13 try and including feed for cultured production, in
14 the most recent Trafficking in Persons Report
15 issued by the Department of State in accordance
16 with the Trafficking Victims Protection Act of 2000
17 (22 U.S.C. 7101 et seq.);

18 (4) identified as producing goods that contain
19 seafood using forced labor or oppressive child labor
20 in the most recent List of Goods Produced by Child
21 Labor or Forced Labor in accordance with the Traf-
22 ficking Victims Protection Act (22 U.S.C. 7101 et
23 seq.); and

24 (5) identified as at risk for human trafficking,
25 including forced labor, in their seafood catching and

1 processing industries by the report required in sec-
2 tion 3563 of the National Defense Authorization Act
3 for Fiscal Year 2020 (Public Law 116–92).

4 **SEC. 70116. AVAILABILITY OF FISHERIES INFORMATION.**

5 (a) IN GENERAL.—Section 402(b)(1) of the Mag-
6 non-Stevens Fishery Conservation and Management Act
7 (16 U.S.C. 1881a(b)(1)) is amended by striking “or” after
8 the semicolon at the end of subparagraph (G), by striking
9 the period at the end of subparagraph (H) and inserting
10 “; or”, and by adding at the end the following:

11 “(I) to Federal agencies responsible for
12 screening of imported seafood and for the pur-
13 pose of carrying out the duties under or with
14 respect to—

15 “(i) the Seafood Import Monitoring
16 Program;

17 “(ii) the Antarctic Marine Living Re-
18 sources Program;

19 “(iii) the Tuna Tracking and
20 Verification Program;

21 “(iv) the Atlantic Highly Migratory
22 Species International Trade Program;

23 “(v) the List of Goods Produced by
24 Child Labor or Forced Labor in accord-

1 ance with the Trafficking Victims Protec-
2 tion Act of 2000 (22 U.S.C. 7101 et seq.);

3 ““(vi) the Trafficking in Persons Re-
4 port required by section 110 of the Traf-
5 ficking Victims Protection Act of 2000 (22
6 U.S.C. 7107);

7 ““(vii) enforcement activities and regu-
8 lations authorized under section 307 of the
9 Tariff Act of 1930 (19 U.S.C. 1307); and

10 ““(viii) the taking and related acts in
11 commercial fishing operations under sec-
12 tion 216.24 of title 50, Code of Federal
13 Regulations;

14 ““(J) to Federal, State and local agencies
15 for the purposes of verification and enforcement
16 of title II of this Act; or

17 ““(K) information that pertains to catch
18 documentation and legality of catch, if disclo-
19 sure of that information would not materially
20 damage the value of catch or business.”.

21 (b) IMPLEMENTATION DEADLINE.—Not later than 1
22 year after the date of enactment of this Act, the Secretary
23 shall issue regulations implementing the amendments in
24 this section.

1 **SEC. 70117. AUTHORITY TO HOLD FISH PRODUCTS.**

2 Section 311(b)(1) of the Magnuson-Stevens Fishery
3 Conservation and Management Act (16 U.S.C. 1861(b))
4 is amended—

5 (1) in subparagraph (B), striking “; and” and
6 inserting a semicolon;

7 (2) in subparagraph (C), striking the period
8 and inserting “; and”; and

9 (3) by adding at the end the following a new
10 subparagraph:

11 “(D) detain, for a period of up to 14 days, any
12 shipment of fish or fish product imported into, land-
13 ed on, introduced into, exported from, or transported
14 within the jurisdiction of the United States, or, if
15 such fish or fish product is deemed to be perishable,
16 sell and retain the proceeds therefrom for a period
17 of up to 21 days.”.

18 **SEC. 70118. REPORT ON SEAFOOD IMPORT MONITORING.**

19 (a) REPORT TO CONGRESS AND PUBLIC AVAIL-
20 ABILITY OF REPORTS.—The Secretary shall, not later
21 than 120 days after the end of each fiscal year, submit
22 to the Committee on Natural Resources of the House of
23 Representatives and the Committee on Commerce,
24 Science, and Transportation of the Senate a report that
25 summarizes the National Marine Fisheries Service’s ef-
26 forts to prevent the importation of seafood harvested

1 through illegal, unreported, or unregulated fishing, par-
2 ticularly with respect to seafood harvested, produced,
3 processed, or manufactured by forced labor. Each such re-
4 port shall be made publicly available on the public website
5 of the National Oceanic and Atmospheric Administration.

6 (b) CONTENTS.—Each report submitted under sub-
7 section (a) shall include—

8 (1) the volume and value of seafood species sub-
9 ject to the Seafood Import Monitoring Program, de-
10 scribed in section 300.324 of title 50, Code of Fed-
11 eral Regulations, reported by 10-digit Harmonized
12 Tariff Schedule of the United States codes, imported
13 during the previous fiscal year;

14 (2) the enforcement activities and priorities of
15 the National Marine Fisheries Service with respect
16 to implementing the requirements under the Seafood
17 Import Monitoring Program;

18 (3) the percentage of import shipments subject
19 to this program selected for inspection or the infor-
20 mation or records supporting entry selected for
21 audit, as described in section 300.324(d) of title 50,
22 Code of Federal Regulations;

23 (4) the number and types of instances of non-
24 compliance with the requirements of the Seafood Im-
25 port Monitoring Program;

1 (5) the number and types of instances of viola-
2 tions of State or Federal law discovered through the
3 Seafood Import Monitoring Program;

4 (6) the seafood species with respect to which
5 violations described in paragraphs (4) and (5) were
6 most prevalent;

7 (7) the location of catch or harvest with respect
8 to which violations described in paragraphs (4) and
9 (5) were most prevalent; and

10 (8) such other information as the Secretary
11 considers appropriate with respect to monitoring and
12 enforcing compliance with the Seafood Import Moni-
13 toring Program.

14 **SEC. 70119. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated to the Com-
16 missioner of U.S. Customs and Border Protection to carry
17 out enforcement actions pursuant to section 307 of the
18 Tariff Act \$20,000,000 for each of fiscal years 2022
19 through 2026.

1 **Subtitle B—Strengthening Inter-**
2 **national Fisheries Management**
3 **to Combat Human Trafficking**

4 **SEC. 70121. DENIAL OF PORT PRIVILEGES.**

5 Section 101(a)(2) of the High Seas Driftnet Fish-
6 eries Enforcement Act (16 U.S.C. 1826a(a)(2)) is amend-
7 ed to read as follows:

8 “(2) DENIAL OF PORT PRIVILEGES.—The Sec-
9 retary of Homeland Security shall, in accordance
10 with international law—

11 “(A) withhold or revoke the clearance re-
12 quired by section 60105 of title 46, United
13 States Code, for any large-scale driftnet fishing
14 vessels of a nation that receives a negative cer-
15 tification under sections 609(d) or 610(c) of the
16 High Seas Driftnet Fishing Moratorium Protec-
17 tion Act (16 U.S.C. 1826j(d) or 1826k(c)), or
18 fishing vessels of a nation that has been listed
19 pursuant to sections 609(b) or 610(a) of such
20 Act (16 U.S.C. 1826j(b) or 1826k(a)) in 2 or
21 more consecutive reports as described under
22 section 607 of such Act (16 U.S.C. 1826h),
23 until a positive certification has been received;

24 “(B) withhold or revoke the clearance re-
25 quired by section 60105 of title 46, United

1 States Code, for fishing vessels of a nation that
2 has been listed pursuant to sections 609(b) or
3 610(a) of such Act (16 U.S.C. 1826j(b) or
4 1826k(a)) in 2 or more consecutive reports as
5 described under section 607 of such Act (16
6 U.S.C. 1826h); and

7 “(C) deny entry of that vessel to any place
8 in the United States and to the navigable
9 waters of the United States, except for the pur-
10 poses of inspecting such vessel, conducting an
11 investigation, or taking other appropriate en-
12 forcement action.”.

13 **SEC. 70122. IDENTIFICATION AND CERTIFICATION CRI-**
14 **TERIA.**

15 (a) DENIAL OF PORT PRIVILEGES.—Section 609 of
16 the High Seas Driftnet Fishing Moratorium Protection
17 Act (16 U.S.C. 1826j) is amended—

18 (1) by striking subsections (a) and (b); and

19 (2) by inserting before subsection (c) the fol-
20 lowing:

21 “(a) COOPERATION WITH GOVERNMENTS.—

22 “(1) INFORMATION COLLECTION.—The Sec-
23 retary, in consultation with the Secretary of State,
24 shall engage with each flag, coastal, port, and mar-
25 ket nation that exports seafood to the United States

1 to collect information sufficient to evaluate the effec-
2 tiveness of such nation's management of fisheries
3 and control systems to prevent illegal, unreported, or
4 unregulated fishing.

5 “(2) RECOMMENDATIONS.—The Secretary, in
6 consultation with the Secretary of State, shall pro-
7 vide recommendations to such nations to resolve
8 compliance gaps and improve fisheries management
9 and control systems in order to assist such nations
10 in preventing illegal, unreported, or unregulated
11 fishing.

12 “(b) IDENTIFICATION AND WARNING.—

13 “(1) FOR ACTIONS OF A FISHING VESSEL.—The
14 Secretary shall identify and list in the report re-
15 quired by section 607 a nation if a fishing vessel of
16 such nation is engaged or has, in the preceding 3
17 years, engaged in illegal, unreported, or unregulated
18 fishing. The Secretary shall include all nations that
19 qualify for identification, regardless of whether the
20 Secretary has engaged in the process described in
21 this subsection or under subsection (a). Any of the
22 following relevant information is sufficient to form
23 the basis of an identification:

24 “(A) Compliance reports.

1 “(B) Data or information from inter-
2 national fishery management organizations, a
3 foreign government, or an organization or
4 stakeholder group.

5 “(C) Information submitted by the public.

6 “(D) Information submitted to the Sec-
7 retary under section 402(a) of the Magnuson-
8 Stevens Fishery Conservation and Management
9 Act (16 U.S.C. 1881a(a)).

10 “(E) Import data collected by the Sec-
11 retary pursuant to part 300.324 of title 50,
12 Code of Federal Regulations.

13 “(F) Information compiled from a Federal
14 agency, including, the Coast Guard and agen-
15 cies within the Interagency Working Group on
16 Illegal, Unreported, and Unregulated Fishing.

17 “(2) FOR ACTIONS OF A NATION.—The Sec-
18 retary shall identify, and list in such report, a nation
19 engaging in or endorsing illegal, unreported, or un-
20 regulated fishing, including the following:

21 “(A) Any nation that is failing, or has
22 failed in the preceding 3-year period, to cooper-
23 ate with the United States Government in pro-
24 viding information about such nation’s fisheries

1 management and control systems described in
2 subsection (a).

3 “(B) Any nation that is violating, or has
4 violated at any point during the preceding 3
5 years, conservation and management measures,
6 including catch and other data reporting obliga-
7 tions and requirements, required under an
8 international fishery management agreement.

9 “(C) Any nation that is failing, or has
10 failed in the preceding 3-year period, to effec-
11 tively address or regulate illegal, unreported, or
12 unregulated fishing within its fleets in any
13 areas where its vessels are fishing.

14 “(D) Any nation that fails to discharge du-
15 ties incumbent upon it under international law
16 or practice as a flag, port, or coastal state to
17 take action to prevent, deter, and eliminate ille-
18 gal, unreported, or unregulated fishing.

19 “(E) Any nation that provides subsidies
20 that—

21 “(i) contribute to illegal, unreported,
22 or unregulated fishing or increased capac-
23 ity and overfishing at proportionally higher
24 rates than subsidies that promote fishery
25 resource conservation and management; or

1 “(ii) that otherwise undermine the ef-
2 fectiveness of any international fishery con-
3 servation program.

4 “(F) Any nation that has been identified
5 as having human trafficking, including forced
6 labor, in any part of the seafood supply chain
7 in the most recent Trafficking in Persons Re-
8 port issued by the Department of State in ac-
9 cordance with the Trafficking Victims Protec-
10 tion Act of 2000 (22 U.S.C. 7101 et seq.).

11 “(G) Any nation that has been identified
12 as producing seafood-related goods through
13 forced labor or oppressive child labor in the
14 most recent List of Goods Produced by Child
15 Labor or Forced Labor in accordance with the
16 Trafficking Victims Protection Act of 2000 (22
17 U.S.C. 7101 et seq.).

18 “(H) Any nation that has been identified
19 as at risk for human trafficking, including
20 forced labor, in their seafood catching and proc-
21 essing industries in the report required in sec-
22 tion 3563 of the National Defense Authoriza-
23 tion Act for Fiscal Year 2020 (Public Law
24 116–92).

1 “(3) WARNING.—The Secretary shall issue a
2 warning to each nation identified under this sub-
3 section.

4 “(4) TIMING.—The Secretary shall make an
5 identification under paragraph (1) or (2) at any
6 time that the Secretary has sufficient information to
7 make such identification.”.

8 (b) ILLEGAL, UNREPORTED, OR UNREGULATED CER-
9 TIFICATION DETERMINATION.—Section 609(d) of the
10 High Seas Driftnet Fishing Moratorium Protection Act
11 (16 U.S.C. 1826j(d)) is amended to read as follows:

12 “(d) IUU CERTIFICATION PROCEDURE.—

13 “(1) CERTIFICATION DETERMINATION.—

14 “(A) IN GENERAL.—The Secretary shall
15 establish a procedure for certifying whether a
16 nation identified under subsection (b) has taken
17 appropriate corrective action with respect to the
18 offending activities identified under section (b)
19 that has led to measurable improvements in the
20 reduction of illegal, unreported, or unregulated
21 fishing and any underlying regulatory, policy, or
22 practice failings or gaps that may have contrib-
23 uted to such identification.

24 “(B) OPPORTUNITY FOR COMMENT.—The
25 Secretary shall ensure that the procedure estab-

1 lished under subparagraph (A) provides for no-
2 tice and an opportunity for comment by the
3 identified nation.

4 “(C) DETERMINATION.—The Secretary
5 shall, consistent with such procedure, determine
6 and certify to the Congress not later than 90
7 days after the date on which the Secretary
8 issues a final rule containing the procedure, and
9 biennially thereafter—

10 “(i) whether the government of each
11 nation identified under subsection (b) has
12 provided documentary evidence that such
13 nation has taken corrective action with re-
14 spect to such identification; or

15 “(ii) whether the relevant inter-
16 national fishery management organization
17 has taken corrective action that has ended
18 the illegal, unreported, or unregulated fish-
19 ing activity by vessels of that nation.

20 “(2) ALTERNATIVE PROCEDURE.—The Sec-
21 retary may establish a procedure to authorize, on a
22 shipment-by-shipment, shipper-by-shipper, or other
23 basis the importation of fish or fish products from
24 a fishery within a nation issued a negative certifi-
25 cation under paragraph (1) if the Secretary—

1 “(A) determines the fishery has not en-
2 gaged in illegal, unreported, or unregulated
3 fishing under an international fishery manage-
4 ment agreement to which the United States is
5 a party;

6 “(B) determines the fishery is not identi-
7 fied by an international fishery management or-
8 ganization as participating in illegal, unre-
9 ported, or unregulated fishing activities; and

10 “(C) ensures that any such seafood or sea-
11 food products authorized for entry under this
12 section are imported consistent with the report-
13 ing and the recordkeeping requirements of Sea-
14 food Import Monitoring Program described in
15 part 300.324(b) of title 50, Code of Federal
16 Regulations (or any successor regulation).

17 “(3) EFFECT OF CERTIFICATION DETERMINA-
18 TION.—

19 “(A) EFFECT OF NEGATIVE CERTIFI-
20 CATION.—The provisions of subsections (a) and
21 (b)(3) and (4) of section 101 of the High Seas
22 Driftnet Fisheries Enforcement Act (16 U.S.C.
23 1826a(a) and (b)(3) and (4)) shall apply to any
24 nation that, after being identified and warned
25 under subsection (b) has failed to take the ap-

1 appropriate corrective actions for which the Sec-
2 retary has issued a negative certification under
3 this subsection.

4 “(B) EFFECT OF POSITIVE CERTIFI-
5 CATION.—The provisions of subsections (a) and
6 (b)(3) and (4) of section 101 of the High Seas
7 Driftnet Fisheries Enforcement Act (16 U.S.C.
8 1826a(a) and (b)(3) and (4)) shall not apply to
9 any nation identified under subsection (a) for
10 which the Secretary has issued a positive cer-
11 tification under this subsection.”.

12 **SEC. 70123. ILLEGAL, UNREPORTED, OR UNREGULATED**
13 **FISHING DEFINED.**

14 (a) DEFINITION OF ILLEGAL, UNREPORTED, OR UN-
15 REGULATED FISHING IN THE HIGH SEAS DRIFTNET
16 FISHING MORATORIUM PROTECTION ACT.—Section
17 609(e) of the High Seas Driftnet Fishing Moratorium
18 Protection Act (16 U.S.C. 1826j(e)) is amended to read
19 as follows:

20 “(e) ILLEGAL, UNREPORTED, OR UNREGULATED
21 FISHING DEFINED.—In this title, the term ‘illegal, unre-
22 ported, or unregulated fishing’ means any activity set out
23 in paragraph 3 of the 2001 Food and Agriculture Organi-
24 zation International Plan of Action to Prevent, Deter and
25 Eliminate Illegal, Unreported, and Unregulated Fishing.”.

1 (b) DEFINITION OF ILLEGAL, UNREPORTED, OR UN-
2 REGULATED FISHING IN THE MAGNUSON-STEVENS FISH-
3 ERY CONSERVATION AND MANAGEMENT ACT.—Section 3
4 of the Magnuson-Stevens Fishery Conservation and Man-
5 agement Act (16 U.S.C. 1802) is amended by adding at
6 the end the following:

7 “(51) The term ‘illegal, unreported, or unregu-
8 lated fishing’ means any activity set out in para-
9 graph 3 of the 2001 Food and Agriculture Organiza-
10 tion International Plan of Action to Prevent, Deter
11 and Eliminate Illegal, Unreported, and Unregulated
12 Fishing.”.

13 (c) RULE OF CONSTRUCTION.—In construing the
14 term “illegal, unreported, or unregulated fishing” for pur-
15 poses of the High Seas Driftnet Fishing Moratorium Pro-
16 tection Act and the Magnuson-Stevens Fishery Conserva-
17 tion and Management Act, the Secretary shall follow inter-
18 nationally recognized labor rights stated in the Inter-
19 national Labour Organization Declaration on Funda-
20 mental Principles and Rights at Work and its Follow-Up
21 (1998), including—

22 (1) freedom of association and the effective rec-
23 ognition of the right to collective bargaining;

24 (2) the elimination of all forms of forced or
25 compulsory labor;

1 (3) the effective abolition of oppressive child
2 labor, a prohibition on the worst forms of child
3 labor, and other labor protections for children and
4 minors;

5 (4) the elimination of discrimination in respect
6 of employment and occupation; and

7 (5) acceptable conditions of work with respect
8 to minimum wages, hours of work, and occupational
9 safety and health.

10 **SEC. 70124. EQUIVALENT CONSERVATION MEASURES.**

11 (a) IDENTIFICATION.—Section 610(a) of the High
12 Seas Driftnet Fishing Moratorium Protection Act (16
13 U.S.C. 1826k(a)) is amended to read as follows:

14 “(a) IDENTIFICATION.—

15 “(1) IN GENERAL.—The Secretary shall iden-
16 tify and list in the report under section 607—

17 “(A) a nation if—

18 “(i) any fishing vessel of that country
19 is engaged, or has been engaged during the
20 preceding 3 years in fishing activities or
21 practices on the high seas or within the ex-
22 clusive economic zone of any country, that
23 have resulted in bycatch of a protected liv-
24 ing marine resource; and

1 “(ii) the vessel’s flag state has not
2 adopted, implemented, and enforced a reg-
3 ulatory program governing such fishing de-
4 signed to end or reduce such bycatch that
5 is comparable to the regulatory program of
6 the United States; and

7 “(B) a nation if—

8 “(i) any fishing vessel of that country
9 is engaged, or has engaged during the pre-
10 ceding 3 years, in fishing activities on the
11 high seas or within the exclusive economic
12 zone of another country that target or inci-
13 dentally catch sharks; and

14 “(ii) the vessel’s flag state has not
15 adopted, implemented, and enforced a reg-
16 ulatory program to provide for the con-
17 servation of sharks, including measures to
18 prohibit removal of any of the fins of a
19 shark, including the tail, before landing the
20 shark in port that is comparable to that of
21 the United States.

22 “(2) TIMING.—The Secretary shall make an
23 identification under paragraph (1) at any time that
24 the Secretary has sufficient information to make
25 such identification.”.

1 (b) CONSULTATION AND NEGOTIATION.—Section
2 610(b) of the High Seas Driftnet Fishing Moratorium
3 Protection Act (16 U.S.C. 1826k(b)) is amended to read
4 as follows:

5 “(b) CONSULTATION AND NEGOTIATION.—The Sec-
6 retary of State, acting in conjunction with the Secretary,
7 shall—

8 “(1) notify, as soon as possible, the President,
9 nations that have been identified under subsection
10 (a), and other nations whose vessels engage in fish-
11 ing activities or practices described in subsection (a),
12 about the provisions of this Act;

13 “(2) initiate discussions as soon as possible
14 with all foreign countries which are engaged in, or
15 a fishing vessel of which has engaged in, fishing ac-
16 tivities described in subsection (a), for the purpose
17 of entering into bilateral and multilateral treaties
18 with such countries to protect such species and to
19 address any underlying failings or gaps that may
20 have contributed to identification under this Act;

21 “(3) seek agreements calling for international
22 restrictions on fishing activities or practices de-
23 scribed in subsection (a) through the United Na-
24 tions, the Food and Agriculture Organization’s Com-

1 mittee on Fisheries, and appropriate international
2 fishery management bodies; and

3 “(4) initiate the amendment of any existing
4 international treaty for the protection and conserva-
5 tion of such species to which the United States is a
6 party in order to make such treaty consistent with
7 the purposes and policies of this section.”.

8 (c) CONSERVATION CERTIFICATION PROCEDURE.—
9 Section 610(c) of the High Seas Driftnet Fishing Morato-
10 rium Protection Act (16 U.S.C. 1826k(c)) is amended—

11 (1) in subparagraph (A) of paragraph (1), by
12 striking “, taking into account different conditions,”;

13 (2) in paragraph (2), by inserting “the public
14 and” after “comment by”;

15 (3) in paragraph (4)—

16 (A) in subparagraph (A), by striking “,
17 taking into account different conditions”;

18 (B) in subparagraph (B), by striking the
19 period at the end and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(C) ensures that any such fish or fish
22 products authorized for entry under this section
23 are imported consistent with the reporting and
24 the recordkeeping requirements of the Seafood
25 Import Monitoring Program established by part

1 300.324(b) of title 50, Code of Federal Regula-
2 tions (or any successor regulations).”; and

3 (4) in paragraph (5), by striking “(except to
4 the extent that such provisions apply to sport fishing
5 equipment or fish or fish products not caught by the
6 vessels engaged in illegal, unreported, or unregulated
7 fishing)”.

8 (d) DEFINITION OF PROTECTED LIVING MARINE RE-
9 SOURCE.—Section 610(e) of the High Seas Driftnet Fish-
10 ing Moratorium Protection Act (16 U.S.C. 1826k(e)) is
11 amended by striking paragraph (1) and inserting the fol-
12 lowing:

13 “(1) except as provided in paragraph (2),
14 means nontarget fish, sea turtles, seabirds, or ma-
15 rine mammals that are protected under United
16 States law or international agreement, including—

17 “(A) the Marine Mammal Protection Act
18 of 1972 (16 U.S.C. 1361 et seq.);

19 “(B) the Endangered Species Act of 1973
20 (16 U.S.C. 1531 et seq.);

21 “(C) the Shark Finning Prohibition Act
22 (16 U.S.C. 1822 note), including amendments
23 made by that Act; and

24 “(D) the Convention on International
25 Trade in Endangered Species of Wild Fauna

1 and Flora, done at Washington March 3, 1973
2 (27 UST 1087, TIAS 8249); but”.

3 **SEC. 70125. REGULATIONS.**

4 Not later than 1 year after the date of enactment
5 of this Act, the Secretary shall promulgate regulations im-
6 plementing this title.

7 **Subtitle C—Maritime Awareness**

8 **SEC. 70131. AUTOMATIC IDENTIFICATION SYSTEM RE-**
9 **QUIREMENTS.**

10 (a) REQUIREMENT FOR FISHING VESSELS TO HAVE
11 AUTOMATIC IDENTIFICATION SYSTEMS.—Section
12 70114(a)(1) of title 46, United States Code, is amended—

13 (1) by striking “, while operating on the navi-
14 gable waters of the United States,”

15 (2) by redesignating subparagraphs (A) through
16 (D) as clauses (i) through (iv);

17 (3) by inserting before clauses (i) through (iv),
18 as redesignated by paragraph (2), the following:

19 “(A) While operating on the navigable waters of
20 the United States:”; and

21 (4) by adding at the end the following:

22 “(B) A vessel of the United States that is more
23 than 65 feet overall in length, while engaged in fish-
24 ing, fish processing, or fish tendering operations on

1 the navigable waters of the United States or in the
2 United States exclusive economic zone.”.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to the Secretary of Com-
5 merce for fiscal year 2022, \$5,000,000, to remain avail-
6 able until expended, to purchase automatic identification
7 systems for fishing vessels, fish processing vessels, fish
8 tender vessels more than 50 feet in length, as described
9 under this title and the amendments made by this title.

10 **TITLE II—DRIFTNET MOD-**
11 **ERNIZATION AND BYCATCH**
12 **REDUCTION**

13 **SEC. 70201. DEFINITION.**

14 Section 3(25) of the Magnuson-Stevens Fishery Con-
15 servation and Management Act (16 U.S.C. 1802(25)) is
16 amended by inserting “, or with a mesh size of 14 inches
17 or greater,” after “more”.

18 **SEC. 70202. FINDINGS AND POLICY.**

19 (a) FINDINGS.—Section 206(b) of the Magnuson-Ste-
20 vens Fishery Conservation and Management Act (16
21 U.S.C. 1826(b)) is amended—

22 (1) in paragraph (6), by striking “and” at the
23 end;

24 (2) in paragraph (7), by striking the period and
25 inserting “; and”; and

1 (3) by adding at the end the following:

2 “(8) within the exclusive economic zone, large-
3 scale driftnet fishing that deploys nets with large
4 mesh sizes causes significant entanglement and mor-
5 tality of living marine resources, including myriad
6 protected species, despite limitations on the lengths
7 of such nets.”.

8 (b) POLICY.—Section 206(e) of the Magnuson-Ste-
9 vens Fishery Conservation and Management Act (16
10 U.S.C. 1826(c)) is amended—

11 (1) in paragraph (2), by striking “and” at the
12 end;

13 (2) in paragraph (3), by striking the period and
14 inserting “; and”; and

15 (3) by adding at the end the following:

16 “(4) prioritize the phase-out of large-scale
17 driftnet fishing in the exclusive economic zone and
18 promote the development and adoption of alternative
19 fishing methods and gear types that minimize the in-
20 cidental catch of living marine resources.”.

21 **SEC. 70203. TRANSITION PROGRAM.**

22 Section 206 of the Magnuson-Stevens Fishery Con-
23 servation and Management Act (16 U.S.C. 1826) is
24 amended by adding at the end the following:

25 “(i) FISHING GEAR TRANSITION PROGRAM.—

1 “(1) IN GENERAL.—During the 5-year period
2 beginning on the date of enactment of the America
3 COMPETES Act of 2022, the Secretary shall con-
4 duct a transition program to facilitate the phase-out
5 of large-scale driftnet fishing and adoption of alter-
6 native fishing practices that minimize the incidental
7 catch of living marine resources, and shall award
8 grants to eligible permit holders who participate in
9 the program.

10 “(2) PERMISSIBLE USES.—Any permit holder
11 receiving a grant under paragraph (1) may use such
12 funds only for the purpose of covering—

13 “(A) any fee originally associated with a
14 permit authorizing participation in a large-scale
15 driftnet fishery, if such permit is surrendered
16 for permanent revocation, and such permit
17 holder relinquishes any claim associated with
18 the permit;

19 “(B) a forfeiture of fishing gear associated
20 with a permit described in subparagraph (A); or

21 “(C) the purchase of alternative gear with
22 minimal incidental catch of living marine re-
23 sources, if the fishery participant is authorized
24 to continue fishing using such alternative gears.

1 “(3) CERTIFICATION.—The Secretary shall cer-
2 tify that, with respect to each participant in the pro-
3 gram under this subsection, any permit authorizing
4 participation in a large-scale driftnet fishery has
5 been permanently revoked and that no new permits
6 will be issued to authorize such fishing.”.

7 **SEC. 70204. EXCEPTION.**

8 Section 307(1)(M) of the Magnuson-Stevens Fishery
9 Conservation and Management Act (16 U.S.C.
10 1857(1)(M)) is amended by inserting before the semicolon
11 the following: “, unless such large-scale driftnet fishing—

12 “(i) deploys, within the exclusive eco-
13 nomic zone, a net with a total length of
14 less than 2½ kilometers and a mesh size
15 of 14 inches or greater; and

16 “(ii) is conducted not later than 5
17 years after the date of enactment of the
18 America COMPETES Act of 2022.”.

1 **SEC. 70205. FEES.**

2 (a) IN GENERAL.—The North Pacific Fishery Man-
3 agement Council may recommend, and the Secretary of
4 Commerce may approve, regulations necessary for the col-
5 lection of fees from charter vessel operators who guide rec-
6 reational anglers who harvest Pacific halibut in Inter-
7 national Pacific Halibut Commission regulatory areas 2C
8 and 3A as those terms are defined in part 300 of title
9 50, Code of Federal Regulations (or any successor regula-
10 tions).

11 (b) USE OF FEES.—Any fees collected under this sec-
12 tion shall be available for the purposes of—

13 (1) financing administrative costs of the Rec-
14 reational Quota Entity program;

15 (2) the purchase of halibut quota shares in
16 International Pacific Halibut Commission regulatory
17 areas 2C and 3A by the recreational quota entity
18 authorized in part 679 of title 50, Code of Federal
19 Regulations (or any successor regulations);

20 (3) halibut conservation and research; and

21 (4) promotion of the halibut resource by the
22 recreational quota entity authorized in part 679 of
23 title 50, Code of Federal Regulations (or any suc-
24 cessor regulations).

25 (c) LIMITATION ON COLLECTION AND AVAIL-
26 ABILITY.—Fees shall be collected and available pursuant

1 to this section only to the extent and in such amounts
2 as provided in advance in appropriations Acts, subject to
3 subsection (d).

4 (d) FEE COLLECTED DURING START-UP PERIOD.—
5 Notwithstanding subsection (c), fees may be collected
6 through the date of enactment of an Act making appro-
7 priations for the activities authorized under this title
8 through September 30, 2022, and shall be available for
9 obligation and remain available until expended.

10 **TITLE III—MARINE MAMMAL** 11 **RESEARCH AND RESPONSE**

12 **SEC. 70301. DATA COLLECTION AND DISSEMINATION.**

13 Section 402 of the Marine Mammal Protection Act
14 of 1972 (16 U.S.C. 1421a) is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (1)(A), by inserting “or
17 entangled” after “stranded”;

18 (B) in paragraph (3)—

19 (i) by striking “strandings,” and in-
20 serting “strandings and entanglements, in-
21 cluding unusual mortality events,”;

22 (ii) by inserting “stranding” before
23 “region”; and

24 (iii) by striking “marine mammals;
25 and” and inserting “marine mammals and

1 entangled marine mammals to allow com-
2 parison of the causes of illness and deaths
3 in stranded marine mammals and entan-
4 gled marine mammals with physical, chem-
5 ical, and biological environmental param-
6 eters; and”;

7 (C) in paragraph (4), by striking “anal-
8 yses, that would allow comparison of the causes
9 of illness and deaths in stranded marine mam-
10 mals with physical, chemical, and biological en-
11 vironmental parameters.” and inserting “anal-
12 yses.”;

13 (2) by striking subsection (c) and inserting the
14 following:

15 “(c) INFORMATION REQUIRED TO BE SUBMITTED
16 AND COLLECTED.—

17 “(1) IN GENERAL.—After each response to a
18 stranding or entanglement event, the Secretary shall
19 collect (including from any staff of the National
20 Oceanic and Atmospheric Administration that re-
21 spond directly to such an event), and shall require
22 each stranding network participant who responds to
23 that stranding or entanglement to submit to the Ad-
24 ministrator of the National Oceanic and Atmos-
25 pheric Administration—

1 “(A) data on the stranding event, includ-
2 ing NOAA Form 89–864 (OMB #0648–0178),
3 NOAA Form 89–878 (OMB #0648–0178),
4 similar successor forms, or similar information
5 in an appropriate format required by the
6 United States Fish and Wildlife Service for spe-
7 cies under its management authority;

8 “(B) supplemental data to the data de-
9 scribed in subparagraph (A), which may in-
10 clude, as available, relevant information
11 about—

12 “(i) weather and tide conditions;

13 “(ii) offshore human, predator, or
14 prey activity;

15 “(iii) morphometrics;

16 “(iv) behavior;

17 “(v) health assessments;

18 “(vi) life history samples; or

19 “(vii) stomach and intestinal contents;

20 and

21 “(C) data and results from laboratory
22 analysis of tissues, which may include, as ap-
23 propriate and available—

24 “(i) histopathology;

25 “(ii) toxicology;

1 “(iii) microbiology;

2 “(iv) virology; or

3 “(v) parasitology.

4 “(2) TIMELINE.—A stranding network partici-
5 pant shall submit—

6 “(A) the data described in paragraph
7 (1)(A) not later than 30 days after the date of
8 a response to a stranding or entanglement
9 event;

10 “(B) the compiled data described in para-
11 graph (1)(B) not later than 30 days after the
12 date on which the data is available to the
13 stranding network participant; and

14 “(C) the compiled data described in para-
15 graph (1)(C) not later than 30 days after the
16 date on which the laboratory analysis has been
17 reported to the stranding network participant.

18 “(d) AVAILABILITY OF DATA.—

19 “(1) IN GENERAL.—The Secretary shall develop
20 a program to make information, including any data
21 and metadata collected under paragraphs (3) or (4)
22 of subsection (b) or subsection (c), available to re-
23 searchers, stranding network participants, and the
24 public—

1 “(A) to improve real-time coordination of
2 response to stranding and entanglement events
3 across geographic areas and between stranding
4 coordinators;

5 “(B) to identify and quickly disseminate
6 information on potential public health risks;

7 “(C) to facilitate integrated interdiscipli-
8 nary research;

9 “(D) to facilitate peer-reviewed publica-
10 tions;

11 “(E) to archive regional data into 1 na-
12 tional database for future analyses; and

13 “(F) for education and outreach activities.

14 “(2) ACCESS TO DATA.—The Secretary shall
15 ensure that any data or metadata collected under
16 subsection (c)—

17 “(A) by staff of the National Oceanic and
18 Atmospheric Administration that responded di-
19 rectly to a stranding or entanglement event is
20 available to the public through the Health MAP
21 and the Observation System not later than 30
22 days after that data or metadata is collected by,
23 available to, or reported to the Secretary; and

24 “(B) by a stranding network participant
25 that responded directly to a stranding or entan-

1 glement event is made available to the public
2 through the Health MAP and the Observation
3 System not later than 2 years after the date on
4 which that data is submitted to the Secretary
5 under subsection (c).

6 “(3) EXCEPTIONS.—

7 “(A) WRITTEN RELEASE.—Notwithstand-
8 ing paragraph (2)(B), the Secretary may make
9 data described in paragraph (2)(B) publicly
10 available earlier than 2 years after the date on
11 which that data is submitted to the Secretary
12 under subsection (c), if the stranding network
13 participant has completed a written release
14 stating that such data may be made publicly
15 available.

16 “(B) LAW ENFORCEMENT.—Notwithstand-
17 ing paragraph (2), the Secretary may withhold
18 data for a longer period than the period of time
19 described in paragraph (2) in the event of a law
20 enforcement action or legal action that may be
21 related to that data.

22 “(e) STANDARDS.—The Secretary, in consultation
23 with the marine mammal stranding community, shall—

24 “(1) make publicly available guidance about
25 uniform data and metadata standards to ensure that

1 data collected in accordance with this section can be
2 archived in a form that is readily accessible and un-
3 derstandable to the public through the Health MAP
4 and the Observation System; and

5 “(2) periodically update such guidance.

6 “(f) MANAGEMENT POLICY.—In collaboration with
7 the regional stranding networks, the Secretary shall de-
8 velop, and periodically update, a data management and
9 public outreach collaboration policy for stranding or en-
10 tanglement events.”.

11 **SEC. 70302. STRANDING OR ENTANGLEMENT RESPONSE**
12 **AGREEMENTS.**

13 (a) IN GENERAL.—Section 403 of the Marine Mam-
14 mal Protection Act of 1972 (16 U.S.C. 1421b) is amend-
15 ed—

16 (1) in the section heading by inserting “**OR EN-**
17 **TANGLEMENT**” before “**RESPONSE**”;

18 (2) in subsection (a), by striking the period at
19 the end and inserting “or entanglement.”; and

20 (3) in subsection (b)—

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

23 (B) in paragraph (2), by striking the pe-
24 riod at the end and inserting “; and”; and

25 (C) by adding at the end the following:

1 “(3) include a description of the data manage-
 2 ment and public outreach policy established under
 3 section 402(f).”.

4 (b) TABLE OF CONTENTS AMENDMENT.—The table
 5 of contents in the first section of the Marine Mammal Pro-
 6 tection Act of 1972 (Public Law 92–522; 86 Stat. 1027)
 7 is amended by striking the item related to section 403 and
 8 inserting the following:

“Sec. 403. Stranding or entanglement response agreements.”.

9 **SEC. 70303. UNUSUAL MORTALITY EVENT ACTIVITY FUND-**
 10 **ING.**

11 Section 405 the Marine Mammal Protection Act of
 12 1972 (16 U.S.C. 1421d) is amended—

13 (1) by striking subsection (b) and inserting the
 14 following:

15 “(b) USES.—Amounts in the Fund—

16 “(1) shall be available only for use by the Sec-
 17 retary, in consultation with the Secretary of the In-
 18 terior, and dispersed among claimants based on
 19 budgets approved by the Secretary prior to expendi-
 20 ture—

21 “(A) to make advance, partial, or progress
 22 payments under contracts or other funding
 23 mechanisms for property, supplies, salaries,
 24 services, and travel costs incurred in acting in
 25 accordance with the contingency plan issued

1 under section 404(b) or under the direction of
2 an Onsite Coordinator for an unusual mortality
3 event designated under section
4 404(a)(2)(B)(iii);

5 “(B) for reimbursing any stranding net-
6 work participant for costs incurred in the collec-
7 tion, preparation, analysis, and transportation
8 of marine mammal tissues and samples col-
9 lected with respect to an unusual mortality
10 event for the Tissue Bank; and

11 “(C) for the care and maintenance of a
12 marine mammal seized under section
13 104(c)(2)(D); and

14 “(2) shall remain available until expended.”;

15 and

16 (2) in subsection (c)—

17 (A) in paragraph (2), by striking “and” at
18 the end;

19 (B) in paragraph (3), by striking the pe-
20 riod at the end and inserting a semicolon; and

21 (C) by adding at the end the following:

22 “(4) not more than \$250,000 per year, as de-
23 termined by the Secretary of Commerce, from sums
24 collected as fines, penalties, or forfeitures of prop-

1 erty by the Secretary of Commerce for violations of
2 any provision of this Act; and

3 “(5) sums received from emergency declaration
4 grants for marine mammal conservation.”.

5 **SEC. 70304. LIABILITY.**

6 Section 406(a) of the Marine Mammal Protection Act
7 of 1972 (16 U.S.C. 1421e(a)) is amended, in the matter
8 preceding paragraph (1)—

9 (1) by inserting “or entanglement” after “to a
10 stranding”; and

11 (2) by striking “government” and inserting
12 “Government”.

13 **SEC. 70305. NATIONAL MARINE MAMMAL TISSUE BANK AND**
14 **TISSUE ANALYSIS.**

15 Section 407 of the Marine Mammal Protection Act
16 of 1972 (16 U.S.C. 1421f) is amended—

17 (1) in subsection (c)(2)(A), by striking “the
18 health of marine mammals and” and inserting “ma-
19 rine mammal health and mortality and the health
20 of”; and

21 (2) in subsection (d), in the matter preceding
22 paragraph (1), by inserting “public” before “ac-
23 cess”.

1 **SEC. 70306. MARINE MAMMAL RESCUE AND RESPONSE**
2 **GRANT PROGRAM AND RAPID RESPONSE**
3 **FUND.**

4 (a) IN GENERAL.—Section 408 of the Marine Mam-
5 mal Protection Act of 1972 (16 U.S.C. 1421f-1) is
6 amended—

7 (1) by striking the section heading and insert-
8 ing “**MARINE MAMMAL RESCUE AND RESPONSE**
9 **GRANT PROGRAM AND RAPID RESPONSE**
10 **FUND**”;

11 (2) by striking subsections (a) through (d) and
12 subsections (f) through (h);

13 (3) by redesignating subsection (e) as sub-
14 section (f); and

15 (4) by inserting before subsection (f), as redес-
16 ignated by paragraph (3), the following:

17 “(a) DEFINITIONS.—In this section:

18 “(1) EMERGENCY ASSISTANCE.—

19 “(A) IN GENERAL.—The term ‘emergency
20 assistance’ means—

21 “(i) financial assistance provided to
22 respond to, or that results from, a strand-
23 ing event or entanglement event that—

24 “(I) causes an immediate in-
25 crease in the cost of a response, recov-
26 ery, or rehabilitation that is greater

1 than the usual cost of a response, re-
2 covery, or rehabilitation;

3 “(II) is cyclical or endemic; or

4 “(III) involves a marine mammal
5 that is out of the normal range for
6 that marine mammal; or

7 “(ii) financial assistance provided to
8 respond to, or that results from, a strand-
9 ing event or an entanglement event that
10 the appropriate Secretary or State or Trib-
11 al government considers to be an emer-
12 gency.

13 “(B) EXCLUSIONS.—The term ‘emergency
14 assistance’ does not include financial assistance
15 to respond to an unusual mortality event.

16 “(2) SECRETARY.—The term ‘Secretary’ has
17 the meaning given that term in section 3(12)(A).

18 “(3) STRANDING REGION.—The term ‘strand-
19 ing region’ means a geographic region designated by
20 the applicable Secretary for purposes of administra-
21 tion of this title.

22 “(b) JOHN H. PRESCOTT MARINE MAMMAL RESCUE
23 AND RESPONSE GRANT PROGRAM.—

24 “(1) IN GENERAL.—Subject to the availability
25 of appropriations or other funding, the applicable

1 Secretary shall carry out a grant program, to be
2 known as the ‘John H. Prescott Marine Mammal
3 Rescue and Response Grant Program’ (referred to
4 in this section as the ‘grant program’), to award
5 grants to eligible stranding network participants or
6 stranding network collaborators, as described in this
7 subsection.

8 “(2) PURPOSES.—The purposes of the grant
9 program are to provide for—

10 “(A) the recovery, care, or treatment of
11 sick, injured, or entangled marine mammals;

12 “(B) responses to marine mammal strand-
13 ing events that require emergency assistance;

14 “(C) the collection of data and samples
15 from living or dead stranded marine mammals
16 for scientific research or assessments regarding
17 marine mammal health;

18 “(D) facility operating costs that are di-
19 rectly related to activities described in subpara-
20 graph (A), (B), or (C); and

21 “(E) development of stranding network ca-
22 pacity, including training for emergency re-
23 sponse, where facilities do not exist or are
24 sparse.

1 “(3) CONTRACT, GRANT, AND COOPERATIVE
2 AGREEMENT AUTHORITY.—

3 “(A) IN GENERAL.—The applicable Sec-
4 retary may enter into a contract, grant, or co-
5 operative agreement with any eligible stranding
6 network participant or stranding network col-
7 laborator, as the Secretary determines to be ap-
8 propriate, for the purposes described in para-
9 graph (2).

10 “(B) EMERGENCY AWARD FLEXIBILITY.—
11 Following a request for emergency award flexi-
12 bility and analysis of the merits of and neces-
13 sity for such a request, the applicable Secretary
14 may—

15 “(i) amend any contract, grant, or co-
16 operative agreement entered into under
17 this paragraph, including provisions con-
18 cerning the period of performance; or

19 “(ii) waive the requirements under
20 subsection (f) for grant applications sub-
21 mitted during the provision of emergency
22 assistance.

23 “(4) EQUITABLE DISTRIBUTION OF FUNDS.—

24 “(A) IN GENERAL.—The Secretary shall
25 ensure, to the extent practicable, that funds

1 awarded under the grant program are distrib-
2 uted equitably among the stranding regions.

3 “(B) CONSIDERATIONS.—In determining
4 priorities among the stranding regions under
5 this paragraph, the Secretary may consider—

6 “(i) equitable distribution within the
7 stranding regions, including the subregions
8 (including the Gulf of Mexico);

9 “(ii) any episodic stranding, entangle-
10 ment, or mortality events, except for un-
11 usual mortality events, that occurred in
12 any stranding region in the preceding year;

13 “(iii) any data with respect to average
14 annual stranding, entanglements, and mor-
15 tality events per stranding region;

16 “(iv) the size of the marine mammal
17 populations inhabiting a stranding region;

18 “(v) the importance of the region’s
19 marine mammal populations to the well-
20 being of indigenous communities; and

21 “(vi) the conservation of protected,
22 depleted, threatened, or endangered marine
23 mammal species.

24 “(C) STRANDINGS.—For the purposes of
25 the grant program, priority is to be given to ap-

1 plications focusing on marine mammal
2 strandings.

3 “(5) APPLICATION.—To be eligible for a grant
4 under the grant program, a stranding network par-
5 ticipant shall—

6 “(A) submit an application in such form
7 and manner as the applicable Secretary pre-
8 scribes; and

9 “(B) be in compliance with the data re-
10 porting requirements under section 402(d) and
11 any applicable reporting requirements of the
12 United States Fish and Wildlife Service for spe-
13 cies under its management jurisdiction.

14 “(6) GRANT CRITERIA.—The Secretary shall, in
15 consultation with the Marine Mammal Commission,
16 a representative from each of the stranding regions,
17 and other individuals who represent public and pri-
18 vate organizations that are actively involved in res-
19 cue, rehabilitation, release, scientific research, ma-
20 rine conservation, and forensic science with respect
21 to stranded marine mammals under that Depart-
22 ment’s jurisdiction, develop criteria for awarding
23 grants under their respective grant programs.

24 “(7) LIMITATIONS.—

1 “(A) MAXIMUM GRANT AMOUNT.—No
2 grant made under the grant program for a sin-
3 gle award may exceed \$150,000 in any 12-
4 month period.

5 “(B) UNEXPENDED FUNDS.—Any funds
6 that have been awarded under the grant pro-
7 gram but that are unexpended at the end of the
8 12-month period described in subparagraph (A)
9 shall remain available until expended.

10 “(8) ADMINISTRATIVE COSTS AND EXPENSES.—
11 The Secretary’s administrative costs and expenses
12 related to reviewing and awarding grants under the
13 grant program, in any fiscal year may not exceed
14 the greater of—

15 “(A) 6 percent of the amounts made avail-
16 able each fiscal year to carry out the grant pro-
17 gram; or

18 “(B) \$80,000.

19 “(9) TRANSPARENCY.—The Secretary shall
20 make publicly available a list of grant proposals for
21 the upcoming fiscal year, funded grants, and re-
22 quests for grant flexibility under this subsection.

23 “(c) JOSEPH R. GERACI MARINE MAMMAL RESCUE
24 AND RAPID RESPONSE FUND.—

1 “(1) IN GENERAL.—There is established in the
2 Treasury of the United States an interest-bearing
3 fund, to be known as the ‘Joseph R. Geraci Marine
4 Mammal Rescue and Rapid Response Fund’ (re-
5 ferred to in this section as the ‘Rapid Response
6 Fund’).

7 “(2) USE OF FUNDS.—Amounts in the Rapid
8 Response Fund shall be available only for use by the
9 Secretary to provide emergency assistance.

10 “(d) AUTHORIZATION OF APPROPRIATIONS.—

11 “(1) IN GENERAL.—

12 “(A) AUTHORIZATION OF APPROPRIA-
13 TIONS.—There is authorized to be appropriated
14 to carry out the grant program \$7,000,000 for
15 each of fiscal years 2021 through 2026, to re-
16 main available until expended, of which for each
17 fiscal year—

18 “(i) \$6,000,000 is authorized to be
19 appropriated to the Secretary of Com-
20 merce; and

21 “(ii) \$1,000,000 is authorized to be
22 appropriated to the Secretary of the Inte-
23 rior.

24 “(B) DERIVATION OF FUNDS.—Funds to
25 carry out the activities under this section shall

1 be derived from amounts authorized to be ap-
2 propriated pursuant to subparagraph (A) that
3 are enacted after the date of enactment of the
4 America COMPETES Act of 2022.

5 “(2) JOSEPH R. GERACI MARINE MAMMAL RES-
6 CUE AND RAPID RESPONSE FUND.—There is author-
7 ized to be appropriated to the Rapid Response Fund
8 \$500,000 for each of fiscal years 2022 through
9 2026.

10 “(e) ACCEPTANCE OF DONATIONS.—For the pur-
11 poses of carrying out this section, the Secretary may so-
12 licit, accept, receive, hold, administer, and use gifts, de-
13 vises, and bequests without any further approval or ad-
14 ministrative action.”.

15 (b) TABLE OF CONTENTS AMENDMENT.—The table
16 of contents in the first section of the Marine Mammal Pro-
17 tection Act of 1972 (Public Law 92–522) is further
18 amended by striking the item related to section 408 and
19 inserting the following:

“Sec. 408. Marine Mammal Rescue and Response Grant Program and Rapid
Response Fund.”.

20 **SEC. 70307. HEALTH MAP.**

21 (a) IN GENERAL.—Title IV of the Marine Mammal
22 Protection Act of 1972 (16 U.S.C. 1421 et seq.) is amend-
23 ed by inserting after section 408 the following:

1 **“SEC. 408A. MARINE MAMMAL HEALTH MONITORING AND**
2 **ANALYSIS PLATFORM (HEALTH MAP).**

3 “(a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of the America COMPETES Act of
5 2022, the Secretary, acting through the Administrator of
6 the National Oceanic and Atmospheric Administration, in
7 consultation with the Secretary of the Interior and the
8 Marine Mammal Commission, shall—

9 “(1) establish a marine mammal health moni-
10 toring and analysis platform (referred to in this Act
11 as the ‘Health MAP’);

12 “(2) incorporate the Health MAP into the Ob-
13 servation System; and

14 “(3) make the Health MAP—

15 “(A) publicly accessible through the web
16 portal of the Observation System; and

17 “(B) interoperable with other national data
18 systems or other data systems for management
19 or research purposes, as practicable.

20 “(b) PURPOSES.—The purposes of the Health MAP
21 are—

22 “(1) to promote—

23 “(A) interdisciplinary research among indi-
24 viduals with knowledge and experience in ma-
25 rine mammal science, marine mammal veteri-
26 nary and husbandry practices, medical science,

1 and oceanography, and with other marine sci-
2 entists;

3 “(B) timely and sustained dissemination
4 and availability of marine mammal health,
5 stranding, entanglement, and mortality data;

6 “(C) identification of spatial and temporal
7 patterns of marine mammal mortality, disease,
8 and stranding;

9 “(D) evaluation of marine mammal health
10 in terms of mortality, as well as sublethal ma-
11 rine mammal health impacts;

12 “(E) improved collaboration and fore-
13 casting of marine mammal and larger eco-
14 system health events;

15 “(F) rapid communication and dissemina-
16 tion of information regarding marine mammal
17 strandings that may have implications for
18 human health, such as those caused by harmful
19 algal blooms; and

20 “(G) increased accessibility of data in a
21 user friendly visual interface for public edu-
22 cation and outreach; and

23 “(2) to contribute to an ocean health index that
24 incorporates marine mammal health data.

25 “(c) REQUIREMENTS.—The Health MAP shall—

1 “(1) integrate in situ, remote, and other marine
2 mammal health, stranding, and mortality data, in-
3 cluding visualizations and metadata, collected by
4 marine mammal stranding networks, Federal, State,
5 local, territorial, and Tribal governments, private
6 partners, and academia; and

7 “(2) be designed—

8 “(A) to enhance data and information
9 availability, including data sharing among
10 stranding network participants, scientists, and
11 the public within and across stranding network
12 regions;

13 “(B) to facilitate data and information ac-
14 cess across scientific disciplines, scientists, and
15 managers;

16 “(C) to facilitate public access to national
17 and regional marine mammal health, stranding,
18 entanglement, and mortality data, including vis-
19 ualizations and metadata, through the national
20 and regional data portals of the Observation
21 System; and

22 “(D) in collaboration with, and with input
23 from, States and stranding network partici-
24 pants.

1 “(d) PROCEDURES AND GUIDELINES.—The Sec-
2 retary shall establish and implement policies, protocols,
3 and standards for—

4 “(1) reporting marine mammal health data col-
5 lected by stranding networks consistent with sub-
6 sections (c) and (d) of section 402;

7 “(2) promptly transmitting health data from
8 the stranding networks and other appropriate data
9 providers to the Health MAP;

10 “(3) disseminating and making publicly avail-
11 able data on marine mammal health, stranding, en-
12 tanglement, and mortality data in a timely and sus-
13 tained manner; and

14 “(4) integrating additional marine mammal
15 health, stranding, or other relevant data as the Sec-
16 retary determines appropriate.

17 “(e) CONSULTATION.—The Administrator of the Na-
18 tional Oceanic and Atmospheric Administration shall
19 maintain and update the Health MAP in consultation with
20 the Secretary of the Interior and the Marine Mammal
21 Commission.

22 “(f) CONTRIBUTIONS.—For purposes of carrying out
23 this section, the Secretary may solicit, accept, receive,
24 hold, administer, and use gifts, devises, and bequests with-
25 out any further approval or administrative action.”.

1 (b) TABLE OF CONTENTS AMENDMENT.—The table
2 of contents in the first section of the Marine Mammal Pro-
3 tection Act of 1972 (Public Law 92–522) is further
4 amended by inserting after the item related to section 408
5 the following:

“Sec. 408A. Marine Mammal Health Monitoring and Analysis Platform
(Health MAP).”.

6 **SEC. 70308. REPORTS TO CONGRESS.**

7 (a) IN GENERAL.—Title IV of the Marine Mammal
8 Protection Act of 1972 (16 U.S.C. 1421 et seq.) is further
9 amended by inserting after section 408A the following:

10 **“SEC. 408B. REPORTS TO CONGRESS.**

11 “(a) DEFINITION OF APPROPRIATE COMMITTEES OF
12 CONGRESS.—In this section, the term ‘appropriate com-
13 mittees of Congress’ means—

14 “(1) the Committee on Commerce, Science, and
15 Transportation of the Senate; and

16 “(2) the Committee on Natural Resources of
17 the House of Representatives.

18 “(b) HEALTH MAP STATUS REPORT.—

19 “(1) IN GENERAL.—Not later than 2 year after
20 the date of enactment of the America COMPETES
21 Act of 2022, the Administrator of the National Oce-
22 anic and Atmospheric Administration, in consulta-
23 tion with the Marine Mammal Commission, the Sec-
24 retary of the Interior, and the National Ocean Re-

1 search Leadership Council, shall submit to the ap-
2 propriate committees of Congress a report describing
3 the status of the Health MAP.

4 “(2) REQUIREMENTS.—The report under para-
5 graph (1) shall include—

6 “(A) a detailed evaluation of the data
7 made publicly available through the Health
8 MAP;

9 “(B) a detailed list of any gaps in data col-
10 lected pursuant to the Health MAP, a descrip-
11 tion of the reasons for those gaps, and rec-
12 ommended actions to close those gaps;

13 “(C) an analysis of the effectiveness of
14 using the website of the Observation System as
15 the platform to collect, organize, visualize, ar-
16 chive, and disseminate marine mammal strand-
17 ing and health data;

18 “(D) a list of publications, presentations,
19 or other relevant work product resulting from,
20 or produced in collaboration with, the Health
21 MAP;

22 “(E) a description of emerging marine
23 mammal health concerns and the applicability
24 of those concerns to human health;

1 “(F) an analysis of the feasibility of the
2 Observation System being used as an alert sys-
3 tem during stranding events, entanglement
4 events, and unusual mortality events for the
5 stranding network, Observation System part-
6 ners, Health MAP partners, Federal and State
7 agencies, and local, territorial, and Tribal gov-
8 ernments;

9 “(G) an evaluation of the use of Health
10 MAP data to predict broader ecosystem events
11 and changes that may impact marine mammal
12 or human health and specific examples of prov-
13 en or potential uses of Observation System data
14 for those purposes; and

15 “(H) recommendations for the Health
16 MAP with respect to—

17 “(i) filling any identified data gaps;

18 “(ii) standards that could be used to
19 improve data quality, accessibility, trans-
20 mission, interoperability, and sharing;

21 “(iii) any other strategies that would
22 contribute to the effectiveness and useful-
23 ness of the Health MAP; and

24 “(iv) the funding levels needed to
25 maintain and improve the Health MAP.

1 “(c) DATA GAP ANALYSIS.—

2 “(1) IN GENERAL.—Not later than 5 years
3 after the date on which the report required under
4 subsection (b)(1) is submitted, and every 10 years
5 thereafter, the Administrator of the National Oce-
6 anic and Atmospheric Administration, in consulta-
7 tion with the Marine Mammal Commission and the
8 Secretary of Commerce, shall—

9 “(A) make publicly available a report on
10 the data gap analysis described in paragraph
11 (2); and

12 “(B) provide a briefing to the appropriate
13 committees of Congress concerning that data
14 gap analysis.

15 “(2) REQUIREMENTS.—The data gap analysis
16 under paragraph (1) shall include—

17 “(A) an overview of existing participants
18 within a marine mammal stranding network;

19 “(B) an identification of coverage needs
20 and participant gaps within a network;

21 “(C) an identification of data and report-
22 ing gaps from members of a network; and

23 “(D) an analysis of how stranding and
24 health data are shared and made available to

1 scientists, academics, State, local, territorial,
2 and Tribal governments, and the public.

3 “(d) MARINE MAMMAL RESPONSE CAPABILITIES IN
4 THE ARCTIC.—

5 “(1) IN GENERAL.—Not later than 1 year after
6 the date of enactment of the America COMPETES
7 Act of 2022, the Administrator of the National Oce-
8 anic and Atmospheric Administration, the Director
9 of the United States Fish and Wildlife Service, and
10 the Director of the United States Geologic Survey,
11 in consultation with the Marine Mammal Commis-
12 sion and the Secretary of the Interior, shall—

13 “(A) make publicly available a report de-
14 scribing the response capabilities for sick and
15 injured marine mammals in the Arctic regions
16 of the United States; and

17 “(B) provide a briefing to the appropriate
18 committees of Congress on that report.

19 “(2) ARCTIC.—The term ‘Arctic’ has the mean-
20 ing given the term in section 112 of the Arctic Re-
21 search and Policy Act of 1984 (15 U.S.C. 4111).

22 “(3) REQUIREMENTS.—The report under para-
23 graph (1) shall include—

24 “(A) a description, developed in consulta-
25 tion with the Director of the United States Fish

1 and Wildlife Service, of all marine mammal
2 stranding agreements in place for the Arctic re-
3 gion of the United States, including species cov-
4 ered, response capabilities, facilities and equip-
5 ment, and data collection and analysis capabili-
6 ties;

7 “(B) a list of State and local government
8 agencies that have personnel trained to respond
9 to marine mammal strandings in the Arctic re-
10 gion of the United States;

11 “(C) an assessment of potential response
12 and data collection partners and sources of
13 local information and knowledge, including
14 Alaska Native people and villages;

15 “(D) an analysis of spatial and temporal
16 trends in marine mammal strandings and un-
17 usual mortality events that are correlated with
18 changing environmental conditions in the Arctic
19 region of the United States;

20 “(E) a description of training and other
21 resource needs to meet emerging response re-
22 quirements in the Arctic region of the United
23 States;

24 “(F) an analysis of oiled marine mammal
25 response and rehabilitation capabilities in the

1 Arctic region of the United States, including
2 personnel, equipment, facilities, training, and
3 husbandry capabilities, and an assessment of
4 factors that affect response and rehabilitation
5 success rates; and

6 “(G) recommendations to address future
7 stranding response needs for marine mammals
8 in the Arctic region of the United States.”.

9 (b) TABLE OF CONTENTS AMENDMENT.—The table
10 of contents in the first section of the Marine Mammal Pro-
11 tection Act of 1972 (Public Law 92–522) is further
12 amended by inserting after the item related to section
13 408A the following:

“Sec. 408B. Reports to Congress.”.

14 **SEC. 70309. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 409 of the Marine Mammal Protection Act
16 of 1972 (16 U.S.C. 1421g) is amended—

17 (1) in paragraph (1), by striking “1993 and
18 1994;” and inserting “2022 through 2026;”;

19 (2) in paragraph (2), by striking “1993 and
20 1994;” and inserting “2022 through 2026;” and

21 (3) in paragraph (3), by striking “fiscal year
22 1993.” and inserting “for each of fiscal years 2022
23 through 2026.”.

1 **SEC. 70310. DEFINITIONS.**

2 Section 410 of the Marine Mammal Protection Act
3 of 1972 (16 U.S.C. 1421h) is amended—

4 (1) by redesignating paragraphs (1) through
5 (6) as paragraphs (2), (5), (6), (7), (8), and (9), re-
6 spectively;

7 (2) by inserting before paragraph (2) (as so re-
8 designated) the following:

9 “(1) The term ‘entangle’ or ‘entanglement’
10 means an event in the wild in which a living or dead
11 marine mammal has gear, rope, line, net, or other
12 material wrapped around or attached to the marine
13 mammal and is—

14 “(A) on lands under the jurisdiction of the
15 United States, including beaches and shorelines;
16 or

17 “(B) in waters under the jurisdiction of
18 the United States, including any navigable
19 waters.”;

20 (3) in paragraph (2) (as so redesignated) by
21 striking “The term” and inserting “Except as used
22 in section 408, the term”;

23 (4) by inserting after paragraph (2) (as so re-
24 designated) the following:

1 “(3) The term ‘Health MAP’ means the Marine
2 Mammal Health Monitoring and Analysis Platform
3 established under section 408A(a)(1).

4 “(4) The term ‘Observation System’ means the
5 National Integrated Coastal and Ocean Observation
6 System established under section 12304 of the Inte-
7 grated Coastal and Ocean Observation System Act
8 of 2009 (33 U.S.C. 3603).”.

9 **SEC. 70311. STUDY ON MARINE MAMMAL MORTALITY.**

10 (a) IN GENERAL.—Not later than 12 months after
11 the date of enactment of this Act, the Undersecretary of
12 Commerce for Oceans and Atmosphere shall, in consulta-
13 tion with the Secretary of the Interior and the Marine
14 Mammal Commission, conduct a study evaluating the con-
15 nections among marine heat waves, frequency and inten-
16 sity of harmful algal blooms, prey availability, and habitat
17 degradation, and the impacts of these conditions on ma-
18 rine mammal mortality.

19 (b) REPORT.—The Undersecretary of Commerce for
20 Oceans and Atmosphere, in consultation with the Sec-
21 retary of the Interior and the Marine Mammal Commis-
22 sion, shall prepare, post to a publicly available website,
23 and brief the appropriate committees of Congress on, a
24 report containing the results of the study described in sub-
25 section (a). The report shall identify priority research ac-

1 tivities, opportunities for collaboration, and current gaps
2 in effort and resource limitations related to advancing sci-
3 entific understanding of how ocean heat waves, harmful
4 algae blooms, availability of prey, and habitat degradation
5 impact marine mammal mortality. The report shall include
6 recommendations for policies needed to mitigate and re-
7 spond to mortality events.

8 **TITLE IV—REAUTHORIZATION**
9 **OF CORAL REEF CONSERVA-**
10 **TION ACT OF 2000**

11 **SEC. 70401. REAUTHORIZATION OF CORAL REEF CON-**
12 **SERVATION ACT OF 2000.**

13 (a) **PURPOSES; FEDERAL CORAL REEF MANAGE-**
14 **MENT AND RESTORATION ACTIVITIES.**—The Coral Reef
15 Conservation Act of 2000 (16 U.S.C. 6401 et seq.) is
16 amended by striking sections 202 and 203 and inserting
17 the following:

18 **“SEC. 202. PURPOSES.**

19 “The purposes of this title are—

20 “(1) to conserve and restore the condition of
21 United States coral reef ecosystems challenged by
22 natural and human-accelerated changes, including
23 increasing ocean temperatures, ocean acidification,
24 coral bleaching, coral diseases, water quality deg-

1 radation, invasive species, and illegal, unreported,
2 and unregulated fishing;

3 “(2) to promote the science-based management
4 and sustainable use of coral reef ecosystems to ben-
5 efit local communities and the Nation, including
6 through improved integration and cooperation
7 among Federal, State, and locally managed jurisdic-
8 tions with coral reef equities;

9 “(3) to develop sound scientific information on
10 the condition of coral reef ecosystems, continuing
11 and emerging threats to such ecosystems, and the
12 efficacy of innovative tools, technologies, and strate-
13 gies to mitigate stressors and restore such eco-
14 systems, including evaluation criteria to determine
15 the effectiveness of management interventions, and
16 accurate mapping for coral reef restoration;

17 “(4) to assist in the preservation of coral reefs
18 by supporting science-based, consensus-driven State,
19 Tribal, Pacific Islander, territorial, and community-
20 based coral reef management, including monitoring,
21 conservation, and restoration projects that empower
22 local communities, small businesses, and nongovern-
23 mental organizations;

24 “(5) to provide financial resources, technical as-
25 sistance, and scientific expertise to supplement and

1 strengthen State, Tribal, Indigenous, and commu-
2 nity-based management programs and conservation
3 and restoration projects;

4 “(6) to establish a formal mechanism for col-
5 lecting and allocating monetary donations from the
6 private sector to be used for coral reef conservation
7 and restoration projects;

8 “(7) to support the rapid and effective, science-
9 based assessment and response to emergencies that
10 imminently threaten coral reefs, such as coral dis-
11 ease outbreaks, invasive species, hurricanes, marine
12 heat waves, coral bleaching, and other natural disas-
13 ters, vessel groundings or chemical spills, and other
14 exigent circumstances; and

15 “(8) to serve as a model for advancing similar
16 international efforts to monitor, conserve, and re-
17 store coral reef ecosystems in the jurisdictions of
18 United States allies and trading partners.

19 **“SEC. 203. FEDERAL CORAL REEF MANAGEMENT AND RES-**
20 **TORATION ACTIVITIES.**

21 “(a) IN GENERAL.—The Administrator or the Sec-
22 retary of the Interior may conduct activities described in
23 subsection (b) to conserve and restore coral reefs and coral
24 reef ecosystems that are consistent with—

1 “(1) all applicable laws governing resource
2 management in Federal and State waters, including
3 this Act;

4 “(2) the national coral reef resilience strategy
5 in effect under section 204A;

6 “(3) coral reef action plans in effect under sec-
7 tion 205, as applicable; and

8 “(4) coral reef emergency plans in effect under
9 section 209, as applicable.

10 “(b) ACTIVITIES DESCRIBED.—Activities described
11 in this subsection are activities to conserve, research, mon-
12 itor, assess, and restore coral reefs and coral reef eco-
13 systems in waters managed under the jurisdiction of a
14 Federal agency specified in subsection (c) or in coordina-
15 tion with a State in waters managed under the jurisdiction
16 of such State, including—

17 “(1) developing, including through the collection
18 of requisite data, high-quality and digitized maps re-
19 flecting—

20 “(A) current and historical live coral cover
21 data;

22 “(B) coral reef habitat quality data;

23 “(C) priority areas for coral reef conserva-
24 tion to maintain biodiversity and ecosystem
25 structure and function, including the reef ma-

1 trix itself, that benefit coastal communities and
2 living marine resources;

3 “(D) priority areas for coral reef restora-
4 tion to enhance biodiversity and ecosystem
5 structure and function, including the reef ma-
6 trix itself, to benefit coastal communities and
7 living marine resources; and

8 “(E) areas of concern that may require en-
9 hanced monitoring of coral health and cover;

10 “(2) enhancing compliance with Federal laws
11 that prohibit or regulate—

12 “(A) the taking of coral products or spe-
13 cies associated with coral reefs; or

14 “(B) the use and management of coral reef
15 ecosystems;

16 “(3) long-term ecological monitoring of coral
17 reef ecosystems;

18 “(4) implementing species-specific recovery
19 plans for listed coral species consistent with the En-
20 dangered Species Act of 1973 (16 U.S.C. 1531 et
21 seq.);

22 “(5) restoring degraded coral reef ecosystems;

23 “(6) promoting ecologically sound navigation
24 and anchorages, including mooring buoy systems to

1 promote enhanced recreational access, near coral
2 reefs;

3 “(7) monitoring and responding to severe
4 bleaching or mortality events, disease outbreaks,
5 invasive species outbreaks, and significant maritime
6 accidents, including chemical spill cleanup and the
7 removal of grounded vessels;

8 “(8) conducting scientific research that contrib-
9 utes to the understanding, sustainable use, and long-
10 term conservation of coral reefs;

11 “(9) enhancing public awareness, under-
12 standing, and appreciation of coral reefs and coral
13 reef ecosystems;

14 “(10) preventing or minimizing the likelihood of
15 vessel impacts or other physical damage to coral
16 reefs through navigational aids and expansion of
17 reef-safe anchorages; and

18 “(11) centrally archiving, managing, and dis-
19 tributing data sets and coral reef ecosystem assess-
20 ments and publishing such information on publicly
21 available internet websites of—

22 “(A) the Coral Reef Conservation Program
23 of the National Oceanic and Atmospheric Ad-
24 ministration; and

25 “(B) the Task Force.

1 “(c) FEDERAL AGENCIES SPECIFIED.—A Federal
2 agency specified in this subsection is one of the following:

3 “(1) The National Oceanic and Atmospheric
4 Administration.

5 “(2) The National Park Service.

6 “(3) The United States Fish and Wildlife Serv-
7 ice.

8 “(4) The Office of Insular Affairs.”

9 (b) ADDITIONAL PROVISIONS.—The Coral Reef Con-
10 servation Act of 2000 (16 U.S.C. 6401 et seq.) is amended
11 by striking sections 205 through 210 and inserting the
12 following:

13 **“SEC. 204A. NATIONAL CORAL REEF RESILIENCE STRAT-
14 EGY.**

15 “(a) IN GENERAL.—The Administrator shall—

16 “(1) develop a national coral reef resilience
17 strategy; and

18 “(2) periodically, but not less frequently than
19 every 15 years, review and revise the strategy.

20 “(b) ELEMENTS.—The strategy required by sub-
21 section (a) shall include the following:

22 “(1) A discussion addressing—

23 “(A) continuing and emerging threats to
24 the resilience of United States coral reef eco-
25 systems;

1 “(B) remaining gaps in coral reef eco-
2 system research, monitoring, and assessment;

3 “(C) the status of management coopera-
4 tion and integration among Federal, State,
5 Tribal, and locally managed jurisdictions with
6 coral reef equities;

7 “(D) the status of efforts to manage and
8 disseminate critical information, and enhance
9 interjurisdictional data sharing, related to re-
10 search, reports, datasets, and maps;

11 “(E) areas of special focus, which may in-
12 clude—

13 “(i) improving natural coral recruit-
14 ment;

15 “(ii) preventing avoidable losses of
16 corals and their habitat;

17 “(iii) enhancing the resilience of coral
18 populations;

19 “(iv) supporting a resilience-based
20 management approach;

21 “(v) developing, coordinating, and im-
22 plementing watershed management plans;

23 “(vi) building and sustaining water-
24 shed management capacity at the local
25 level;

1 “(vii) providing data essential for
2 coral reef fisheries management;

3 “(viii) building capacity for coral reef
4 fisheries management;

5 “(ix) increasing understanding of
6 coral reef ecosystem services;

7 “(x) educating the public on the im-
8 portance of coral reefs, threats to coral
9 reefs, and solutions to such threats; and

10 “(xi) evaluating intervention efficacy;

11 “(F) the status of conservation efforts, in-
12 cluding the use of marine protected areas to
13 serve as replenishment zones developed con-
14 sistent with local practices and traditions and
15 in cooperation with, and with respect for the
16 scientific, technical, and management expertise
17 and responsibilities of, State fish and wildlife
18 management agencies; and

19 “(G) science-based adaptive management
20 and restoration efforts.

21 “(2) A statement of national goals and objec-
22 tives designed to guide—

23 “(A) future Federal coral reef management
24 and restoration activities authorized under sec-
25 tion 203;

1 “(B) conservation and restoration prior-
2 ities for grants awarded under section 213; and

3 “(C) research priorities for the cooperative
4 institutes established under section 215(c).

5 “(3) General templates for use by covered reef
6 managers to guide the development of—

7 “(A) coral reef action plans under section
8 205; and

9 “(B) coral reef emergency plans under sec-
10 tion 209.

11 “(c) CONSULTATIONS.—In developing all elements of
12 the strategy required by subsection (a), the Administrator
13 shall—

14 “(1) consult with the Secretary of the Interior,
15 the Task Force, covered States, and Tribal organiza-
16 tions;

17 “(2) engage stakeholders, including coral reef
18 stewardship partnerships, coral reef institutes and
19 research centers described in section 215(c), and
20 coral reef conservation grant awardees; and

21 “(3) solicit public review and comment regard-
22 ing scoping and the draft strategy.

23 “(d) SUBMISSION TO CONGRESS; PUBLICATION.—
24 The Administrator shall—

1 “(1) submit the strategy required by subsection
2 (a) and any revisions to the strategy to the appro-
3 priate congressional committees; and

4 “(2) publish the strategy and any such revisions
5 on publicly available internet websites of—

6 “(A) the Coral Reef Conservation Program
7 of the National Oceanic and Atmospheric Ad-
8 ministration; and

9 “(B) the Task Force.

10 “(e) TRANSITION RULE.—On and after the date of
11 the enactment of the America COMPETES Act of 2022,
12 the 2018 Coral Reef Conservation Program Strategic Plan
13 of the National Oceanic and Atmospheric Administration
14 shall be considered to be the national coral reef resilience
15 strategy in effect under this section until the earlier of—

16 “(1) September 30, 2033; or

17 “(2) the date on which the Administrator devel-
18 ops a national coral reef resilience strategy under
19 this section.

20 **“SEC. 205. CORAL REEF ACTION PLANS.**

21 “(a) CORAL REEF ACTION PLANS.—Except as pro-
22 vided in subsection (h), not later than 3 years after the
23 date of the enactment of the America COMPETES Act
24 of 2022, and not later than 2 years after the publication
25 of a revised national coral reef resilience strategy under

1 section 204A, each covered reef manager shall prepare and
2 submit to the Task Force a coral reef action plan to guide
3 management and restoration activities to be undertaken
4 within the responsibilities and jurisdiction of the manager.

5 “(b) REQUIREMENTS.—A covered reef manager pre-
6 paring a coral reef action plan under subsection (a)
7 shall—

8 “(1) ensure that the plan is consistent with all
9 elements of the national coral reef resilience strategy
10 in effect; and

11 “(2) revise the plan not less frequently than
12 once every 5 years.

13 “(c) PLAN ELEMENTS.—A coral reef action plan
14 under subsection (a) shall include a discussion of the fol-
15 lowing elements:

16 “(1) Short- and mid-term coral reef conserva-
17 tion and restoration objectives within the applicable
18 jurisdiction.

19 “(2) An updated adaptive management frame-
20 work to inform research, monitoring, and assessment
21 needs.

22 “(3) The status of any coral reef emergency
23 plans in effect under section 209 covering coral reef
24 ecosystems within the applicable jurisdiction.

1 “(4) Tools, strategies, and partnerships nec-
2 essary to identify, monitor, and redress the impacts
3 of pollution, diminished water quality, temperature
4 fluctuations, acidification, overfishing, disease, and
5 other disturbances to coral reef ecosystems within
6 the applicable jurisdiction.

7 “(5) The status of efforts to improve coral reef
8 ecosystem management cooperation and integration
9 among neighboring Federal, State, Tribal, or locally
10 managed jurisdictions, including the identification of
11 existing research and monitoring activities that can
12 be leveraged for coral reef status and trends assess-
13 ments within the applicable jurisdiction.

14 “(6) An accounting of annual expenditures on
15 coral reef management and restoration activities
16 within the applicable jurisdiction while the preceding
17 action plan, if any, was in effect.

18 “(7) Estimated budgetary and resource consid-
19 erations necessary to carry out the proposed action
20 plan.

21 “(d) TECHNICAL ASSISTANCE.—The Administrator
22 and the Task Force shall make all reasonable efforts to
23 provide technical assistance upon request by a covered reef
24 manager developing a coral reef action plan under sub-
25 section (a).

1 “(e) ADOPTION OF CORAL REEF ACTION PLANS.—
2 A covered reef manager may adopt a coral reef action plan
3 developed by another covered reef manager, in full or in
4 part, as relevant to the adopting manager’s applicable ju-
5 risdiction.

6 “(f) PUBLIC REVIEW.—The development of a coral
7 reef action plan by a covered reef manager under sub-
8 section (a), and the adoption of a plan under subsection
9 (e), shall be subject to public review and comment.

10 “(g) PUBLICATION.—The Administrator shall publish
11 each coral reef action plan prepared and submitted to the
12 Task Force under this section on publicly available inter-
13 net websites of—

14 “(1) the Coral Reef Conservation Program of
15 the National Oceanic and Atmospheric Administra-
16 tion; and

17 “(2) the Task Force.

18 “(h) APPLICABILITY TO COVERED STATES AND
19 CORAL REEF STEWARDSHIP PARTNERSHIPS.—A covered
20 State or non-Federal coral reef stewardship partnership
21 is not required to develop a coral reef action plan under
22 subsection (a), but may do so in its own discretion. In
23 developing a coral reef action plan, a covered State or non-
24 Federal coral reef stewardship partnership is encouraged,

1 but not mandated, to comply with the requirements of this
2 section.

3 “(i) **PLAN IN EFFECT.**—A coral reef action plan shall
4 be deemed to be in effect if the plan was submitted to
5 the Task Force under this section during the preceding
6 6 years.

7 **“SEC. 206. CORAL REEF STEWARDSHIP PARTNERSHIPS.**

8 “(a) **CORAL REEF STEWARDSHIP PARTNERSHIPS.**—
9 The Administrator shall establish standards for the identi-
10 fication of coral reefs and the formation of partnerships
11 among government and community members for the stew-
12 ardship of coral reefs (in this title referred to as ‘coral
13 reef stewardship partnerships’) in accordance with this
14 section, including guidance for preparation and submis-
15 sion of coral reef action plans under section 205 for review
16 and approval by the Administrator.

17 “(b) **IDENTIFICATION OF CORAL REEFS.**—Each coral
18 reef stewardship partnership shall identify with particu-
19 larity the coral reef or ecologically significant component
20 of a coral reef that will be the subject of its stewardship
21 activities.

22 “(c) **MEMBERSHIP FOR FEDERAL CORAL REEFS.**—
23 A coral reef stewardship partnership that has identified,
24 as the subject of its stewardship activities, a coral reef
25 or ecologically significant component of a coral reef that

1 is fully or partially under the management jurisdiction of
2 any Federal agency specified in section 203(c) shall, at
3 a minimum, include the following:

4 “(1) That Federal agency, a representative of
5 which shall serve as chair of the coral reef steward-
6 ship partnership.

7 “(2) A State, county, or Tribal organization’s
8 resource management agency.

9 “(3) A coral reef research center described in
10 section 215(c)(4) or another institution of higher
11 education.

12 “(4) A nongovernmental organization.

13 “(5) Such other members as the partnership
14 considers appropriate, such as interested stakeholder
15 groups.

16 “(d) MEMBERSHIP FOR NON-FEDERAL CORAL
17 REEFS.—

18 “(1) IN GENERAL.—A coral reef stewardship
19 partnership that has identified, as the subject of its
20 stewardship activities, a coral reef or ecologically sig-
21 nificant component of a coral reef that is not under
22 the management jurisdiction of any Federal agency
23 specified in section 203(c) shall, at a minimum, in-
24 clude the following:

1 “(A) A State, county, or Tribal organiza-
2 tion’s resource management agency, a rep-
3 resentative of which shall serve as the chair of
4 the coral reef stewardship partnership.

5 “(B) A coral reef research center described
6 in section 215(c)(4) or another institution of
7 higher education.

8 “(C) A nongovernmental organization.

9 “(D) Such other members as the partner-
10 ship considers appropriate, such as interested
11 stakeholder groups.

12 “(2) ADDITIONAL MEMBERS.—

13 “(A) IN GENERAL.—Subject to subpara-
14 graph (B), a coral reef stewardship partnership
15 described in paragraph (1) may also include
16 representatives of one or more Federal agencies
17 that have management responsibility in the
18 coral reef that is the subject of the partner-
19 ship’s stewardship activities.

20 “(B) REQUESTS; APPROVAL.—A represent-
21 ative of a Federal agency described in subpara-
22 graph (A) may become a member of a coral reef
23 stewardship partnership described in paragraph
24 (1) if—

1 “(i) the representative submits a re-
2 quest to become a member to the chair of
3 the partnership referred to in paragraph
4 (1)(A); and

5 “(ii) the chair consents to the request.

6 “(e) NONAPPLICABILITY OF FEDERAL ADVISORY
7 COMMITTEE ACT.—The Federal Advisory Committee Act
8 (5 U.S.C. App.) shall not apply to coral reef stewardship
9 partnerships.

10 **“SEC. 207. BLOCK GRANTS AND COOPERATIVE AGREE-**
11 **MENTS.**

12 “(a) IN GENERAL.—The Administrator shall provide
13 block grants of financial assistance to covered States to
14 support management and restoration activities and fur-
15 ther the implementation of coral reef action plans in effect
16 under section 205 by covered States and non-Federal coral
17 reef stewardship partnerships.

18 “(b) ELIGIBILITY FOR ADDITIONAL AMOUNTS.—

19 “(1) IN GENERAL.—A covered State shall qual-
20 ify for and receive additional grant amounts beyond
21 the base award specified in subsection (c)(1) if there
22 is at least one coral reef action plan in effect within
23 the jurisdiction of the covered State developed by
24 that covered State or a non-Federal coral reef stew-
25 ardship partnership.

1 “(2) WAIVER.—In any fiscal year before fiscal
2 year 2025, the Administrator shall waive the re-
3 quirement to qualify for and receive additional grant
4 amounts described in paragraph (1).

5 “(c) FUNDING FORMULA.—The amount of each block
6 grant awarded to a covered State under this section shall
7 be the sum of—

8 “(1) a base award of \$100,000; and

9 “(2) if the State is eligible under subsection
10 (b)—

11 “(A) an amount that is equal to non-Fed-
12 eral expenditures of up to \$3,000,000 on coral
13 reef management and restoration activities
14 within the jurisdiction of the State during the
15 previous fiscal year, and

16 “(B) an additional amount, from any
17 funds appropriated for activities under this sec-
18 tion that remain after distribution under sub-
19 paragraph (A), paragraph (1), and subsection
20 (g)based on the proportion of the State’s share
21 of total non-Federal expenditures on coral reef
22 management and restoration activities, as re-
23 ported within the previous fiscal year, in excess
24 of \$3,000,000, relative to other covered States.

1 “(d) EXCLUSIONS.—For the purposes of calculating
2 block grant amounts under subsection (c), Federal funds
3 provided to a covered State or non-Federal coral reef stew-
4 ardship partnership shall not be considered as qualifying
5 non-Federal expenditures, but non-Federal matching
6 funds used to leverage Federal awards may be considered
7 as qualifying non-Federal expenditures.

8 “(e) RESPONSIBILITIES OF THE ADMINISTRATOR.—
9 The Administrator is responsible for—

10 “(1) providing guidance on qualifying non-Fed-
11 eral expenditures and the proper documentation of
12 such expenditures;

13 “(2) issuing annual solicitations to covered
14 States for additional awards under this section; and

15 “(3) determining the appropriate allocation of
16 additional amounts among covered States in accord-
17 ance with this section.

18 “(f) RESPONSIBILITIES OF COVERED STATES.—Each
19 covered State is responsible for documenting non-Federal
20 expenditures within the jurisdiction of the State and for-
21 mally reporting those expenditures for review in response
22 to annual solicitations by the Administrator under sub-
23 section (e).

24 “(g) COOPERATIVE AGREEMENTS.—The Adminis-
25 trator may enter into cooperative agreements with States

1 to fund coral reef conservation and restoration activities
2 in waters managed under the jurisdiction of such States
3 that are consistent with the national coral reef resilience
4 strategy in effect under section 204A.

5 **“SEC. 208. CORAL REEF STEWARDSHIP FUND.**

6 “(a) **AUTHORITY TO ENTER INTO AGREEMENTS.—**
7 The Administrator may enter into an agreement with the
8 National Fish and Wildlife Foundation (in this section re-
9 ferred to as the ‘Foundation’), authorizing the Foundation
10 to receive, hold, and administer funds received under this
11 section.

12 “(b) **FUND.—**The Foundation shall invest, reinvest,
13 and otherwise administer the funds received under this
14 section and maintain such funds and any interest or reve-
15 nues earned in a separate interest-bearing account, to be
16 known as the ‘Coral Reef Stewardship Fund’ (in this sec-
17 tion referred to as the ‘Fund’, and known before the date
18 of the enactment of the America COMPETES Act of 2022
19 as the Coral Reef Conservation Fund administered
20 through a public-private partnership with the Founda-
21 tion), established by the Foundation solely to support
22 coral reef stewardship partnership activities that—

23 “(1) further the purposes of this title; and

24 “(2) are consistent with—

1 “(A) the national coral reef resilience
2 strategy in effect under section 204A; and

3 “(B) coral reef action plans in effect, if
4 any, under section 205 covering a coral reef or
5 ecologically significant component of a coral
6 reef to be impacted by such activities, if appli-
7 cable.

8 “(c) AUTHORIZATION TO SOLICIT DONATIONS.—

9 “(1) IN GENERAL.—Pursuant to an agreement
10 entered into under subsection (a), the Foundation
11 may accept, receive, solicit, hold, administer, and use
12 any gift (including, notwithstanding section 1342 of
13 title 31, United States Code, donations of services)
14 to further the purposes of this title.

15 “(2) DEPOSITS IN FUND.—Notwithstanding
16 section 3302 of title 31, United States Code, any
17 funds received as a gift shall be deposited and main-
18 tained in the Fund.

19 “(3) NOTIFICATION REQUIRED.—Not later than
20 30 days after funds are deposited in the Fund under
21 paragraph (2), the Foundation shall notify the Com-
22 mittee on Appropriations of the Senate and the
23 Committee on Appropriations of the House of Rep-
24 resentatives of the source and amount of such funds.

1 “(d) REVIEW OF PERFORMANCE.—The Adminis-
2 trator shall conduct a continuing review of all deposits
3 into, and disbursements from, the Fund. Each review shall
4 include a written assessment concerning the extent to
5 which the Foundation has implemented the goals and re-
6 quirements of—

7 “(1) this section; and

8 “(2) the national coral reef resilience strategy
9 in effect under section 204A.

10 “(e) ADMINISTRATION.—Under an agreement en-
11 tered into pursuant to subsection (a), the Administrator
12 may transfer funds appropriated to carry out this title to
13 the Foundation. Amounts received by the Foundation
14 under this subsection may be used for matching, in whole
15 or in part, contributions (whether in money, services, or
16 property) made to the Foundation by private persons,
17 State or local government agencies, or Tribal organiza-
18 tions.

19 **“SEC. 209. CORAL REEF EMERGENCY PLANS.**

20 “(a) IN GENERAL.—A covered reef manager may de-
21 velop and periodically update a plan (in this title referred
22 to as a ‘coral reef emergency plan’) consistent with the
23 template described in section 204A(b)(3) to guide the
24 rapid and effective response to circumstances that pose
25 an urgent and immediate threat to the coral reef eco-

1 systems within the manager’s responsibilities and jurisdic-
2 tions, and consistent with any applicable coral reef action
3 plan.

4 “(b) CORAL REEF EMERGENCIES.—The Adminis-
5 trator shall develop a list of, and criteria for, cir-
6 cumstances that pose an urgent and immediate threat to
7 coral reefs (in this title referred to as ‘coral reef emer-
8 gencies’), including—

9 “(1) new and ongoing outbreaks of disease;

10 “(2) new and ongoing outbreaks of invasive or
11 nuisance species;

12 “(3) new and ongoing coral bleaching events;

13 “(4) natural disasters;

14 “(5) man-made disasters, including vessel
15 groundings, hazardous spills, or coastal construction
16 accidents; and

17 “(6) other exigent circumstances.

18 “(c) BEST RESPONSE PRACTICES.—The Adminis-
19 trator shall develop guidance on best practices to respond
20 to coral reef emergencies that can be adopted within coral
21 reef emergency plans. Such best practices shall be—

22 “(1) based on the best available science and in-
23 tegrated with evolving innovative technologies; and

24 “(2) revised not less frequently than once every
25 5 years.

1 “(d) PLAN ELEMENTS.—A coral reef emergency plan
2 shall include the following elements:

3 “(1) A description of particular threats, and the
4 proposed responses, consistent with the best prac-
5 tices developed under subsection (d).

6 “(2) A delineation of roles and responsibilities
7 for executing the plan.

8 “(3) Evidence of engagement with interested
9 stakeholder groups, as applicable, in the develop-
10 ment of the plan.

11 “(4) Any other information the Administrator
12 considers to be necessary for the plan.

13 “(e) TECHNICAL ASSISTANCE.—The Administrator
14 and the Task Force shall make all reasonable efforts to
15 provide technical assistance upon request by a covered reef
16 manager developing a coral reef emergency plan under
17 subsection (a).

18 “(f) ADOPTION OF CORAL REEF EMERGENCY
19 PLANS.—A covered reef manager may adopt a coral reef
20 emergency plan developed by another covered reef man-
21 ager, in full or in part, as relevant to the adopting man-
22 ager’s applicable jurisdiction.

23 “(g) PUBLIC REVIEW.—The development of a coral
24 reef action plan by a covered reef manager under sub-

1 section (a), and the adoption of a plan under subsection
2 (f), shall be subject to public review and comment.

3 “(h) PUBLICATION.—The Administrator shall publish
4 each coral reef emergency plan prepared and submitted
5 to the Task Force under this section on publicly available
6 internet websites of—

7 “(1) the Coral Reef Conservation Program of
8 the National Oceanic and Atmospheric Administra-
9 tion; and

10 “(2) the Task Force.

11 “(i) PLAN IN EFFECT.—A coral reef emergency plan
12 shall be deemed to be in effect if the plan was submitted
13 to the Task Force under this section during the preceding
14 6 years.

15 **“SEC. 210. CORAL REEF EMERGENCY FUND.**

16 “(a) ESTABLISHMENT OF FUND.—There is estab-
17 lished in the Treasury an interest-bearing fund to be
18 known as the ‘Coral Reef Emergency Fund’, consisting of
19 such amounts as are appropriated to the Fund.

20 “(b) USES.—Amounts in the Fund—

21 “(1) shall be available only for use by the Ad-
22 ministrator to compensate covered coral reef man-
23 nagers to implement a coral reef emergency plan in ef-
24 fect under sections 210 and 212; and

25 “(2) shall remain available until expended.

1 “(c) ACCEPTANCE OF DONATIONS.—

2 “(1) IN GENERAL.—For purposes of carrying
3 out this title, the Administrator may accept, receive,
4 solicit, hold, administer, and use any gift (including,
5 notwithstanding section 1342 of title 31, United
6 States Code, donations of services).

7 “(2) DEPOSITS IN FUND.—Notwithstanding
8 section 3302 of title 31, United States Code, any
9 funds received as a gift shall be deposited and main-
10 tained in the Fund.

11 **“SEC. 211. EMERGENCY ASSISTANCE.**

12 “(a) CORAL REEF EMERGENCY DECLARATIONS.—

13 “(1) SUA SPONTE DECLARATION.—

14 “(A) IN GENERAL.—The Administrator
15 may determine and declare a coral reef emer-
16 gency, including at the recommendation of the
17 Secretary of the Interior.

18 “(B) REQUIREMENTS.—In declaring a
19 coral reef emergency under subparagraph (A),
20 the Administrator shall—

21 “(i) certify that an emergency has oc-
22 curred that is ecologically significant and
23 harmful to coral reefs; and

1 “(ii) submit to the appropriate con-
2 gressional committees findings and anal-
3 ysis to justify the declaration.

4 “(2) PETITIONS.—If a covered State or non-
5 Federal coral reef stewardship partnership believes
6 that a coral reef emergency has occurred, and is im-
7 pacting coral reefs or ecologically significant compo-
8 nents of coral reefs subject to the responsibilities or
9 jurisdiction of the State or partnership, the State or
10 partnership may petition the Administrator for a
11 declaration of a coral reef emergency.

12 “(3) EVALUATION AND ACTION.—

13 “(A) IN GENERAL.—Not later than 30
14 days after receiving a petition under paragraph
15 (2) (except as provided in subparagraph (B)),
16 the Administrator shall—

17 “(i) evaluate the petition to determine
18 whether a coral reef emergency has oc-
19 curred; and

20 “(ii) declare a coral reef emergency or
21 deny the petition.

22 “(B) EXTENSION.—The Administrator
23 may extend the deadline provided for under
24 subparagraph (A) by not more than 15 days.

1 “(4) APPEAL.—If the Administrator denies a
2 petition for an emergency declaration submitted
3 under paragraph (2), the State or partnership that
4 submitted the petition may, not later than 15 days
5 after receiving notice of the denial, appeal the denial
6 to the Administrator. Not later than 15 days after
7 receiving an appeal under this paragraph, the Ad-
8 ministrator shall grant or deny the appeal.

9 “(5) REVOCATION.—The Administrator may re-
10 voke any declaration of a coral reef emergency in
11 whole or in part after determining that cir-
12 cumstances no longer require an emergency re-
13 sponse.

14 “(6) RECOVERY OF EMERGENCY FUNDING.—
15 The Administrator may seek compensation from
16 negligent parties to recover emergency funds ex-
17 pended in excess of \$500,000 under this section as
18 a result of an emergency declaration arising from di-
19 rect impacts to coral reefs from man-made disasters
20 or accidents.

21 “(b) FINANCIAL ASSISTANCE AUTHORITY.—

22 “(1) IN GENERAL.—Upon the declaration of a
23 coral reef emergency under subsection (a), the Ad-
24 ministrator shall provide grants to carry out pro-
25 posals that meet the requirements of paragraph (2)

1 to implement coral reef emergency plans in effect
2 under section 209.

3 “(2) REQUIREMENTS.—A proposal for a grant
4 under this subsection to implement a coral reef
5 emergency plan in effect under section 209 shall in-
6 clude—

7 “(A) the name of the entity submitting the
8 proposal;

9 “(B) a copy of the coral reef emergency
10 plan;

11 “(C) a description of the qualifications of
12 the individuals and entities who will implement
13 the plan;

14 “(D) an estimate of the funds and time re-
15 quired to complete the implementation of the
16 plan; and

17 “(E) any other information the Adminis-
18 trator considers to be necessary for evaluating
19 the eligibility of the proposal for a grant under
20 this subsection.

21 “(3) REVIEW.—Not later than 30 days after re-
22 ceiving a proposal for a grant under this subsection,
23 the Administrator shall review the proposal and de-
24 termine if the proposal meets the requirements of
25 paragraph (2).

1 “(4) CONCURRENT REVIEW.—An entity seeking
2 a grant under this subsection may submit a proposal
3 under paragraph (2) to the Administrator at any
4 time following the submission of a petition for an
5 emergency declaration under subsection (a)(2) that
6 is applicable to coral reefs or ecologically significant
7 components of coral reefs subject to the responsibil-
8 ities or jurisdiction of the entity.

9 **“SEC. 212. VESSEL GROUNDING INVENTORY.**

10 “The Administrator, in coordination with the heads
11 of other Federal agencies, shall establish and maintain an
12 inventory of all vessel grounding incidents involving
13 United States coral reefs, including a description of—

14 “(1) the impacts of each such incident to coral
15 reefs and related natural resources;

16 “(2) vessel and ownership information relating
17 to each such incident, if available;

18 “(3) the estimated cost of removal of the vessel,
19 remediation, or restoration relating to each such in-
20 cident;

21 “(4) the response actions taken by the owner of
22 the vessel, the Administrator, the Commandant of
23 the Coast Guard, or representatives of other Federal
24 or State agencies;

1 “(5) the status of the response actions, includ-
2 ing the dates of—

3 “(A) vessel removal;

4 “(B) remediation or restoration activities,
5 including whether a coral reef emergency plan
6 was implemented; and

7 “(C) any actions taken to prevent future
8 grounding incidents; and

9 “(6) recommendations for additional naviga-
10 tional aids or other mechanisms for preventing fu-
11 ture grounding incidents.

12 **“SEC. 213. RUTH D. GATES CORAL REEF CONSERVATION**
13 **GRANT PROGRAM.**

14 “(a) GRANTS.—The Administrator shall establish a
15 program (to be known as the ‘Ruth D. Gates Coral Reef
16 Conservation Grant Program’) to provide grants for
17 projects for the conservation and restoration of coral reef
18 ecosystems (in this section referred to as ‘coral reef
19 projects’) pursuant to proposals approved by the Adminis-
20 trator in accordance with this section.

21 “(b) ELIGIBILITY.—

22 “(1) IN GENERAL.—An entity described in
23 paragraph (2) may submit to the Administrator a
24 proposal for a coral reef project.

1 “(2) ENTITIES DESCRIBED.—An entity de-
2 scribed in this paragraph is—

3 “(A) a natural resource management au-
4 thority of a State or local government or Tribal
5 organization—

6 “(i) with responsibility for coral reef
7 management; or

8 “(ii) the activities of which directly or
9 indirectly affect coral reefs or coral reef
10 ecosystems;

11 “(B) a regional fishery management coun-
12 cil established under the Magnuson-Stevens
13 Fishery Conservation and Management Act (16
14 U.S.C. 1801 et seq.);

15 “(C) a coral reef stewardship partnership
16 seeking to implement a coral reef action plan in
17 effect under section 205;

18 “(D) a coral reef research center des-
19 ignated under section 215(c)(4); or

20 “(E) another nongovernmental organiza-
21 tion or research institution with demonstrated
22 expertise in the conservation or restoration of
23 coral reefs in practice or through significant
24 contributions to the body of existing scientific
25 research on coral reefs.

1 “(c) PROJECT PROPOSALS.—Each proposal for a
2 grant under this section for a coral reef project shall in-
3 clude the following:

4 “(1) The name of the individual or entity re-
5 sponsible for conducting the project.

6 “(2) A description of the qualifications of the
7 individual or entity.

8 “(3) A succinct statement of the purposes of
9 the project.

10 “(4) An estimate of the funds and time re-
11 quired to complete the project.

12 “(5) Evidence of support for the project by ap-
13 propriate representatives of States or other govern-
14 ment jurisdictions in which the project will be con-
15 ducted.

16 “(6) Information regarding the source and
17 amount of matching funding available to the appli-
18 cant.

19 “(7) A description of how the project meets one
20 or more of the criteria under subsection (e)(2).

21 “(8) In the case of a proposal submitted by a
22 coral reef stewardship partnership, a description of
23 how the project aligns with the applicable coral reef
24 action plan in effect under section 205.

1 “(9) Any other information the Administrator
2 considers to be necessary for evaluating the eligi-
3 bility of the project for a grant under this sub-
4 section.

5 “(d) PROJECT REVIEW AND APPROVAL.—

6 “(1) IN GENERAL.—The Administrator shall re-
7 view each coral reef project proposal submitted
8 under this section to determine if the project meets
9 the criteria set forth in subsection (e).

10 “(2) PRIORITIZATION OF CONSERVATION
11 PROJECTS.—The Administrator shall prioritize the
12 awarding of grants for projects that meet the cri-
13 teria for approval under subparagraphs (A) through
14 (G) of subsection (e)(2) that are proposed to be con-
15 ducted within priority areas identified for coral reef
16 conservation by the Administrator and consistent
17 with the national coral reef resilience strategy in ef-
18 fect under section 204A.

19 “(3) PRIORITIZATION OF RESTORATION
20 PROJECTS.—The Administrator shall prioritize the
21 awarding of grants for projects that meet the cri-
22 teria for approval under subparagraphs (E) through
23 (L) of subsection (e)(2) that are proposed to be con-
24 ducted within priority areas identified for coral reef
25 restoration by the Administrator and consistent with

1 the national coral reef resilience strategy in effect
2 under section 204A.

3 “(4) REVIEW; APPROVAL OR DISAPPROVAL.—
4 Not later than 180 days after receiving a proposal
5 for a coral reef project under this section, the Ad-
6 ministrator shall—

7 “(A) request and consider written com-
8 ments on the proposal from each Federal agen-
9 cy, State government, Tribal organization, or
10 other government jurisdiction, including the rel-
11 evant regional fishery management councils es-
12 tablished under the Magnuson-Stevens Fishery
13 Conservation and Management Act (16 U.S.C.
14 1801 et seq.), or any National Marine Sanc-
15 tuary or Marine National Monument, with ju-
16 risdiction or management authority over coral
17 reef ecosystems in the area where the project is
18 to be conducted, including the extent to which
19 the project is consistent with locally established
20 priorities, unless such entities were directly in-
21 volved in the development of the project pro-
22 posal;

23 “(B) provide for the merit-based peer re-
24 view of the proposal and require standardized
25 documentation of that peer review;

1 “(C) after considering any written com-
2 ments and recommendations based on the re-
3 views under subparagraphs (A) and (B), ap-
4 prove or disapprove the proposal; and

5 “(D) provide written notification of that
6 approval or disapproval, with summaries of all
7 written comments, recommendations, and peer-
8 reviews, to the entity that submitted the pro-
9 posal, and each of those States, Tribal organi-
10 zations, and other government jurisdictions that
11 provided comments under subparagraph (A).

12 “(e) CRITERIA FOR APPROVAL.—The Administrator
13 may not approve a proposal for a coral reef project under
14 this section unless the project—

15 “(1) is consistent with—

16 “(A) the national coral reef resilience
17 strategy in effect under section 204A; and

18 “(B) any Federal or non-Federal coral reef
19 action plans in effect under section 205 cov-
20 ering a coral reef or ecologically significant
21 component of a coral reef to be affected by the
22 project; and

23 “(2) will enhance the conservation and restora-
24 tion of coral reefs by—

1 “(A) addressing conflicts arising from the
2 use of environments near coral reefs or from
3 the use of corals, species associated with coral
4 reefs, and coral products, including supporting
5 consensus-driven, community-based planning
6 and management initiatives for the protection
7 of coral reef ecosystems;

8 “(B) improving compliance with laws that
9 prohibit or regulate the taking of coral products
10 or species associated with coral reefs or regulate
11 the use and management of coral reef eco-
12 systems;

13 “(C) designing and implementing networks
14 of real-time water quality monitoring along
15 coral reefs, including data collection related to
16 turbidity, nutrient availability, harmful algal
17 blooms, and plankton assemblages, with an em-
18 phasis on coral reefs impacted by agriculture
19 and urban development;

20 “(D) promoting ecologically sound naviga-
21 tion and anchorages, including mooring buoy
22 systems to promote enhanced recreational ac-
23 cess, near coral reefs;

24 “(E) furthering the goals and objectives of
25 coral reef action plans in effect under section

1 205 and coral reef emergency plans in effect
2 under section 209;

3 “(F) mapping the location and distribution
4 of coral reefs and potential coral reef habitat;

5 “(G) stimulating innovation to advance the
6 ability of the United States to understand, re-
7 search, or monitor coral reef ecosystems, or to
8 develop management or adaptation options to
9 preserve, sustain, and restore coral reef eco-
10 systems;

11 “(H) implementing research to ensure the
12 population viability of listed coral species in
13 United States waters as detailed in the popu-
14 lation-based recovery criteria included in spe-
15 cies-specific recovery plans consistent with the
16 Endangered Species Act of 1973 (16 U.S.C.
17 1531 et seq.);

18 “(I) developing and implementing cost-ef-
19 fective methods to restore degraded coral reef
20 ecosystems or to create geographically appro-
21 priate coral reef ecosystems in suitable waters,
22 including by improving habitat or promoting
23 success of keystone species, with an emphasis
24 on novel restoration strategies and techniques
25 to advance coral reef recovery and growth near

1 population centers threatened by rising sea lev-
2 els and storm surge;

3 “(J) translating and applying coral genet-
4 ics research to coral reef ecosystem restoration,
5 including research related to traits that pro-
6 mote resilience to increasing ocean tempera-
7 tures, ocean acidification, coral bleaching, coral
8 diseases, and invasive species;

9 “(K) developing and maintaining in situ
10 native coral propagation sites;

11 “(L) developing and maintaining ex situ
12 coral propagation nurseries and land-based
13 coral gene banks to—

14 “(i) conserve or augment genetic di-
15 versity of native coral populations;

16 “(ii) support captive breeding of rare
17 coral species; or

18 “(iii) enhance resilience of native coral
19 populations to increasing ocean tempera-
20 tures, ocean acidification, coral bleaching,
21 and coral diseases through selective breed-
22 ing, conditioning, or other approaches that
23 target genes, gene expression, phenotypic
24 traits, or phenotypic plasticity; or

1 “(M) maintaining the structure and func-
2 tion of coral reefs, including the reef matrix
3 itself.

4 “(f) FUNDING REQUIREMENTS.—To the extent prac-
5 ticable based upon proposals for coral reef projects sub-
6 mitted to the Administrator, the Administrator shall en-
7 sure that funding for grants awarded under this section
8 during a fiscal year is distributed as follows:

9 “(1) Not less than 40 percent of funds available
10 shall be awarded for projects in the Pacific Ocean
11 within the maritime areas and zones subject to the
12 jurisdiction or control of the United States.

13 “(2) Not less than 40 percent of the funds
14 available shall be awarded for projects in the Atlan-
15 tic Ocean, the Gulf of Mexico, or the Caribbean Sea
16 within the maritime areas and zones subject to the
17 jurisdiction or control of the United States.

18 “(g) PROJECT REPORTING.—Each entity receiving a
19 grant under this section shall submit to the Administrator
20 such reports at such times and containing such informa-
21 tion for evaluating project performance as the Adminis-
22 trator may require.

23 “(h) TASK FORCE.—The Administrator may consult
24 with the Secretary of the Interior and the Task Force to

1 obtain guidance in establishing priorities and evaluating
2 proposals for coral reef projects under this section.

3 **“SEC. 214. REPORTS ON ADMINISTRATION.**

4 “(a) IN GENERAL.—Not later than 2 years after the
5 date of the enactment of the America COMPETES Act
6 of 2022, and every 2 years thereafter, the Administrator
7 shall submit to the committees specified in subsection (b)
8 a report on the administration of this title during the 2-
9 year period preceding submission of the report, includ-
10 ing—

11 “(1) a description of all activities undertaken to
12 implement the most recent national coral reef resil-
13 ience strategy under section 204A;

14 “(2) a statement of all funds obligated under
15 the authorities of this title; and

16 “(3) a summary, disaggregated by State, of
17 Federal and non-Federal contributions toward the
18 costs of each project or activity funded, in full or in
19 part, under the authorities of this title.

20 “(b) COMMITTEES SPECIFIED.—The committees
21 specified in this subsection are—

22 “(1) the Committee on Commerce, Science, and
23 Transportation and the Committee on Appropria-
24 tions of the Senate; and

1 “(2) the Committee on Natural Resources and
2 the Committee on Appropriations of the House of
3 Representatives.

4 **“SEC. 215. AUTHORITY TO ENTER INTO AGREEMENTS.**

5 “(a) IN GENERAL.—The Administrator may enter
6 into and perform such contracts, leases, grants, or cooper-
7 ative agreements as may be necessary to carry out the
8 purposes of this title.

9 “(b) COOPERATIVE INSTITUTES.—

10 “(1) DESIGNATION.—The Administrator shall
11 designate 2 cooperative institutes for the purpose of
12 advancing and sustaining essential capabilities in
13 coral reef research, to be known as the ‘Atlantic
14 Coral Reef Institute’ and the ‘Pacific Coral Reef In-
15 stitute’.

16 “(2) MEMBERSHIP.—Each institute established
17 under paragraph (1) shall be housed within a single
18 coral reef research center designated by the Admin-
19 istrator under paragraph (4) in the Atlantic and Pa-
20 cific basins, respectively, and may contract with
21 other coral reef research centers within the same
22 basin to support each institute’s capacity and reach.

23 “(3) FUNCTIONS.—The institutes established
24 under paragraph (1) shall—

1 “(A) conduct federally directed research to
2 fill national and regional coral reef ecosystem
3 research gaps and improve understanding of,
4 and responses to, continuing and emerging
5 threats to the resilience of United States coral
6 reef ecosystems consistent with the national
7 coral reef resilience strategy in effect under sec-
8 tion 204A;

9 “(B) support ecological research and moni-
10 toring to study the effects of conservation and
11 restoration activities funded by this title on pro-
12 moting more effective coral reef management
13 and restoration; and

14 “(C) through agreements—

15 “(i) collaborate directly with govern-
16 mental resource management agencies,
17 coral reef stewardship partnerships, non-
18 profit organizations, and other coral reef
19 research centers designated under para-
20 graph (4);

21 “(ii) assist in the development and im-
22 plementation of—

23 “(I) the national coral reef resil-
24 ience strategy under section 204A;

1 “(II) coral reef action plans
2 under section 205; and

3 “(III) coral reef emergency plans
4 under section 209;

5 “(iii) build capacity within govern-
6 mental resource management agencies to
7 establish research priorities and translate
8 and apply research findings to manage-
9 ment and restoration practices; and

10 “(iv) conduct public education and
11 awareness programs for policymakers, re-
12 source managers, and the general public
13 on—

14 “(I) coral reefs and coral reef
15 ecosystems;

16 “(II) best practices for coral reef
17 ecosystem management and restora-
18 tion;

19 “(III) the value of coral reefs;
20 and

21 “(IV) the threats to the sustain-
22 ability of coral reef ecosystems.

23 “(4) CORAL REEF RESEARCH CENTERS.—

24 “(A) IN GENERAL.—The Administrator
25 shall periodically solicit applications and des-

1 designate all qualifying institutions in a covered
2 State as coral reef research centers.

3 “(B) CRITERIA.—An institution qualifies
4 for designation as a coral reef research center
5 under subparagraph (A) if the Administrator
6 determines that the institution—

7 “(i) is operated by an institution of
8 higher education;

9 “(ii) has established management-
10 driven national or regional coral reef re-
11 search or restoration programs;

12 “(iii) has demonstrated abilities to co-
13 ordinate closely with appropriate Federal
14 and State agencies, as well as other aca-
15 demic and nonprofit organizations; and

16 “(iv) maintains significant local com-
17 munity engagement and outreach pro-
18 grams related to coral reef ecosystems.

19 “(c) USE OF RESOURCES OF OTHER AGENCIES.—
20 The Administrator may use, with consent and with or
21 without reimbursement, the land, services, equipment, per-
22 sonnel, and facilities of any agency or instrumentality of—

23 “(1) the United States;

24 “(2) any State or local government;

25 “(3) any Indian Tribe; or

1 “(4) any foreign government not subject to eco-
2 nomic sanctions imposed by the United States.

3 **“SEC. 216. CORAL REEF PRIZE COMPETITIONS.**

4 “(a) IN GENERAL.—The head of any Federal agency
5 with a representative serving on the U.S. Coral Reef Task
6 Force established by Executive Order No. 13089 (16
7 U.S.C. 6401 note; relating to coral reef protection), may,
8 individually or in cooperation with one or more agencies,
9 carry out a program to award prizes competitively under
10 section 24 of the Stevenson-Wydler Technology Innovation
11 Act of 1980 (15 U.S.C. 3719).

12 “(b) PURPOSES.—Any program carried out under
13 this section shall be for the purpose of stimulating innova-
14 tion to advance the ability of the United States to under-
15 stand, research, or monitor coral reef ecosystems, or to
16 develop management or adaptation options to preserve,
17 sustain, and restore coral reef ecosystems.

18 “(c) PRIORITY PROGRAMS.—Priority shall be given to
19 establishing programs under this section that address
20 communities, environments, or industries that are in dis-
21 tress as a result of the decline or degradation of coral reef
22 ecosystems, including—

23 “(1) scientific research and monitoring that
24 further the understanding of causes behind coral

1 reef decline and degradation and the generally slow
2 recovery following disturbances;

3 “(2) the development of monitoring or manage-
4 ment options for communities or industries that are
5 experiencing significant financial hardship;

6 “(3) the development of adaptation options to
7 alleviate economic harm and job loss caused by dam-
8 age to coral reef ecosystems;

9 “(4) the development of measures to help vul-
10 nerable communities or industries, with an emphasis
11 on rural communities and businesses; and

12 “(5) the development of adaptation and man-
13 agement options for impacted tourism industries.

14 **“SEC. 217. AUTHORIZATION OF APPROPRIATIONS.**

15 “(a) IN GENERAL.—There is authorized to be appro-
16 priated to the Administrator \$38,000,000 for each of fis-
17 cal years 2022 through 2026 to carry out this title, which
18 shall remain available until expended.

19 “(b) ADMINISTRATION.—Of the amounts authorized
20 to be appropriated under subsection (a), not more than
21 the lesser of \$1,500,000 or 10 percent of such amounts
22 is authorized to be appropriated for program administra-
23 tion or for overhead costs incurred by the National Oce-
24 anic and Atmospheric Administration or the Department
25 of Commerce and assessed as an administrative charge.

1 “(c) **FEDERALLY DIRECTED RESEARCH AND CORAL**
2 **REEF CONSERVATION PROGRAM GRANTS.**—From the
3 amounts authorized to be appropriated under subsection
4 (a), not less than \$8,000,000 is authorized to be appro-
5 priated for each of fiscal years 2022 through 2026 to sup-
6 port purposes consistent with this title, of which—

7 “(1) not less than \$3,500,000 is authorized to
8 be appropriated for each such fiscal year for author-
9 ized activities under section 213; and

10 “(2) not less than \$4,500,000 is authorized to
11 be appropriated for each such fiscal year through co-
12 operative agreements with the cooperative institutes
13 designated under section 215(c).

14 “(d) **BLOCK GRANTS AND COOPERATIVE AGREE-**
15 **MENTS.**—There is authorized to be appropriated to the
16 Administrator, \$15,000,000 for each of fiscal years 2022
17 through 2026, which shall remain available until ex-
18 pended, to carry out section 207.

19 **“SEC. 218. DEFINITIONS.**

20 “In this title:

21 “(1) **ADMINISTRATOR.**—The term ‘Adminis-
22 trator’ means the Administrator of the National
23 Oceanic and Atmospheric Administration.

24 “(2) **APPROPRIATE CONGRESSIONAL COMMIT-**
25 **TEES.**—The term ‘appropriate congressional com-

1 mittees’ means the Committee on Commerce,
2 Science, and Transportation of the Senate and the
3 Committee on Natural Resources of the House of
4 Representatives.

5 “(3) CONSERVATION.—The term ‘conservation’
6 means the use of methods and procedures necessary
7 to preserve or sustain geographically appropriate
8 corals and associated species as diverse, viable, and
9 self-perpetuating coral reef ecosystems with minimal
10 impacts from invasive species, including—

11 “(A) all activities associated with resource
12 management, such as monitoring, assessment,
13 protection, restoration, sustainable use, man-
14 agement of habitat, and maintenance or aug-
15 mentation of genetic diversity;

16 “(B) mapping;

17 “(C) scientific expertise and technical as-
18 sistance in the development and implementation
19 of management strategies for marine protected
20 areas and marine resources consistent with the
21 National Marine Sanctuaries Act (16 U.S.C.
22 1431 et seq.) and the Magnuson-Stevens Fish-
23 ery Conservation and Management Act (16
24 U.S.C. 1801 et seq.);

25 “(D) law enforcement;

1 “(E) conflict resolution initiatives;

2 “(F) community outreach and education;

3 and

4 “(G) promotion of safe and ecologically
5 sound navigation and anchoring.

6 “(4) CORAL.—The term ‘coral’ means species
7 of the phylum Cnidaria, including—

8 “(A) all species of the orders Antipatharia
9 (black corals), Scleractinia (stony corals),
10 Alcyonacea (soft corals, organ pipe corals,
11 gorgonians), and Helioporacea (blue coral), of
12 the class Anthozoa; and

13 “(B) all species of the order Anthoathecata
14 (fire corals and other hydrocorals) of the class
15 Hydrozoa.

16 “(5) CORAL PRODUCTS.—The term ‘coral prod-
17 ucts’ means any living or dead specimens, parts, or
18 derivatives, or any product containing specimens,
19 parts, or derivatives, of any species referred to in
20 paragraph (4).

21 “(6) CORAL REEF.—The term ‘coral reef’
22 means calcium carbonate structures in the form of
23 a reef or shoal, composed in whole or in part by liv-
24 ing coral, skeletal remains of coral, crustose coralline

1 algae, and other associated sessile marine plants and
2 animals.

3 “(7) CORAL REEF ECOSYSTEM.—The term
4 ‘coral reef ecosystem’ means—

5 “(A) corals and other geographically and
6 ecologically associated marine communities of
7 other reef organisms (including reef plants and
8 animals) associated with coral reef habitat; and

9 “(B) the biotic and abiotic factors and
10 processes that affect coral physiology, coral-
11 algal symbiosis, and biodiversity in such habi-
12 tat.

13 “(8) CORAL REEF ECOSYSTEM SERVICES.—The
14 term ‘coral reef ecosystem services’ means the at-
15 tributes and benefits provided by coral reef eco-
16 systems including—

17 “(A) protection of coastal beaches, struc-
18 tures, and infrastructure;

19 “(B) habitat for organisms of economic,
20 ecological, biomedical, medicinal, and cultural
21 value;

22 “(C) serving as centers for the promulga-
23 tion, performance, and training of cultural
24 practices representative of traditional ecological
25 knowledge; and

1 “(D) aesthetic value.

2 “(9) COVERED REEF MANAGER.—

3 “(A) IN GENERAL.—The term ‘covered
4 reef manager’ means a management unit of a
5 Federal agency specified in subparagraph (B)
6 with jurisdiction over a coral reef ecosystem,
7 covered State, or coral reef stewardship part-
8 nership.

9 “(B) FEDERAL AGENCIES SPECIFIED.—A
10 Federal agency specified in this subparagraph
11 is one of the following:

12 “(i) The National Oceanic and Atmos-
13 pheric Administration.

14 “(ii) The National Park Service.

15 “(iii) The United States Fish and
16 Wildlife Service.

17 “(iv) The Office of Insular Affairs.

18 “(10) COVERED STATE.—The term ‘covered
19 State’ means Florida, Hawaii, and the territories of
20 American Samoa, the Commonwealth of the North-
21 ern Mariana Islands, Guam, Puerto Rico, and the
22 United States Virgin Islands.

23 “(11) INDIAN TRIBE.—The term ‘Indian Tribe’
24 has the meaning given that term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304).

3 “(12) INSTITUTION OF HIGHER EDUCATION.—
4 The term ‘institution of higher education’ has the
5 meaning given that term in section 101 of the High-
6 er Education Act of 1965 (20 U.S.C. 1001).

7 “(13) INTERESTED STAKEHOLDER GROUPS.—
8 The term ‘interested stakeholder groups’ includes
9 community members such as businesses, commercial
10 and recreational fishermen, other recreationalists,
11 Federal, State, Tribal, and local government units
12 with related jurisdiction, institutions of higher edu-
13 cation, and nongovernmental organizations.

14 “(14) NONPROFIT ORGANIZATION.—The term
15 ‘nonprofit organization’ means an organization that
16 is described in section 501(c) of the Internal Rev-
17 enue Code of 1986 and exempt from tax under sec-
18 tion 501(a) of such Code.

19 “(15) RESTORATION.—The term ‘restoration’
20 means the use of methods and procedures necessary
21 to enhance, rehabilitate, recreate, or create a func-
22 tioning coral reef or coral reef ecosystem, in whole
23 or in part, within suitable waters of the historical
24 geographic range of such ecosystems, to provide eco-
25 logical, economic, cultural, or coastal resiliency serv-

1 ices associated with healthy coral reefs and benefit
2 native populations of coral reef organisms.

3 “(16) RESILIENCE.—The term ‘resilience’
4 means the capacity for corals within their native
5 range, coral reefs, or coral reef ecosystems to resist
6 and recover from natural and human disturbances,
7 and maintain structure and function to provide coral
8 reef ecosystem services as determined by clearly
9 identifiable, measurable, and science-based stand-
10 ards.

11 “(17) STATE.—The term ‘State’ means—

12 “(A) any State of the United States that
13 contains a coral reef ecosystem within its sea-
14 ward boundaries;

15 “(B) American Samoa, the Commonwealth
16 of the Northern Mariana Islands, Guam, Puerto
17 Rico, or the United States Virgin Islands; or

18 “(C) any other territory of the United
19 States or separate sovereign in free association
20 with the United States that contains a coral
21 reef ecosystem within its seaward boundaries.

22 “(18) STEWARDSHIP.—The term ‘stewardship’,
23 with respect to a coral reef, includes conservation,
24 restoration, and public outreach and education.

1 “(19) TASK FORCE.—The term ‘Task Force’
2 means the United States Coral Reef Task Force es-
3 tablished under section 70501 of the America COM-
4 PETES Act of 2022.

5 “(20) TRIBAL ORGANIZATION.—The term ‘Trib-
6 al organization’ has the meaning given the term
7 ‘tribal organization’ in section 3765 of title 38,
8 United States Code.”.

9 (c) CONFORMING AMENDMENT TO NATIONAL
10 OCEANS AND COASTAL SECURITY ACT.—Section 905(a)
11 of the National Oceans and Coastal Security Act (16
12 U.S.C. 7504(a)) is amended by striking “and coastal in-
13 frastructure” and inserting “, coastal infrastructure, and
14 ecosystem services provided by natural systems such as
15 coral reefs”.

16 **SEC. 70402. MODIFICATION TO SECTION 204 OF THE CORAL**
17 **REEF CONSERVATION ACT OF 2000.**

18 Section 204 of the Coral Reef Conservation Act of
19 2000 (16 U.S.C. 6403) is amended—

20 (1) in subsection (a), by striking “this section”
21 and inserting “section 213”; and

22 (2) by striking subsections (c) through (j).

1 **TITLE V—UNITED STATES**
2 **CORAL REEF TASK FORCE**

3 **SEC. 70501. ESTABLISHMENT.**

4 There is established a task force to lead, coordinate,
5 and strengthen Federal Government actions to better pre-
6 serve, conserve, and restore coral reef ecosystems, to be
7 known as the “United States Coral Reef Task Force” (in
8 this title referred to as the “Task Force”).

9 **SEC. 70502. DUTIES.**

10 The duties of the Task Force shall be—

11 (1) to coordinate, in cooperation with State,
12 Tribal, and local government partners, coral reef re-
13 search centers designated under section 215(c) of
14 the Coral Reef Conservation Act of 2000 (as amend-
15 ed by this Act), and other nongovernmental and aca-
16 demic partners as appropriate, activities regarding
17 the mapping, monitoring, research, conservation,
18 mitigation, and restoration of coral reefs and coral
19 reef ecosystems;

20 (2) to monitor and advise regarding implemen-
21 tation of the policy and Federal agency responsibil-
22 ities set forth in—

23 (A) Executive Order No. 13089 (63 Fed.
24 Reg. 32701; relating to coral reef protection);
25 and

1 (B) the national coral reef resilience strat-
2 egy developed under section 204A of the Coral
3 Reef Conservation Act of 2000, as amended by
4 this Act;

5 (3) to work with the Secretary of State and the
6 Administrator of the United States Agency for
7 International Development, and in coordination with
8 the other members of the Task Force—

9 (A) to assess the United States role in
10 international trade and protection of coral spe-
11 cies;

12 (B) to encourage implementation of appro-
13 priate strategies and actions to promote con-
14 servation and sustainable use of coral reef re-
15 sources worldwide; and

16 (C) to collaborate with international com-
17 munities successful in managing coral reefs;

18 (4) to provide technical assistance for the devel-
19 opment and implementation, as appropriate, of—

20 (A) the national coral reef resilience strat-
21 egy under section 204A of the Coral Reef Con-
22 servation Act of 2000, as amended by this Act;

23 (B) coral reef action plans under section
24 205 of that Act; and

1 (C) coral reef emergency plans under sec-
2 tion 209 of that Act; and

3 (5) to produce a report each year, for submis-
4 sion to the appropriate congressional committees
5 and publication on a publicly available internet
6 website of the Task Force, highlighting the status of
7 the coral reef equities of a covered State on a rotat-
8 ing basis, including—

9 (A) a summary of recent coral reef man-
10 agement and restoration activities undertaken
11 in that State; and

12 (B) updated estimates of the direct and in-
13 direct economic activity supported by, and other
14 benefits associated with, those coral reef equi-
15 ties.

16 **SEC. 70503. MEMBERSHIP.**

17 (a) **VOTING MEMBERSHIP.**—The Task Force shall
18 have the following voting members:

19 (1) The Secretary of Commerce, acting through
20 the Administrator of the National Oceanic and At-
21 mospheric Administration, and the Secretary of the
22 Interior, who shall be co-chairs of the Task Force.

23 (2) The Administrator of the United States
24 Agency for International Development.

25 (3) The Secretary of Agriculture.

1 (4) The Secretary of Defense.

2 (5) The Secretary of the Army, acting through
3 the Assistant Secretary of the Army for Civil Works.

4 (6) The Secretary of Homeland Security, acting
5 through the Administrator of the Federal Emer-
6 gency Management Agency.

7 (7) The Commandant of the Coast Guard.

8 (8) The Attorney General.

9 (9) The Secretary of State.

10 (10) The Secretary of Transportation.

11 (11) The Administrator of the Environmental
12 Protection Agency.

13 (12) The Ambassador of the United States
14 Trade Representative.

15 (13) The Administrator of the National Aero-
16 nautics and Space Administration.

17 (14) The Director of the National Science
18 Foundation.

19 (15) The Governor, or a representative of the
20 Governor, of each covered State.

21 (b) NONVOTING MEMBERS.—The Task Force shall
22 have the following nonvoting members:

23 (1) A member appointed by the President of
24 the Federated States of Micronesia.

1 (2) A member appointed by the President of
2 the Republic of the Marshall Islands.

3 (3) A member appointed by the President of
4 the Republic of Palau.

5 **SEC. 70504. RESPONSIBILITIES OF FEDERAL AGENCY MEM-**
6 **BERS.**

7 (a) IN GENERAL.—A member of the Task Force
8 specified in paragraphs (1) through (15) of section
9 70503(a) shall—

10 (1) identify the actions of the agency that mem-
11 ber represents that may affect coral reef ecosystems;

12 (2) utilize the programs and authorities of that
13 agency to protect and enhance the conditions of such
14 ecosystems, including through the promotion of basic
15 and applied scientific research;

16 (3) collaborate with the Task Force to appro-
17 priately reflect budgetary needs for coral reef con-
18 servation and restoration activities in all agency
19 budget planning and justification documents and
20 processes; and

21 (4) engage in any other coordinated efforts ap-
22 proved by the Task Force.

23 (b) CO-CHAIRS.—In addition to their responsibilities
24 under subsection (a), the co-chairs of the Task Force shall
25 administer performance of the functions of the Task Force

1 and facilitate the coordination of the members of the Task
2 Force specified in paragraphs (1) through (15) of section
3 70503(a).

4 **SEC. 70505. WORKING GROUPS.**

5 (a) IN GENERAL.—The co-chairs of the Task Force
6 may establish working groups as necessary to meet the
7 goals and carry out the duties of the Task Force.

8 (b) REQUESTS FROM MEMBERS.—The members of
9 the Task Force may request that the co-chairs establish
10 a working group under subsection (a).

11 (c) PARTICIPATION BY NONGOVERNMENTAL ORGANI-
12 ZATIONS.—The co-chairs may allow nongovernmental or-
13 ganizations as appropriate, including academic institu-
14 tions, conservation groups, and commercial and rec-
15 reational fishing associations, to participate in a working
16 group established under subsection (a).

17 (d) NONAPPLICABILITY OF FEDERAL ADVISORY
18 COMMITTEE ACT.—The Federal Advisory Committee Act
19 (5 U.S.C. App.) shall not apply to working groups estab-
20 lished under this section.

21 **SEC. 70506. DEFINITIONS.**

22 In this title:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term “appropriate congressional com-
25 mittees” means the Committee on Commerce,

1 Science, and Transportation of the Senate and the
2 Committee on Natural Resources of the House of
3 Representatives.

4 (2) CONSERVATION, CORAL, CORAL REEF,
5 ETC.—The terms “conservation”, “coral”, “coral
6 reef”, “coral reef ecosystem”, “covered State”, “res-
7 toration”, “resilience”, and “State” have the mean-
8 ing given those terms in section 218 of the Coral
9 Reef Conservation Act of 2000, as amended by this
10 Act.

11 **TITLE VI—DEPARTMENT OF THE**
12 **INTERIOR CORAL REEF AU-**
13 **THORITIES**

14 **SEC. 70601. CORAL REEF CONSERVATION AND RESTORA-**
15 **TION ASSISTANCE.**

16 (a) IN GENERAL.—The Secretary of the Interior, in
17 addition to activities authorized under section 203 of the
18 Coral Reef Conservation Act of 2000, as amended by this
19 Act, may provide scientific expertise, technical assistance,
20 and financial assistance for the conservation and restora-
21 tion of coral reefs consistent with all applicable laws gov-
22 erning resource management in Federal, State, and Tribal
23 waters, including—

1 (1) the national coral reef resilience strategy in
2 effect under section 204A of the Coral Reef Con-
3 servation Act of 2000, as amended by this Act;

4 (2) coral reef action plans in effect under sec-
5 tion 205 of that Act, as applicable; and

6 (3) coral reef emergency plans in effect under
7 section 209 of that Act, as applicable.

8 (b) OFFICE OF INSULAR AFFAIRS CORAL REEF INI-
9 TIATIVE.—The Secretary may establish within the Office
10 of Insular Affairs a Coral Reef Initiative Program—

11 (1) to provide grant funding to support local
12 management, conservation, and protection of coral
13 reef ecosystems in—

14 (A) insular areas of covered States; and

15 (B) Freely Associated States;

16 (2) to complement the other conservation and
17 assistance activities conducted under this title; and

18 (3) to provide other technical, scientific, and fi-
19 nancial assistance and conduct conservation activi-
20 ties that advance the purpose of this title.

21 (c) CONSULTATION WITH THE DEPARTMENT OF
22 COMMERCE.—The Secretary of the Interior may consult
23 with the Secretary of Commerce regarding the conduct of
24 any activities to conserve and restore coral reefs and coral
25 reef ecosystems in waters managed under the jurisdiction

1 of the Federal agencies specified in paragraphs (2) and
2 (3) of section 203(c) of the Coral Reef Conservation Act
3 of 2000, as amended by this Act.

4 (d) COOPERATIVE AGREEMENTS.—The Secretary of
5 the Interior may enter into cooperative agreements with
6 covered reef managers to fund coral reef conservation and
7 restoration activities in waters managed under the juris-
8 diction of such managers that—

9 (1) are consistent with the national coral reef
10 resilience strategy in effect under section 204A of
11 the Coral Reef Conservation Act of 2000, as amend-
12 ed by this Act; and

13 (2) support and enhance the success of—

14 (A) coral reef action plans in effect under
15 section 205 of that Act; and

16 (B) coral reef emergency plans in effect
17 under section 209 of that Act.

18 (e) DEFINITIONS.—In this section, the terms “con-
19 servation”, “coral reef”, “covered reef manager”, “covered
20 State”, “restoration”, and “State” have the meaning
21 given those terms in section 218 of the Coral Reef Con-
22 servation Act of 2000, as amended by this Act.

23 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to the Secretary to carry

1 out this title for each of fiscal years 2022 to 2026,
2 \$4,000,000.

3 **TITLE VII—SUSAN L. WILLIAMS**
4 **NATIONAL CORAL REEF MAN-**
5 **AGEMENT FELLOWSHIP**

6 **SEC. 70701. DEFINITIONS.**

7 In this title:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the National
10 Oceanic and Atmospheric Administration.

11 (2) FELLOW.—The term “fellow” means a Na-
12 tional Coral Reef Management Fellow.

13 (3) FELLOWSHIP.—The term “fellowship”
14 means the National Coral Reef Management Fellow-
15 ship established in section 70702.

16 (4) INDIAN TRIBE; TRIBAL ORGANIZATION.—
17 The terms “Indian Tribe” and “Tribal organiza-
18 tion” have the meanings given those terms in section
19 4 of the Indian Self-Determination and Education
20 Assistance Act (25 U.S.C. 5304).

21 **SEC. 70702. ESTABLISHMENT OF FELLOWSHIP PROGRAM.**

22 (a) IN GENERAL.—There is established a National
23 Coral Reef Management Fellowship Program.

24 (b) PURPOSES.—The purposes of the fellowship
25 are—

1 (1) to encourage future leaders of the United
2 States to develop additional coral reef management
3 capacity in States and local communities with coral
4 reefs;

5 (2) to provide management agencies of States,
6 Tribal organizations, and Freely Associated States
7 with highly qualified candidates whose education and
8 work experience meet the specific needs of each
9 State, Indian Tribe, and Freely Associated State;
10 and

11 (3) to provide fellows with professional experi-
12 ence in management of coastal and coral reef re-
13 sources.

14 **SEC. 70703. FELLOWSHIP AWARDS.**

15 (a) **IN GENERAL.**—The Administrator, in coordina-
16 tion with the Secretary of the Interior, shall award the
17 fellowship in accordance with this section.

18 (b) **TERM OF FELLOWSHIP.**—A fellowship awarded
19 under this section shall be for a term of not more than
20 24 months.

21 (c) **QUALIFICATIONS.**—The Administrator, in coordi-
22 nation with the Secretary of the Interior, shall award the
23 fellowship to individuals who have demonstrated—

24 (1) an intent to pursue a career in marine serv-
25 ices and outstanding potential for such a career;

1 (2) leadership potential, actual leadership expe-
2 rience, or both;

3 (3) a college or graduate degree in biological
4 science, experience that correlates with aptitude and
5 interest for marine management, or both;

6 (4) proficient writing and speaking skills; and

7 (5) such other attributes as the Administrator,
8 in coordination with the Secretary of the Interior,
9 consider appropriate.

10 **SEC. 70704. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated to the Ad-
12 ministrators to carry out this title for each of fiscal years
13 2022–2026, \$1,500,000, to remain available until ex-
14 pendent.

15 **TITLE VIII—BUY AMERICAN**
16 **SEAFOOD**

17 **SEC. 70801. SENSE OF CONGRESS.**

18 It is the sense of Congress that—

19 (1) American wild-caught seafood is integral to
20 the Nation’s food supply and to American food secu-
21 rity;

22 (2) the seafood supply chain is often long and
23 complex;

24 (3) American caught and American-processed
25 seafood especially from small-scale fishery oper-

1 ations, can be a sustainable healthy source of pro-
2 tein and micronutrients;

3 (4) fresh, frozen, dried, and canned domestic
4 seafood can be produced, processed, packaged, and
5 transported in a manner that has a low carbon foot-
6 print;

7 (5) marine species that are small, at lower
8 trophic levels, and pelagic typically have the smallest
9 carbon footprint; and

10 (6) therefore, any executive agency that pur-
11 chases seafood products should, to the extent prac-
12 ticable, buy local American-caught or American-har-
13 vested and American-processed seafood products
14 from fisheries that are not overfished or experi-
15 encing overfishing, in order to support sustainable
16 local seafood businesses, reduce greenhouse gas
17 emissions associated with the seafood product supply
18 chain, and reduce dependence on imported seafood
19 products.

20 **SEC. 70802. CAUGHT IN THE USA.**

21 Section 2(c)(1) of the Act of August 11, 1939 (15
22 U.S.C. 713c-3(c)(1)) is amended to read as follows:

23 “(1) The Secretary shall make grants from the
24 fund established under subsection (b) to—

1 “(A) assist persons in carrying out re-
2 search and development projects addressed to
3 any aspect of United States marine fisheries,
4 including harvesting, processing, packaging,
5 marketing, and associated infrastructures; or

6 “(B) assist persons to market and promote
7 the consumption of—

8 “(i) local or domestic marine fishery
9 products;

10 “(ii) environmentally and climate-
11 friendly marine fishery products that mini-
12 mize and employ efforts to avoid bycatch
13 and impacts on marine mammals;

14 “(iii) invasive species; or

15 “(iv) well-managed but less known
16 species.”.

17 **TITLE IX—INSULAR AFFAIRS**

18 **SEC. 70901. OCEAN AND COASTAL MAPPING INTEGRATION**

19 **ACT.**

20 Section 12204 of the Ocean and Coastal Mapping In-
21 tegration Act (33 U.S.C. 3503) is amended—

22 (1) in paragraph (12) by striking “and”;

23 (2) in paragraph (13) by striking the period at
24 the end and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(14) the study of insular areas and the effects
2 of climate change.”.

3 **TITLE X—STUDIES AND**
4 **REPORTS**

5 **SEC. 71001. DEEP SEA MINING.**

6 Not later than 90 days after the date of the enact-
7 ment of this Act, the Secretary of Commerce, acting
8 through the Administrator of the National Oceanic and
9 Atmospheric Administration, shall seek to enter into an
10 agreement with the National Academies of Science, Engi-
11 neering, and Medicine to conduct a comprehensive assess-
12 ment of the environmental impacts of deep seabed mining,
13 including—

14 (1) characterization of deep seabed ecosystems;

15 (2) assessment of potential impacts to deep sea-
16 bed habitat and species from exploratory or extrac-
17 tive activities;

18 (3) assessment of the potential impacts of sedi-
19 ment plumes from disturbance of the deep seabed on
20 the pelagic food chain; and

21 (4) approximate quantification of the green-
22 house gas emissions associated with deep seabed
23 mining, including emissions possibly from the release
24 of greenhouse gases sequestered in the seabed.

1 **SEC. 71002. NATIONAL ACADEMIES ASSESSMENT OF OCE-**
2 **ANIC BLUE CARBON.**

3 Not later than 90 days after the date of the enact-
4 ment of this Act, the Secretary of Commerce, acting
5 through the Administrator of the National Oceanic and
6 Atmospheric Administration shall seek to enter into an
7 agreement with the National Academies of Science, Engi-
8 neering, and Medicine to conduct a comprehensive assess-
9 ment of oceanic blue carbon, including—

10 (1) the impacts of marine species decline on
11 carbon sequestration potential in ocean ecosystems,
12 an estimate of the global carbon dioxide mitigation
13 potential of protecting or recovering populations of
14 fish and marine mammals, and the ecological consid-
15 erations of such conservation strategies;

16 (2) an analysis of the geologic stores of carbon
17 and deep sea storage of dissolved carbon in the deep
18 seafloor environment, including current and poten-
19 tial natural long-term carbon storage, identification
20 of gaps in scientific understanding, observations,
21 and data regarding such geologic and deep sea car-
22 bon storage; and

23 (3) the potential impacts to oceanic blue carbon
24 storage by human activities including energy devel-
25 opment activities, deep sea mining, deep sea carbon
26 capture technology, and other disturbances to the

1 sea floor and gas hydrate disruption atop the sea-
2 bed.

3 **SEC. 71003. NATIONAL ACADEMIES ASSESSMENT OF OIL**
4 **SPILLS AND PLASTIC INGESTION ON SEA**
5 **LIFE.**

6 Not later than 90 days after the date of the enact-
7 ment of this Act, the Secretary of Commerce, acting
8 through the Administrator of the National Oceanic and
9 Atmospheric Administration, shall seek to enter into an
10 agreement with the National Academies of Science, Engi-
11 neering, and Medicine to conduct a comprehensive assess-
12 ment of the environmental impacts of plastic ingestion and
13 oil and other fossil fuel spills on sea life, including—

14 (1) assessment of the potential health and eco-
15 logical impacts of plastic ingestion on marine life;

16 (2) assessment of the types of plastics most
17 commonly ingested by marine life and the types that
18 have the most damaging health and ecosystem im-
19 pacts, and recommendations for preventing and
20 eliminating these plastics from the environment;

21 (3) quantification of the economic impacts of
22 plastic pollution including the costs of cleanup, im-
23 pacts on lost tourism, impacts on aquaculture and
24 fishing, and other economic impacts identified by the
25 Academy;

1 (4) assessment and quantification of the health
2 and ecological impacts oil and other fossil fuel spills,
3 flares, pipeline leaks, and extraction, including
4 greenhouse gas emissions, have on marine life;

5 (5) quantification of the cost and effectiveness
6 of cleaning up oil and other fossil fuel spills, flares,
7 and pipeline leaks, and repairing damage to marine
8 life, coasts, and businesses;

9 (6) quantification of the number of people em-
10 ployed in fossil fuel extraction on Federal waters
11 with breakdown by State;

12 (7) quantification of the number of people em-
13 ployed in marine tourism and the blue economy, in-
14 cluding the fishing and seafood industries, impacted
15 by plastic, oil, and other fossil fuel pollution; and

16 (8) assessment and quantification of riverine
17 sources of coastal plastic pollution in the United
18 States, including a breakdown by sources that in-
19 cludes but is not limited to the Mississippi River.

20 **SEC. 71004. OFFSHORE AQUACULTURE.**

21 Not later than 24 months after the date of enactment
22 of this Act, the Secretary of Commerce acting through the
23 Administrator of the National Oceanic and Atmospheric
24 Administration shall enter into an agreement with the
25 Board of Ocean Studies and Board Science, Technology,

1 and Economic Policy of the National Academies of
2 Sciences, Engineering, and Medicine to conduct a com-
3 prehensive assessment on the development of offshore
4 aquaculture in the exclusive economic zone including—

5 (1) assessment of the potential environmental
6 impacts of offshore aquaculture operations, including
7 an evaluation on the risks of siting, water pollution,
8 habitat impact, escape of farmed species on wild
9 population stocks, waste treatment and disposal,
10 feed operations, and the cumulative risks of multiple
11 aquaculture operations in shared ecosystems;

12 (2) evaluation of the potential for offshore
13 aquaculture to serve as a tool for environmental
14 management, including connections to water quality,
15 watershed management, and fishery conservation
16 and management;

17 (3) identification of existing control tech-
18 nologies, management practices and regulatory strat-
19 egies to minimize the environmental impact of off-
20 shore aquaculture operations, including from tradi-
21 tional aquaculture methods and practices of Native
22 Americans, Alaska Natives, and Native Hawaiians;

23 (4) recommending best management practices
24 related to sustainable feed for the offshore aqua-
25 culture industry, including best practices for

1 sourcing from sustainably managed fisheries and
2 traceability of source fish meal ingredients;

3 (5) evaluation of the potential impact of off-
4 shore aquaculture on the economies of coastal com-
5 munities, particularly those dependent on traditional
6 fishery resources; and

7 (6) assessment of the impacts of growing inter-
8 national offshore aquaculture operations on the
9 United States seafood market and domestic seafood
10 producers, including dependence of the United
11 States on foreign-sourced seafood.

12 **SEC. 71005. EXPANDING OPPORTUNITIES TO INCREASE THE**
13 **DIVERSITY, EQUITY, AND INCLUSION OF**
14 **HIGHLY SKILLED SCIENCE, TECHNOLOGY,**
15 **ENGINEERING, AND MATHEMATICS (“STEM”)**
16 **PROFESSIONALS IN OCEAN RESEARCH AND**
17 **DEVELOPMENT.**

18 (a) IN GENERAL.—The Secretary of Commerce shall
19 expand opportunities to increase the number and the di-
20 versity, equity, and inclusion of highly skilled science,
21 technology, engineering, and mathematics (“STEM”) pro-
22 fessionals working in National Oceanic and Atmospheric
23 Administration mission-relevant disciplines and broaden
24 the recruitment pool to increase diversity, including ex-
25 panded partnerships with minority-serving institutions,

1 historically black colleges and universities, tribal colleges
2 and universities, non-research universities, two-year tech-
3 nical degrees, and scientific societies.

4 (b) AUTHORIZATION OF INDEPENDENT ORGANIZA-
5 TION.—The Secretary shall authorize a nonpartisan and
6 independent 501(c)(3) organization to build the public-pri-
7 vate partnerships necessary to achieve these priorities.

8 (c) DEFINITIONS.—In this section:

9 (1) MINORITY-SERVING INSTITUTION.—The
10 term “minority-serving institution” includes the en-
11 tities described in paragraphs (1) through (7) of sec-
12 tion 371(a) of the Higher Education Act of 1965
13 (20 U.S.C. 1067q(a)).

14 (2) HISTORICALLY BLACK COLLEGES AND UNI-
15 VERSITIES.—The term “Historically Black Colleges
16 and Universities” has the meaning given the term
17 “part B institution” in section 322 of the Higher
18 Education Act of 1965 (20 U.S.C. 1061).

19 (3) TRIBAL COLLEGES AND UNIVERSITIES.—
20 The term “Tribal College or University” has the
21 meaning given such term in section 316 of the High-
22 er Education Act of 1965 (20 U.S.C. 1059c).

23 **SEC. 71006. STUDY ON EFFECTS OF 6PPD-QUINONE.**

24 Not later than 90 days after the date of the enact-
25 ment of this Act, the Secretary of Commerce, acting

1 through the Administrator of the National Oceanic and
2 Atmospheric Administration shall seek to enter into an
3 agreement with the National Academies of Science, Engi-
4 neering, and Medicine to conduct a study on the effects
5 of 6PPD-quinone on salmonids, aquatic species, and wa-
6 tersheds, including an economic analysis of declining salm-
7 on populations in the United States and the effect of such
8 declining populations have on importation of salmon from
9 other countries.

10 **TITLE XI—MISCELLANEOUS**

11 **SEC. 71101. LAW ENFORCEMENT ATTACHE DEPLOYMENT.**

12 (a) IN GENERAL.—Beginning in fiscal year 2022, the
13 Secretary of the Interior, acting through the Director of
14 the United States Fish and Wildlife Service, in consulta-
15 tion with the Secretary of State, shall require the Chief
16 of Law Enforcement of the United States Fish and Wild-
17 life Service to hire, train, and deploy not fewer than 50
18 new United States Fish and Wildlife Service law enforce-
19 ment attaches, and appropriate additional support staff,
20 at one or more United States embassies, consulates, com-
21 mands, or other facilities—

22 (1) in one or more countries designated as a
23 focus country or a country of concern in the most
24 recent report submitted under section 201 of the

1 Eliminate, Neutralize, and Disrupt Wildlife Traf-
2 ficking Act of 2016 (16 U.S.C. 7621); and

3 (2) in such additional countries or regions, as
4 determined by the Secretary of Interior, that are
5 known or suspected to be a source of illegal trade of
6 species listed—

7 (A) as threatened species or endangered
8 species under the Endangered Species Act of
9 1973 (16 U.S.C. 1531 et seq.); or

10 (B) under appendix I of the Convention on
11 International Trade in Endangered Species of
12 Wild Fauna and Flora, done at Washington
13 March 3, 1973 (27 UST 1087; TIAS 8249).

14 (b) FUNDING.—There is authorized to be appro-
15 priated to carry out this section \$150,000,000 for each
16 of fiscal years 2022 through 2031.

17 **SEC. 71102. LACEY ACT AMENDMENTS.**

18 (a) IN GENERAL.—Section 42 of title 18, United
19 States Code, is amended—

20 (1) in subsection (a)(1)—

21 (A) by inserting “or any interstate trans-
22 port within the United States,” after “or any
23 possession of the United States,” the first place
24 it appears;

1 (B) by inserting after the first sentence
2 the following: “Notwithstanding any other pro-
3 vision of law, the Secretary of the Interior may
4 prescribe by regulation an emergency designa-
5 tion prohibiting the importation of any species
6 of wild mammals, wild birds, fish (including
7 mollusks and crustacea), amphibians, or rep-
8 tiles, or the offspring or eggs of any such spe-
9 cies, as injurious to human beings, to the inter-
10 ests of agriculture, horticulture, forestry, or to
11 wildlife or the wildlife resources of the United
12 States, for not more than 3 years, under this
13 subsection, if the Secretary of the Interior de-
14 termines that such regulation is necessary to
15 address an imminent threat to human beings,
16 to the interests of agriculture, horticulture, for-
17 estry, or to wildlife or the wildlife resources of
18 the United States. An emergency designation
19 prescribed under this subsection shall take ef-
20 fect immediately upon publication in the Fed-
21 eral Register, unless the Secretary of the Inte-
22 rior prescribes an effective date that is not later
23 than 60 days after the date of publication. Dur-
24 ing the period during which an emergency des-
25 ignation prescribed under this subsection for a

1 species is in effect, the Secretary of the Interior
2 shall evaluate whether the species should be
3 designated as an injurious wildlife species under
4 the first sentence of this paragraph.”; and

5 (C) in subsection (b), inserting “know-
6 ingly” before “violates”; and

7 (2) by adding at the end the following:

8 “(d) PRESUMPTIVE PROHIBITION ON IMPORTA-
9 TION.—

10 “(1) IN GENERAL.—Importation into the
11 United States of any species of wild mammals, wild
12 birds, fish (including mollusks and crustacea), am-
13 phibians, or reptiles, or the offspring or eggs of any
14 such species, that is not native to the United States
15 and, as of the date of enactment of the America
16 COMPETES Act of 2022, is not prohibited under
17 subsection (a)(1), is prohibited, unless—

18 “(A) during the 1-year period preceding
19 the date of enactment of the America COM-
20 PETES Act of 2022, the species was, in more
21 than minimal quantities—

22 “(i) imported into the United States;

23 or

24 “(ii) transported between the States,
25 any territory of the United States, the Dis-

1 trict of Columbia, Puerto Rico, or any ter-
2 ritory of the United States; or

3 “(B) the Secretary of the Interior deter-
4 mines, after an opportunity for public comment,
5 that the species does not pose a significant risk
6 of invasiveness to the United States and pub-
7 lishes a notice in the Federal Register of the
8 determination.

9 “(2) RULE OF CONSTRUCTION.—Nothing in
10 paragraph (1) shall be construed to limit the author-
11 ity of the Secretary of the Interior under subsection
12 (a)(1).”.

13 (b) CONFORMING AMENDMENTS.—Section 42(a) of
14 title 18, United States Code, is amended—

15 (1) in paragraph (2), by inserting “and sub-
16 section (d)” after “this subsection”;

17 (2) in paragraph (3)—

18 (A) by striking “the foregoing” and insert-
19 ing “paragraph (1) or subsection (d)”; and

20 (B) by striking “this Act” each place the
21 term appears and inserting “this section”;

22 (3) in paragraph (4), by inserting “or sub-
23 section (d)” after “this subsection”; and

24 (4) in paragraph (5)—

1 (A) by inserting “and subsection (d)” after
2 “this subsection”; and

3 (B) by striking “hereunder” and inserting
4 “under such provisions”.

5 (c) REGULATIONS; EFFECTIVE DATE.—

6 (1) REGULATIONS.—Not later than 1 year after
7 the date of enactment of this Act, the Secretary of
8 the Interior shall promulgate regulations to define
9 the term “minimal quantities” for purposes of sub-
10 section (d)(1)(A) of section 42 of title 18, United
11 States Code, as added by subsection (a)(2).

12 (2) EFFECTIVE DATE.—Subsection (d) of sec-
13 tion 42 of title 18, United States Code, as added by
14 subsection (a)(2), shall take effect on the date that
15 is 1 year after the date of enactment of this Act.

16 **SEC. 71103. SHARK FIN SALES ELIMINATION.**

17 (a) PROHIBITION ON SALE OF SHARK FINS.—

18 (1) PROHIBITION.—Except as provided in sub-
19 section (c), no person shall possess, acquire, receive,
20 transport, offer for sale, sell, or purchase shark fins
21 or products containing shark fins.

22 (2) PENALTY.—A violation of paragraph (1)
23 shall be treated as an act prohibited by section 307
24 of the Magnuson-Stevens Fishery Conservation and
25 Management Act (16 U.S.C. 1857) and shall be pe-

1 nalized pursuant to section 308 of that Act (16
2 U.S.C. 1858).

3 (b) EXCEPTIONS.—A person may possess a shark fin
4 that was taken lawfully under a State, territorial, or Fed-
5 eral license or permit to take or land sharks, if the shark
6 fin was separated after the first point of landing in a man-
7 ner consistent with the license or permit and is—

8 (1) destroyed or disposed of immediately upon
9 separation from the carcass;

10 (2) used for noncommercial subsistence pur-
11 poses in accordance with State or territorial law; or

12 (3) used solely for display or research purposes
13 by a museum, college, or university, or other person
14 under a State or Federal permit to conduct non-
15 commercial scientific research.

16 (c) DOGFISH.—

17 (1) IN GENERAL.—It shall not be a violation of
18 subsection (b) for any person to possess, acquire, re-
19 ceive, transport, offer for sale, sell, or purchase any
20 fresh or frozen unprocessed fin or tail from any
21 stock of the species *Mustelus canis* (smooth dogfish)
22 or *Squalus acanthias* (spiny dogfish).

23 (2) REPORT.—By not later than January 1,
24 2027, the Secretary of Commerce shall review the
25 exemption contained in paragraph (1) and shall pre-

1 pare and submit to Congress a report that includes
2 a recommendation on whether the exemption con-
3 tained in paragraph (1) should continue or be termi-
4 nated. In preparing such report and making such
5 recommendation, the Secretary shall analyze factors
6 including—

7 (A) the economic viability of dogfish fish-
8 eries with and without the continuation of the
9 exemption;

10 (B) the impact to ocean ecosystems of con-
11 tinuing or terminating the exemption;

12 (C) the impact on enforcement of the ban
13 contained in subsection (b) caused by the ex-
14 emption; and

15 (D) the impact of the exemption on shark
16 conservation.

17 (d) DEFINITION OF SHARK FIN.—In this section, the
18 term “shark fin” means—

19 (1) the unprocessed or dried or otherwise proc-
20 essed detached fin of a shark; or

21 (2) the unprocessed or dried or otherwise proc-
22 essed detached tail of a shark.

23 (e) ENFORCEMENT.—The provisions of this section,
24 and any regulations issued pursuant thereto, shall be en-
25 forced by the Secretary of Commerce. The Secretary may

1 use by agreement, with or without reimbursement, the per-
2 sonnel, services, equipment, and facilities of any other
3 Federal agency or any State agency or Indian Tribe for
4 purposes of enforcing this section.

5 (f) STATE AUTHORITY.—Nothing in this section may
6 be construed to preclude, deny, or limit any right of a
7 State or territory to adopt or enforce any regulation or
8 standard that is more stringent than a regulation or
9 standard in effect under this section.

10 (g) SEVERABILITY.—If any provision of this section
11 or its application to any person or circumstance is held
12 invalid, the invalidity does not affect other provisions or
13 applications of this section which can be given effect with-
14 out the invalid provision or application, and to this end
15 the provisions of this section are severable.

16 **SEC. 71104. OFFSHORE WIND ENERGY DEPLOYMENT.**

17 The Secretary of the Interior, the Secretary of En-
18 ergy, the Secretary of Defense, the Secretary of Com-
19 merce, and all other Federal agencies the Secretary of the
20 Interior determines are necessary in the authorization of
21 offshore wind energy projects shall collectively seek to de-
22 ploy 30 gigawatts of offshore wind energy on the Outer
23 Continental Shelf of the United States by 2030, while pro-
24 tecting the biodiversity of the ocean and promoting ocean
25 co-use.

1 **SEC. 71105. SHOVEL-READY RESTORATION GRANTS FOR**
2 **COASTLINES AND FISHERIES.**

3 (a) **ESTABLISHMENT.**—The Administrator shall es-
4 tablish a grant program to provide funding and technical
5 assistance to eligible entities for purposes of carrying out
6 a project described in subsection (d).

7 (b) **PROJECT PROPOSAL.**—To be considered for a
8 grant under this section, an eligible entity shall submit
9 a grant proposal to the Administrator in a time, place,
10 and manner determined by the Administrator. Such pro-
11 posal shall include monitoring, data collection, and meas-
12 urable performance criteria with respect to the project.

13 (c) **DEVELOPMENT OF CRITERIA.**—The Adminis-
14 trator shall select eligible entities to receive grants under
15 this section based on criteria developed by the Adminis-
16 trator, in consultation with relevant offices of the National
17 Oceanic and Atmospheric Administration, such as the Of-
18 fice of Habitat Conservation and the Office for Coastal
19 Management.

20 (d) **ELIGIBLE PROJECTS.**—A proposal is eligible for
21 a grant under this section if—

22 (1) the purpose of the project is to restore a
23 marine, estuarine, coastal, or Great Lake habitat,
24 including—

25 (A) restoration of habitat to protect or re-
26 cover a species that is threatened, endangered,

1 or a species of concern under the Endangered
2 Species Act of 1973 (16 U.S.C. 1531 et seq.);

3 (B) through the removal or remediation of
4 marine debris, including derelict vessels and
5 abandoned, lost, and discarded fishing gear, in
6 coastal and marine habitats; or

7 (C) for the benefit of—

8 (i) shellfish;

9 (ii) fish, including diadromous fish;

10 (iii) coral reef systems;

11 (iv) marine wildlife; or

12 (v) blue carbon ecosystems such as
13 coastal wetlands, beaches, dunes, marshes,
14 coastal forests, oyster beds, kelp forests,
15 and submerged aquatic vegetation; or

16 (2) provides adaptation to climate change, in-
17 cluding sequestering and storing carbon or by con-
18 structing, restoring, or protecting ecological features
19 or nature-based infrastructure that protects coastal
20 communities from sea level rise, coastal storms, or
21 flooding.

22 (e) PRIORITY.—In determining which projects to
23 fund under this section, the Administrator shall give pri-
24 ority to a proposed project—

25 (1) that would stimulate the economy;

1 (2) for which the applicant can demonstrate
2 that the grant will fund work that will begin not
3 more than 90 days after the date of award;

4 (3) for which the applicant can demonstrate
5 that the grant will fund work that will employ fish-
6 ermen who have been negatively impacted by the
7 COVID–19 pandemic or pay a fisherman for the use
8 of a fishing vessel;

9 (4) for which the applicant can demonstrate
10 that any preliminary study or permit required before
11 the project can begin has been completed or can be
12 completed shortly after an award is made; or

13 (5) that includes communities that may not
14 have adequate resources including low income com-
15 munities, communities of color, Tribal communities,
16 Indigenous communities, and rural communities.

17 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to the Administrator
19 \$10,000,000,000 for fiscal year 2022 to carry out this sec-
20 tion, to remain available until expended.

21 (g) DEFINITIONS.—In this section, the following defi-
22 nitions apply:

23 (1) ADMINISTRATOR.—The term “Adminis-
24 trator” means the Administrator of the National
25 Oceanic and Atmospheric Administration.

1 (2) **ELIGIBLE ENTITY.**—The term “eligible enti-
2 ty” means a nonprofit, a for-profit business, an in-
3 stitution of higher education, or a State, local, Trib-
4 al, or Territorial government.

5 (3) **FISHERMEN.**—The term “fishermen”
6 means commercial or for-hire fishermen or oyster
7 farmers.

8 **SEC. 71106. LEASING ON THE OUTER CONTINENTAL SHELF.**

9 (a) **LEASING AUTHORIZED.**—The Secretary of the
10 Interior is authorized to grant leases pursuant to section
11 8(p)(1)(C) of the Outer Continental Shelf Lands Act (43
12 U.S.C. 1337(p)(1)(C)) in the areas withdrawn by the
13 Presidential Memorandum entitled “Memorandum on the
14 Withdrawal of Certain Areas of the United States Outer
15 Continental Shelf from Leasing Disposition” (issued Sep-
16 tember 8, 2020) and the Presidential Memorandum enti-
17 tled “Presidential Determination on the Withdrawal of
18 Certain Areas of the United States Outer Continental
19 Shelf from Leasing Disposition” (issued September 25,
20 2020).

21 (b) **WITHDRAWALS.**—Any Presidential withdrawal of
22 an area of the Outer Continental Shelf from leasing under
23 section 12(a) of the Outer Continental Shelf Lands Act
24 (43 U.S.C. 1341(a)) issued after the date of enactment
25 of this section shall apply only to leasing authorized under

1 subsections (a) and (i) of section 8 of the Outer Conti-
2 nental Shelf Lands Act (43 U.S.C. 1337(a) and 1337(i)),
3 unless otherwise specified.

4 **SEC. 71107. TROPICAL FOREST AND CORAL REEF CON-**
5 **SERVATION REAUTHORIZATION.**

6 Section 806(d) of the Tropical Forest and Coral Reef
7 Conservation Act of 1998 (22 U.S.C. 2431d(d)) is amend-
8 ed by adding at the end the following new paragraphs:

9 “(9) \$20,000,000 for fiscal year 2022.

10 “(10) \$20,000,000 for fiscal year 2023.

11 “(11) \$20,000,000 for fiscal year 2024.

12 “(12) \$20,000,000 for fiscal year 2025.

13 “(13) \$20,000,000 for fiscal year 2026.”.

14 **SEC. 71108. PROHIBITION ON SALE OF AMERICAN MINK.**

15 (a) PROHIBITION.—No person may possess, acquire,
16 receive, transport, offer for sale, sell, or purchase any
17 American mink (*Neovison vison*) raised in captivity for fur
18 production.

19 (b) PENALTY.—A violation of subsection (a) shall be
20 treated as an act prohibited by section 3 of the Lacey Act
21 Amendments of 1981 (16 U.S.C. 3372) and is subject to
22 penalty pursuant to section 4 of that Act (16 U.S.C.
23 3373).

24 (c) EFFECTIVE DATE.—This section shall take effect
25 on December 31, 2022.

1 **TITLE XII—BOLSTERING LONG-**
2 **TERM UNDERSTANDING AND**
3 **EXPLORATION OF THE GREAT**
4 **LAKES, OCEANS, BAYS, AND**
5 **ESTUARIES**

6 **SEC. 71201. PURPOSE.**

7 The purpose of this title is to promote and support—

8 (1) the monitoring, understanding, and explo-
9 ration of the Great Lakes, oceans, bays, estuaries,
10 and coasts; and

11 (2) the collection, analysis, synthesis, and shar-
12 ing of data related to the Great Lakes, oceans, bays,
13 estuaries, and coasts to facilitate science and oper-
14 ational decision making.

15 **SEC. 71202. SENSE OF CONGRESS.**

16 It is the sense of Congress that—

17 (1) agencies should optimize data collection,
18 management, and dissemination, to the extent prac-
19 ticable, to maximize their impact for research, com-
20 mercial, regulatory, and educational benefits and to
21 foster innovation, scientific discoveries, the develop-
22 ment of commercial products, and the development
23 of sound policy with respect to the Great Lakes,
24 oceans, bays, estuaries, and coasts;

1 (2) agencies should consider current and future
2 needs relating to supercomputing capacity, data
3 storage capacity, and public access, address gaps in
4 those areas, and coordinate across agencies as need-
5 ed;

6 (3) the United States is a leading member of
7 the Intergovernmental Oceanographic Commission of
8 the United Nations Educational, Scientific and Cul-
9 tural Organization, a founding member of the Atlan-
10 tic Ocean Research Alliance, and a key partner in
11 developing the United Nations Decade of Ocean
12 Science for Sustainable Development;

13 (4) the Integrated Ocean Observing System and
14 the Global Ocean Observing System are key assets
15 and networks that bolster understanding of the ma-
16 rine environment;

17 (5) the National Oceanographic Partnership
18 Program is a meaningful venue for collaboration and
19 coordination among Federal agencies, scientists, and
20 ocean users;

21 (6) the National Centers for Environmental In-
22 formation of the National Oceanic and Atmospheric
23 Administration should be looked to by other Federal
24 agencies as a primary, centralized repository for
25 Federal ocean data;

1 (7) the Marine Cadastre, a joint effort of the
2 National Oceanic and Atmospheric Administration
3 and the Bureau of Ocean Energy Management, pro-
4 vides access to data and information for specific
5 issues and activities in ocean resources management
6 to meet the needs of offshore energy and planning
7 efforts;

8 (8) the regional associations of the Integrated
9 Ocean Observing System, certified by the National
10 Oceanic and Atmospheric Administration for the
11 quality and reliability of their data, are important
12 sources of observation information for the Great
13 Lakes, oceans, bays, estuaries, and coasts; and

14 (9) the Regional Ocean Partnerships and re-
15 gional data portals, which provide publicly available
16 tools such as maps, data, and other information to
17 inform decisions and enhance marine development,
18 should be supported by and viewed as collaborators
19 with Federal agencies and ocean users.

20 **SEC. 71203. DEFINITION OF ADMINISTRATOR.**

21 In this title, the term “Administrator” means the
22 Under Secretary of Commerce for Oceans and Atmosphere
23 in the Under Secretary’s capacity as Administrator of the
24 National Oceanic and Atmospheric Administration.

1 **SEC. 71204. INCREASED COORDINATION AMONG AGENCIES**
2 **WITH RESPECT TO DATA AND MONITORING.**

3 (a) INTERAGENCY OCEAN OBSERVATION COM-
4 MITTEE.—In addition to its responsibilities as of the date
5 of the enactment of this Act, and in consultation with the
6 associated advisory committee authorized by section
7 12304(d) of the Integrated Coastal and Ocean Observa-
8 tion System Act of 2009 (33 U.S.C. 3603(d)), the Inter-
9 agency Ocean Observation Committee shall—

10 (1) work with international coordinating bodies,
11 as necessary, to ensure robust, direct measurements
12 of the Great Lakes, oceans, bays, estuaries, and
13 coasts, including oceanographic data; and

14 (2) support cross-agency and multi-platform
15 synergy, by coordinating overlapping data collection
16 by satellites, buoys, submarines, gliders, vessels, and
17 other data collection vehicles and technologies.

18 (b) FEDERAL GEOGRAPHIC DATA COMMITTEE.—In
19 addition to its responsibilities as of the date of the enact-
20 ment of this Act, and in consultation with the National
21 Geospatial Advisory Committee, the Federal Geographic
22 Data Committee shall—

23 (1) work with international coordinating bodies,
24 as necessary, to ensure robust, continuous measure-
25 ments of the Great Lakes, oceans, bays, estuaries,

1 and coasts, including satellite and geospatial data;
2 and

3 (2) support new and old data and metadata cer-
4 tification, quality assurance, quality control, integra-
5 tion, and archiving.

6 (c) INTERAGENCY COMMITTEE ON OCEAN AND
7 COASTAL MAPPING.—In addition to its responsibilities as
8 of the date of the enactment of this Act, and in consulta-
9 tion with its associated advisory panel authorized by sec-
10 tion 12203(g) of the Ocean and Coastal Mapping Integra-
11 tion Act (33 U.S.C. 3502(g)), the Interagency Committee
12 on Ocean and Coastal Mapping shall—

13 (1) work with international coordinating bodies,
14 as necessary, to ensure robust, continuous satellite
15 and direct measurements of the Great Lakes,
16 oceans, bays, estuaries, and coasts, including bathy-
17 metric data; and

18 (2) make recommendations on how to make
19 data, metadata, and model output accessible to a
20 broader public audience, including through geo-
21 graphic information system layers, graphics, and
22 other visuals.

1 **SEC. 71205. TECHNOLOGY INNOVATION TO COMBAT ILLE-**
2 **GAL, UNREPORTED, AND UNREGULATED**
3 **FISHING.**

4 (a) DEFINITIONS.—Section 3532 of the Maritime Se-
5 curity and Fisheries Enforcement Act (16 U.S.C. 8001)
6 is amended—

7 (1) by redesignating paragraphs (6) through
8 (13) as paragraphs (7) through (14), respectively;
9 and

10 (2) by inserting after paragraph (5) the fol-
11 lowing:

12 “(6) INNOVATIVE TECHNOLOGIES.—The term
13 ‘innovative technologies’ includes the following:

14 “(A) Improved satellite imagery and track-
15 ing.

16 “(B) Advanced electronic monitoring
17 equipment.

18 “(C) Vessel location data.

19 “(D) Improved genetic, molecular, or other
20 biological methods of tracking sources of sea-
21 food.

22 “(E) Electronic catch documentation and
23 traceability.

24 “(F) Such other technologies as the Ad-
25 ministrator of the National Oceanic and Atmos-
26 pheric Administration considers appropriate.”.

1 (b) TECHNOLOGY PROGRAMS.—Section 3546 of the
2 Maritime Security and Fisheries Enforcement Act (16
3 U.S.C. 8016) is amended—

4 (1) in paragraph (3), by striking “and” after
5 the semicolon;

6 (2) in paragraph (4), by striking the period at
7 the end and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(5) coordinating the application of existing in-
10 novative technologies and the development of emerg-
11 ing innovative technologies.”.

12 **SEC. 71206. WORKFORCE STUDY.**

13 (a) IN GENERAL.—Section 303(a) of the America
14 COMPETES Reauthorization Act of 2010 (33 U.S.C.
15 893e(a)) is amended—

16 (1) in the matter preceding paragraph (1), by
17 striking “Secretary of Commerce” and inserting
18 “Under Secretary of Commerce for Oceans and At-
19 mosphere”;

20 (2) in paragraph (2), by inserting “, skillsets,
21 or credentials” after “degrees”;

22 (3) in paragraph (3), by inserting “or highly
23 qualified technical professionals and tradespeople”
24 after “atmospheric scientists”;

1 (4) in paragraph (4), by inserting “, skillsets,
2 or credentials” after “degrees”;

3 (5) in paragraph (5)—

4 (A) by striking “scientist”; and

5 (B) by striking “; and” and inserting “,
6 observations, and monitoring;”

7 (6) in paragraph (6), by striking “into Federal”
8 and all that follows and inserting “, technical profes-
9 sionals, and tradespeople into Federal career posi-
10 tions;”

11 (7) by redesignating paragraphs (2) through
12 (6) as paragraphs (3) through (7), respectively;

13 (8) by inserting after paragraph (1) the fol-
14 lowing:

15 “(2) whether there is a shortage in the number
16 of individuals with technical or trade-based skillsets
17 or credentials suited to a career in oceanic and at-
18 mospheric data collection, processing, satellite pro-
19 duction, or satellite operations;”; and

20 (9) by adding at the end the following:

21 “(8) workforce diversity and actions the Fed-
22 eral Government can take to increase diversity in the
23 scientific workforce; and

24 “(9) actions the Federal Government can take
25 to shorten the hiring backlog for such workforce.”.

1 (b) COORDINATION.—Section 303(b) of such Act (33
2 U.S.C. 893c(b)) is amended by striking “Secretary of
3 Commerce” and inserting “Under Secretary of Commerce
4 for Oceans and Atmosphere”.

5 (c) REPORT.—Section 303(c) of such Act (33 U.S.C.
6 893c(c)) is amended—

7 (1) by striking “the date of enactment of this
8 Act” and inserting “the date of the enactment of the
9 America COMPETES Act of 2022”;

10 (2) by striking “Secretary of Commerce” and
11 inserting “Under Secretary of Commerce for Oceans
12 and Atmosphere”; and

13 (3) by striking “to each committee” and all
14 that follows through “section 302 of this Act” and
15 inserting “to the Committee on Commerce, Science,
16 and Transportation of the Senate and the Com-
17 mittee on Natural Resources and the Committee on
18 Science, Space, and Technology of the House of
19 Representatives”.

20 (d) PROGRAM AND PLAN.—Section 303(d) of such
21 Act (33 U.S.C. 893c(d)) is amended—

22 (1) by striking “Administrator of the National
23 Oceanic and Atmospheric Administration” and in-
24 serting “Under Secretary of Commerce for Oceans
25 and Atmosphere”; and

1 (2) by striking “academic partners” and all
2 that follows and inserting “academic partners.”.

3 **SEC. 71207. ACCELERATING INNOVATION AT COOPERATIVE**
4 **INSTITUTES.**

5 (a) **FOCUS ON EMERGING TECHNOLOGIES.**—The Ad-
6 ministrators shall ensure that the goals of the Cooperative
7 Institutes of the National Oceanic and Atmospheric Ad-
8 ministration include focusing on advancing or applying
9 emerging technologies, which may include—

10 (1) applied uses and development of real-time
11 and other advanced genetic technologies and applica-
12 tions, including such technologies and applications
13 that derive genetic material directly from environ-
14 mental samples without any obvious signs of biologi-
15 cal source material;

16 (2) deployment of, and improvements to, the
17 durability, maintenance, and other lifecycle concerns
18 of advanced unmanned vehicles, regional small re-
19 search vessels, and other research vessels that sup-
20 port and launch unmanned vehicles and sensors; and

21 (3) supercomputing and big data management,
22 including data collected through electronic moni-
23 toring and remote sensing.

24 (b) **DATA SHARING.**—Each Cooperative Institute
25 shall ensure that data collected from the work of the insti-

1 tute, other than classified, confidential, or proprietary
2 data, are archived and made publicly accessible.

3 (c) COORDINATION WITH OTHER PROGRAMS.—The
4 Cooperative Institutes shall work with the Interagency
5 Ocean Observation Committee, the regional associations
6 of the Integrated Ocean Observing System, and other
7 ocean observing programs to coordinate technology needs
8 and the transition of new technologies from research to
9 operations.

10 **SEC. 71208. OCEAN INNOVATION PRIZE AND**
11 **PRIORITIZATION.**

12 (a) OCEAN INNOVATIVE PRIZES.—Not later than 4
13 years after the date of the enactment of this Act, and
14 under the authority provided by section 24 of the Steven-
15 son-Wylder Technology Innovation Act of 1980 (15 U.S.C.
16 3719), the Administrator, in consultation with the heads
17 of relevant Federal agencies, including the Secretary of
18 Defense, and in conjunction with nongovernmental part-
19 ners, as appropriate and at the discretion of the Adminis-
20 trator, shall establish at least one Ocean Innovation Prize
21 to catalyze the rapid development and deployment of data
22 collection and monitoring technology related to the Great
23 Lakes, oceans, bays, estuaries, and coasts in at least one
24 of the areas specified in subsection (b).

1 (b) AREAS.—The areas specified in this subsection
2 are the following:

3 (1) Improved eDNA analytics and deployment
4 with autonomous vehicles.

5 (2) Plastic pollution detection, quantification,
6 and mitigation, including with respect to used fish-
7 ing gear and tracking technologies to reduce or
8 eliminate bycatch.

9 (3) Advanced satellite data and other advanced
10 technology for improving scientific assessment.

11 (4) New stock assessment methods using sat-
12 ellite data or other advanced technologies.

13 (5) Advanced electronic fisheries monitoring
14 equipment and data analysis tools, including im-
15 proved fish species recognition software, confidential
16 data management, data analysis and visualization,
17 and storage of electronic reports, imagery, location
18 information, and other data.

19 (6) Autonomous and other advanced surface ve-
20 hicles, underwater vehicles, or airborne platforms for
21 data collection and monitoring.

22 (7) Artificial intelligence and machine learning
23 applications for data collection and monitoring re-
24 lated to the Great Lakes, oceans, bays, estuaries,
25 and coasts.

1 (8) Coral reef ecosystem monitoring.

2 (9) Electronic equipment, chemical or biological
3 sensors, data analysis tools, and platforms to iden-
4 tify and fill gaps in robust and shared continuous
5 data related to the Great Lakes, oceans, bays, estu-
6 aries, and coasts to inform global earth system mod-
7 els.

8 (10) Means for protecting aquatic life from in-
9 jury or other ill effects caused, in whole or in part,
10 by monitoring or exploration activities.

11 (11) Discovery and dissemination of data re-
12 lated to the Great Lakes, oceans, bays, estuaries,
13 and coasts.

14 (12) Water quality monitoring, including im-
15 proved detection and prediction of harmful algal
16 blooms and pollution.

17 (13) Enhancing blue carbon sequestration and
18 other ocean acidification mitigation opportunities.

19 (14) Such other areas as may be identified by
20 the Administrator.

21 (c) PRIORITIZATION OF PROPOSALS.—In selecting re-
22 cipients of Small Business Innovation Research (SBIR)
23 and Small Business Technology Transfer (STTR) sollicita-
24 tions and interagency grants for ocean innovation, includ-
25 ing the National Oceanographic Partnership Program, the

1 Administrator shall prioritize proposals for fiscal years
2 2023 and 2024 that address at least one of the areas spec-
3 ified in subsection (b).

4 **SEC. 71209. REAUTHORIZATION OF NOAA PROGRAMS.**

5 Section 306 of the Hydrographic Services Improve-
6 ment Act of 1998 (33 U.S.C. 892d) is amended—

7 (1) in paragraph (1), by striking “\$70,814,000
8 for each of fiscal years 2019 through 2023” and in-
9 serting “\$71,000,000 for each of fiscal years 2023
10 through 2026”;

11 (2) in paragraph (2), by striking “\$25,000,000
12 for each of fiscal years 2019 through 2023” and in-
13 serting “\$34,000,000 for each of fiscal years 2023
14 through 2026”;

15 (3) in paragraph (3), by striking “\$29,932,000
16 for each of fiscal years 2019 through 2023” and in-
17 serting “\$38,000,000 for each of fiscal years 2023
18 through 2026”;

19 (4) in paragraph (4), by striking “\$26,800,000
20 for each of fiscal years 2019 through 2023” and in-
21 serting “\$45,000,000 for each of fiscal years 2023
22 through 2026”; and

23 (5) in paragraph (5), by striking “\$30,564,000
24 for each of fiscal years 2019 through 2023” and in-

1 serting “\$35,000,000 for each of fiscal years 2023
2 through 2026”.

3 **SEC. 71210. BLUE ECONOMY VALUATION.**

4 (a) MEASUREMENT OF BLUE ECONOMY INDUS-
5 TRIES.—The Administrator, the Director of the Bureau
6 of Economic Analysis, the Commissioner of the Bureau
7 of Labor Statistics, the Secretary of the Treasury, and
8 the heads of other relevant Federal agencies, shall
9 prioritize the collection, aggregation, and analysis of data
10 to measure the value and impact of industries related to
11 the Great Lakes, oceans, bays, estuaries, and coasts on
12 the economy of the United States, including living re-
13 sources, marine construction, marine transportation, off-
14 shore mineral extraction, ship and boat building, tourism,
15 recreation, subsistence, and such other industries the Ad-
16 ministrator considers appropriate (known as “Blue Econ-
17 omy” industries).

18 (b) COLLABORATION.—In carrying out subsection
19 (a), the Administrator shall—

20 (1) work with the Director of the Bureau of
21 Economic Analysis and the heads of other relevant
22 Federal agencies to develop a Coastal and Ocean
23 Economy Satellite Account that includes national
24 and State-level statistics to measure the contribution
25 of the Great Lakes, oceans, bays, estuaries, and

1 coasts to the overall economy of the United States;
2 and

3 (2) collaborate with national and international
4 organizations and governments to promote consist-
5 ency of methods, measurements, and definitions to
6 ensure comparability of results between countries.

7 (c) REPORT.—Not less frequently than once every 2
8 years, the Administrator, in consultation with the Director
9 of the Bureau of Economic Analysis, the Commissioner
10 of the Bureau of Labor Statistics, the Secretary of the
11 Treasury, and the heads of other relevant Federal agen-
12 cies, shall publish a report that—

13 (1) defines the Blue Economy, in coordination
14 with Tribal governments, academia, industry, non-
15 governmental organizations, and other relevant ex-
16 perts;

17 (2) makes recommendations for updating North
18 American Industry Classification System (NAICS)
19 reporting codes to reflect the Blue Economy; and

20 (3) provides a comprehensive estimate of the
21 value and impact of the Blue Economy with respect
22 to each State and territory of the United States, in-
23 cluding—

24 (A) the value and impact of—

- 1 (i) economic activities that are de-
2 pendent upon the resources of the Great
3 Lakes, oceans, bays, estuaries, and coasts;
- 4 (ii) the population and demographic
5 characteristics of the population along the
6 coasts;
- 7 (iii) port and shoreline infrastructure;
- 8 (iv) the volume and value of cargo
9 shipped by sea or across the Great Lakes;
10 and
- 11 (v) data collected from the Great
12 Lakes, oceans, bays, estuaries, and coasts,
13 including such data collected by businesses
14 that purchase and commodify the data, in-
15 cluding weather prediction and seasonal
16 agricultural forecasting; and
- 17 (B) to the extent possible, the qualified
18 value and impact of the natural capital of the
19 Great Lakes, oceans, bays, estuaries, and coasts
20 with respect to tourism, recreation, natural re-
21 sources, and cultural heritage, including other
22 indirect values.

1 **SEC. 71211. ADVANCED RESEARCH PROJECTS AGENCY-**
2 **OCEANS.**

3 (a) AGREEMENT.—Not later than 45 days after the
4 date of the enactment of this Act, the Administrator shall
5 seek to enter into an agreement with the National Acad-
6 emy of Sciences to conduct the comprehensive assessment
7 under subsection (b).

8 (b) COMPREHENSIVE ASSESSMENT.—

9 (1) IN GENERAL.—Under an agreement be-
10 tween the Administrator and the National Academy
11 of Sciences under this section, the National Acad-
12 emy of Sciences shall conduct a comprehensive as-
13 sessment of the need for and feasibility of estab-
14 lishing an Advanced Research Projects Agency-
15 Oceans (ARPA-O) that operates in coordination
16 with and with nonduplication of existing Federal
17 oceanic research programs, including programs of
18 the Office of Oceanic and Atmospheric Research of
19 the National Oceanic and Atmospheric Administra-
20 tion.

21 (2) ELEMENTS.—The comprehensive assess-
22 ment carried out pursuant to paragraph (1) shall in-
23 clude—

24 (A) an assessment of how an ARPA-O
25 could help overcome the long-term and high-risk
26 technological barriers in the development of

1 ocean technologies, with the goal of enhancing
2 the economic, ecological, and national security
3 of the United States through the rapid develop-
4 ment of technologies that result in—

5 (i) improved data collection, moni-
6 toring, and prediction of the ocean environ-
7 ment, including sea ice conditions;

8 (ii) overcoming barriers to the appli-
9 cation of new and improved technologies,
10 such as high costs and scale of operational
11 missions;

12 (iii) improved management practices
13 for protecting ecological sustainability;

14 (iv) improved national security capac-
15 ity;

16 (v) improved technology for fishery
17 population assessments;

18 (vi) expedited processes between and
19 among Federal agencies to successfully
20 identify, transition, and coordinate re-
21 search and development output to oper-
22 ations, applications, commercialization, and
23 other uses; and

24 (vii) ensuring that the United States
25 maintains a technological lead in devel-

1 oping and deploying advanced ocean tech-
2 nologies;

3 (B) an evaluation of the organizational
4 structures under which an ARPA-O could be
5 organized, which takes into account—

6 (i) best practices for new research
7 programs;

8 (ii) consolidation and reorganization
9 of existing Federal oceanic programs to ef-
10 fectuate coordination and nonduplication of
11 such programs;

12 (iii) metrics and approaches for peri-
13 odic program evaluation;

14 (iv) capacity to fund and manage ex-
15 ternal research awards; and

16 (v) options for oversight of the activ-
17 ity through a Federal agency, an inter-
18 agency organization, nongovernmental or-
19 ganization, or other institutional arrange-
20 ment; and

21 (C) an estimation of the scale of invest-
22 ment necessary to pursue high priority ocean
23 technology projects.

24 (c) REPORT.—Not later than 18 months after the
25 date of the enactment of this Act, the Administrator shall

1 submit to Congress a report on the comprehensive assess-
2 ment conducted under subsection (b).

3 **TITLE XIII—CLIMATE CHANGE**
4 **EDUCATION**

5 **SEC. 71301. FINDINGS.**

6 Congress makes the following findings:

7 (1) The evidence for human-induced climate
8 change is overwhelming and undeniable.

9 (2) Atmospheric carbon can be significantly re-
10 duced through conservation, by shifting to renewable
11 energy sources such as solar, wind, tidal, and geo-
12 thermal, and by increasing the efficiency of build-
13 ings, including domiciles, and transportation.

14 (3) Providing clear information about climate
15 change, in a variety of forms, can remove the fear
16 and the sense of helplessness, and encourage individ-
17 uals and communities to take action.

18 (4) Implementation of measures that promote
19 energy efficiency, conservation, and renewable en-
20 ergy will greatly reduce human impact on the envi-
21 ronment.

22 (5) Informing people of new technologies and
23 programs as they become available will ensure max-
24 imum understanding and maximum effect of those
25 measures.

1 (6) More than 3,000,000 students graduate
2 from high schools and colleges in the United States
3 each year, armed with attitudes, skills, and knowl-
4 edge about the climate that inform their actions.

5 (7) The effect on the climate, positive or nega-
6 tive, of each of those 3,000,000 students lasts be-
7 yond a lifetime.

8 (8) Those students need to be prepared to im-
9 plement changes in professional and personal prac-
10 tices, to support and help develop new technology
11 and policy, and to address the coming social and
12 economic challenges and opportunities arising from a
13 changing climate.

14 (9) It has been demonstrated that the people of
15 the United States overwhelmingly support teaching
16 students about the causes, consequences, and poten-
17 tial solutions to climate change in all 50 States and
18 more than 3,000 counties across the United States.

19 (10) Only 30 percent of middle school and 45
20 percent of high school science teachers understand
21 the extent of the scientific consensus on climate
22 change.

23 **SEC. 71302. DEFINITIONS.**

24 In this title:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the National
3 Oceanic and Atmospheric Administration.

4 (2) CLIMATE CHANGE EDUCATION.—The term
5 “climate change education” means nonformal and
6 formal interdisciplinary learning at all age levels
7 about—

8 (A) climate change, climate adaptation and
9 mitigation, climate resilience, and climate jus-
10 tice; and

11 (B) the effects of climate change, climate
12 adaptation and mitigation, climate resilience,
13 and climate justice on the environmental, en-
14 ergy, social, and economic systems of the
15 United States.

16 (3) CLIMATE LITERACY.—The term “climate
17 literacy” means competence or knowledge of climate
18 change, its causes and impacts, and the technical,
19 scientific, economic, and social dynamics of prom-
20 ising solutions.

21 (4) CLIMATE JUSTICE.—The term “climate jus-
22 tice” means the fair treatment and meaningful in-
23 volvement of all people, regardless of race, color, cul-
24 ture, national origin, or income, with respect to the
25 development, implementation, and enforcement of

1 policies and projects to ensure that each person en-
2 joys the same degree of protection from the adverse
3 effects of climate change.

4 (5) ENVIRONMENTAL JUSTICE.—The term “en-
5 vironmental justice” means the fair treatment and
6 meaningful involvement of all people, regardless of
7 race, color, culture, national origin, or income, with
8 respect to the development, implementation, and en-
9 forcement of environmental laws, regulations, and
10 policies to ensure that each person enjoys—

11 (A) the same degree of protection from en-
12 vironmental and health hazards; and

13 (B) equal access to any Federal agency ac-
14 tion on environmental justice issues in order to
15 have a healthy environment in which to live,
16 learn, work, and recreate.

17 (6) ENVIRONMENTAL JUSTICE COMMUNITY.—
18 The term “environmental justice community” means
19 a community with significant representation of com-
20 munities of color, low-income communities, or Tribal
21 and indigenous communities that experiences, or is
22 at risk of experiencing, higher or more adverse
23 human health or environmental effects as compared
24 to other communities.

1 (7) GREEN ECONOMY.—The term “green econ-
2 omy” means an economy that results in improved
3 human and economic well-being and social equity by
4 significantly reducing environmental risks and eco-
5 logical scarcities.

6 (8) INSTITUTION OF HIGHER EDUCATION.—The
7 term “institution of higher education” has the
8 meaning given the term in section 101 of the Higher
9 Education Act of 1965 (20 U.S.C. 1001).

10 (9) LOCAL EDUCATIONAL AGENCY; STATE EDU-
11 CATIONAL AGENCY.—The terms “local educational
12 agency” and “State educational agency” have the
13 meanings given those terms in section 8101 of the
14 Elementary and Secondary Education Act of 1965
15 (20 U.S.C. 7801).

16 (10) NONFORMAL.—The term “nonformal”
17 means, with respect to learning, out-of-school edu-
18 cational programming carried out by nonprofit orga-
19 nizations and public agencies.

20 (11) NONPROFIT ORGANIZATION.—The term
21 “nonprofit organization” means an organization de-
22 scribed in section 501(c)(3) of the Internal Revenue
23 Code of 1986 and exempt from taxation under
24 501(a) of that Code.

1 **SEC. 71303. CLIMATE CHANGE EDUCATION PROGRAM.**

2 The Administrator shall establish a Climate Change
3 Education Program to—

4 (1) increase the climate literacy of the United
5 States by broadening the understanding of climate
6 change, including possible long-term and short-term
7 consequences, disproportionate impacts of those con-
8 sequences, and potential solutions;

9 (2) apply the latest scientific and technological
10 discoveries, including through the use of the sci-
11 entific assets of the Administration, to provide for-
12 mal and nonformal learning opportunities to individ-
13 uals of all ages, including individuals of diverse cul-
14 tural and linguistic backgrounds; and

15 (3) emphasize actionable information to help
16 people understand and promote implementation of
17 new technologies, programs, and incentives related
18 to climate change, climate adaptation and mitiga-
19 tion, climate resilience, climate justice, and environ-
20 mental justice.

21 **SEC. 71304. GRANT PROGRAM.**

22 (a) IN GENERAL.—As part of the Climate Change
23 Education Program established under section 71303, the
24 Administrator shall establish a program to make grants
25 to the following:

1 (1) State educational agencies, in partnership
2 with local educational agencies and local nonprofit
3 organizations, for the implementation of aspects of
4 State climate literacy plans for grades 4 through 12
5 formal and informal climate change education
6 that—

7 (A) are aligned with State education
8 standards;

9 (B) ensure that students graduate from
10 high school with climate literacy; and

11 (C) include at least 1 of the following:

12 (i) Relevant teacher training and pro-
13 fessional development.

14 (ii) Creation of applied learning
15 project-based models, such as models mak-
16 ing optimum use of green features im-
17 provements to school facilities, such as en-
18 ergy systems, lighting systems, water man-
19 agement, waste management, and school
20 grounds improvements.

21 (iii) Incorporation of climate change
22 mitigation and green technologies into new
23 and existing career and technical education
24 career tracks and work-based learning ex-
25 periences, including development of part-

1 nerships with labor organizations, trade or-
2 ganizations, and apprenticeship programs.

3 (2) Institutions of higher education and net-
4 works or partnerships of such institutions to engage
5 teams of faculty and students to develop applied cli-
6 mate research and deliver to local communities di-
7 rect services related to local climate mitigation and
8 adaptation issues, with priority given to projects
9 that—

10 (A) foster long-term campus-community
11 partnerships;

12 (B) show potential to scale work beyond
13 the grant term;

14 (C) are inclusive for all segments of the
15 population; and

16 (D) promote equitable and just outcomes.

17 (3) Professional associations and academic dis-
18 ciplinary societies for projects that build capacity at
19 the State and national levels for continuing edu-
20 cation by practicing professionals and the general
21 public in green economy fields.

22 (4) Youth corps organizations to engage in
23 community-based climate mitigation and adaptation
24 work that includes a substantive educational compo-
25 nent.

1 (b) CONSULTATION.—The Administrator shall annu-
2 ally consult with other relevant agencies of the Federal
3 Government to determine ways in which grant making
4 under subsection (a) can enhance and support other na-
5 tional climate education and training and environmental
6 justice goals.

7 (c) ENVIRONMENTAL JUSTICE COMMUNITIES.—The
8 Administrator shall ensure that 40 percent of all funds
9 appropriated for grants under paragraphs (2) and (4) of
10 subsection (a) are directed into environmental justice com-
11 munities.

12 (d) COMMUNITIES OF PRACTICE.—The Adminis-
13 trator shall establish communities of practice with respect
14 to each of paragraphs (1) through (4) of subsection (a)
15 in order to accelerate learning.

16 **SEC. 71305. REPORT.**

17 Not later than 2 years after the date of the enact-
18 ment of this Act, and annually thereafter, the Adminis-
19 trator shall submit to Congress a report that evaluates the
20 scientific merits, educational effectiveness, and broader ef-
21 fects of activities carried out under this title.

22 **SEC. 71306. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There is authorized to be appro-
24 priated to the National Oceanic and Atmospheric Adminis-

1 tration to carry out this title \$50,000,000 for each of fis-
2 cal years 2022 through 2027.

3 (b) ALLOCATION OF AMOUNTS FOR GRANT PRO-
4 GRAM.—

5 (1) IN GENERAL.—Amounts appropriated to
6 carry out the grant program required by section
7 71304(a) shall be allocated as follows:

8 (A) Not less than 40 percent and not more
9 than 60 percent for grants made under para-
10 graph (1) of such section.

11 (B) Not less than 20 percent and not more
12 than 40 percent for grants made under para-
13 graph (2) of such section.

14 (C) Not less than 5 percent and not more
15 than 20 percent for grants made under para-
16 graph (3) of such section.

17 (D) Not less than 5 percent and not more
18 than 20 percent for grants made under para-
19 graph (4) of such section.

20 (E) Such amount as the Administrator de-
21 termines appropriate for the administration of
22 this title.

23 (2) EXCEPTION.—If amounts appropriated to
24 carry out the grant program required by section
25 71304(a) do not exceed \$10,000,000 in any fiscal

1 year, the National Oceanic and Atmospheric Admin-
2 istration may prioritize grants made under subpara-
3 graphs (A) and (B) of paragraph (1) of section
4 71304(a).

5 **TITLE XIV—OFFICE OF EDU-**
6 **CATION TECHNOLOGY TO**
7 **SUPPORT THE BUREAU OF IN-**
8 **DIAN EDUCATION**

9 **SEC. 71401. UPDATING BUREAU OF INDIAN AFFAIRS PRO-**
10 **GRAMS.**

11 Part B of title XI of the Education Amendments of
12 1978 (25 U.S.C. 2021 et seq.) is amended by striking “Of-
13 fice of Indian Education Programs” each place it appears
14 (in any font) and inserting “Bureau of Indian Education”
15 (in the corresponding font).

16 **SEC. 71402. ESTABLISHMENT FOR THE OFFICE OF EDU-**
17 **CATION TECHNOLOGY TO SUPPORT THE BU-**
18 **REAU OF INDIAN EDUCATION.**

19 Section 1133 of the Education Amendments of 1978
20 (25 U.S.C. 2013) is amended by adding at the end the
21 following:

22 “(c) BUREAU OF INDIAN EDUCATION OFFICE OF
23 EDUCATION TECHNOLOGY.—

24 “(1) ESTABLISHMENT.—

1 “(A) IN GENERAL.—Not later than 24
2 months after the date of the enactment of this
3 subsection, the Secretary shall establish the Of-
4 fice of Education Technology under the Assist-
5 ant Secretary for Indian Affairs to be adminis-
6 tered by the Deputy Assistant Secretary of In-
7 dian Affairs (Management).

8 “(B) CAPACITY AND COORDINATION.—Not
9 later than 36 months after the date of the en-
10 actment of this subsection, the Office of the As-
11 sistant Secretary of Indian Affairs shall coordi-
12 nate with the Bureau of Indian Education Di-
13 rector to ensure consistent and timely coordina-
14 tion for the Office of Education Technology to
15 be at full capacity.

16 “(C) TRANSFER.—Not later than 37
17 months after the date of the enactment of this
18 subsection, the Deputy Assistant Secretary of
19 Indian Affairs (Management), the Secretary (in
20 consultation with the Chief Information Officer
21 for the Department of the Interior), the Assist-
22 ant Secretary for Indian Affairs, and the Direc-
23 tor of the Bureau of Indian Education shall
24 transfer the Office of Educational Technology
25 to the Bureau of Indian Education.

1 “(2) PURPOSE.—The Office of Education Tech-
2 nology shall ensure that the Bureau of Indian Edu-
3 cation has the necessary education technology sup-
4 port to improve educational outcomes.

5 “(3) DUTIES.—The Office of Education Tech-
6 nology shall—

7 “(A) manage the procurement, distribu-
8 tion, and updates for information technology
9 and related equipment;

10 “(B) plan, coordinate, and implement poli-
11 cies related to information technology and re-
12 lated equipment;

13 “(C) provide technical assistance for the
14 agency school boards, Bureau of Indian Edu-
15 cation Funded Schools, and early childhood
16 services; and

17 “(D) coordinate education technology pro-
18 grams and activities for the Bureau of Indian
19 Education.

20 “(d) IMPLEMENTATION OF EDUCATION TECH-
21 NOLOGY MODERNIZATION SYSTEMS.—

22 “(1) NEEDS ASSESSMENT.—Not later than 2
23 years after the date of the enactment of this sub-
24 section, the Office of the Assistant Secretary for In-
25 dian Affairs and the Bureau of Indian Education

1 shall complete a needs assessment of education tech-
2 nology for Bureau of Indian Education Funded
3 Schools.

4 “(2) IMPLEMENTATION.—Not later than 3
5 years after the date of the enactment of this sub-
6 section, the Secretary shall complete the implemen-
7 tation of a long-term modernization plan and report
8 progress updates for Bureau of Indian Education
9 Funded Schools.

10 “(e) REPORTING.—Not later than 3 years after the
11 date of the enactment of this subsection, and each fiscal
12 year thereafter, the Secretary shall submit to the Com-
13 mittee on Natural Resources and Committee on Education
14 and Labor of the House of Representatives and the Com-
15 mittee on Indian Affairs of the Senate, a report that con-
16 tains—

17 “(1) a yearly evaluation of the implementation
18 of this Act, including a description of the progress
19 of the Office of Information Technology in carrying
20 out the activities described in subsection (c)(3); and

21 “(2) such other information the Director of the
22 Bureau of Indian Education, in coordination with
23 the Assistant Secretary for Indian Affairs deems
24 necessary.

25 “(f) DEFINITIONS.—In this section:

1 “(1) BUREAU OF INDIAN EDUCATION FUNDED
2 SCHOOLS.—The term ‘Bureau of Indian Education
3 Funded Schools’ means Bureau of Indian Education
4 operated schools, schools operated pursuant to a
5 grant under the Tribally Controlled Schools Act of
6 1988 (25 U.S.C. 2501 et seq.), and schools operated
7 pursuant to a contract under the Indian Self-Deter-
8 mination and Education Assistance Act (25 U.S.C.
9 5301 et seq.).

10 “(2) OFFICE OF EDUCATION TECHNOLOGY.—
11 The term ‘Office of Education Technology’ means
12 the Office of Education Technology supporting the
13 Bureau of Indian Education established under this
14 subsection.”.

15 **TITLE XV—PUBLIC LAND RE-**
16 **NEWABLE ENERGY DEVELOP-**
17 **MENT ACT**

18 **SEC. 71501. DEFINITIONS.**

19 In this title:

20 (1) COVERED LAND.—The term “covered land”
21 means land that is—

22 (A) Federal lands administered by the Sec-
23 retary; and

24 (B) not excluded from the development of
25 geothermal, solar, or wind energy under—

1 (i) a land use plan; or

2 (ii) other Federal law.

3 (2) EXCLUSION AREA.—The term “exclusion
4 area” means covered land that is identified by the
5 Bureau of Land Management as not suitable for de-
6 velopment of renewable energy projects.

7 (3) FEDERAL LAND.—The term “Federal land”
8 means—

9 (A) public lands; and

10 (B) lands of the National Forest System
11 as described in section 11(a) of the Forest and
12 Rangeland Renewable Resources Planning Act
13 of 1974 (16 U.S.C. 1609(a)).

14 (4) FUND.—The term “Fund” means the Re-
15 newable Energy Resource Conservation Fund estab-
16 lished by section 71504(c)(1).

17 (5) LAND USE PLAN.—The term “land use
18 plan” means—

19 (A) in regard to Federal land, a land use
20 plan established under the Federal Land Policy
21 and Management Act of 1976 (43 U.S.C. 1701
22 et seq.); and

23 (B) in regard to National Forest System
24 lands, a land management plan approved,
25 amended, or revised under section 6 of the For-

1 est and Rangeland Renewable Resources Plan-
2 ning Act of 1974 (16 U.S.C. 1604).

3 (6) PRIORITY AREA.—The term “priority area”
4 means covered land identified by the land use plan-
5 ning process of the Bureau of Land Management as
6 being a preferred location for a renewable energy
7 project, including a designated leasing area (as de-
8 fined in section 2801.5(b) of title 43, Code of Fed-
9 eral Regulations (or a successor regulation)) that is
10 identified under the rule of the Bureau of Land
11 Management entitled “Competitive Processes,
12 Terms, and Conditions for Leasing Public Lands for
13 Solar and Wind Energy Development and Technical
14 Changes and Corrections” (81 Fed. Reg. 92122
15 (December 19, 2016)) (or a successor regulation).

16 (7) PUBLIC LANDS.—The term “public lands”
17 has the meaning given that term in section 103 of
18 the Federal Land Policy and Management Act of
19 1976 (43 U.S.C. 1702).

20 (8) RENEWABLE ENERGY PROJECT.—The term
21 “renewable energy project” means a project carried
22 out on covered land that uses wind, solar, or geo-
23 thermal energy to generate energy.

24 (9) SECRETARY.—The term “Secretary” means
25 the Secretary of the Interior.

1 (10) VARIANCE AREA.—The term “variance
2 area” means covered land that is—

3 (A) not an exclusion area;

4 (B) not a priority area; and

5 (C) identified by the Secretary as poten-
6 tially available for renewable energy develop-
7 ment and could be approved without a plan
8 amendment, consistent with the principles of
9 multiple use (as defined in the Federal Land
10 Policy and Management Act of 1976 (43 U.S.C.
11 1701 et seq.)).

12 **SEC. 71502. LAND USE PLANNING; UPDATES TO PRO-**
13 **GRAMMATIC ENVIRONMENTAL IMPACT**
14 **STATEMENTS.**

15 (a) PRIORITY AREAS.—

16 (1) IN GENERAL.—The Secretary, in consulta-
17 tion with the Secretary of Energy, shall establish
18 priority areas on covered land for geothermal, solar,
19 and wind energy projects, consistent with the prin-
20 ciples of multiple use (as defined in the Federal
21 Land Policy and Management Act of 1976 (43
22 U.S.C. 1701 et seq.)) and the renewable energy per-
23 mitting goal enacted by the Consolidated Appropria-
24 tions Act of 2021 (Public Law 116–260). Among
25 applications for a given renewable energy source,

1 proposed projects located in priority areas for that
2 renewable energy source shall—

3 (A) be given the highest priority for
4 incentivizing deployment thereon; and

5 (B) be offered the opportunity to partici-
6 pate in any regional mitigation plan developed
7 for the relevant priority areas.

8 (2) ESTABLISHING PRIORITY AREAS.—

9 (A) GEOTHERMAL ENERGY.—For geo-
10 thermal energy, the Secretary shall establish
11 priority areas as soon as practicable, but not
12 later than 5 years, after the date of the enact-
13 ment of this Act.

14 (B) SOLAR ENERGY.—For solar energy—

15 (i) solar designated leasing areas (in-
16 cluding the solar energy zones established
17 by Bureau of Land Management Solar En-
18 ergy Program, established in October
19 2012), and any subsequent land use plan
20 amendments, shall be considered to be pri-
21 ority areas for solar energy projects; and

22 (ii) the Secretary shall complete a
23 process to consider establishing additional
24 solar priority areas as soon as practicable,

1 but not later than 3 years, after the date
2 of the enactment of this Act.

3 (C) WIND ENERGY.—For wind energy, the
4 Secretary shall complete a process to consider
5 establishing additional wind priority areas as
6 soon as practicable, but not later than 3 years,
7 after the date of the enactment of this Act.

8 (b) VARIANCE AREAS.—Variance areas shall be con-
9 sidered for renewable energy project development, con-
10 sistent with the principles of multiple use (as defined in
11 the Federal Land Policy and Management Act of 1976
12 (43 U.S.C. 1701 et seq.)) and the renewable energy per-
13 mitting goal enacted by the Consolidated Appropriations
14 Act of 2021 (Public Law 116–260), and applications for
15 a given renewable energy source located in those variance
16 areas shall be timely processed in order to assist in meet-
17 ing that goal.

18 (c) REVIEW AND MODIFICATION.—

19 (1) IN GENERAL.—Not less than once every 10
20 years, the Secretary shall—

21 (A) review the adequacy of land allocations
22 for geothermal, solar, and wind energy priority,
23 exclusion, and variance areas for the purpose of
24 encouraging and facilitating new renewable en-
25 ergy development opportunities; and

1 (B) based on the review carried out under
2 subparagraph (A), add, modify, or eliminate
3 priority, variance, and exclusion areas.

4 (2) EXCEPTION.—Paragraph (1) shall not
5 apply to the renewable energy land use planning
6 published in the Desert Renewable Energy Con-
7 servation Plan developed by the California Energy
8 Commission, the California Department of Fish and
9 Wildlife, the Bureau of Land Management, and the
10 United States Fish and Wildlife Service until Janu-
11 ary 1, 2031.

12 (d) COMPLIANCE WITH THE NATIONAL ENVIRON-
13 MENTAL POLICY ACT.—For purposes of this section, com-
14 pliance with the National Environmental Policy Act of
15 1969 (42 U.S.C. 4321 et seq.) shall be accomplished—

16 (1) for geothermal energy, by updating the doc-
17 ument entitled “Final Programmatic Environmental
18 Impact Statement for Geothermal Leasing in the
19 Western United States”, dated October 2008, and
20 incorporating any additional regional analyses that
21 have been completed by Federal agencies since that
22 programmatic environmental impact statement was
23 finalized;

24 (2) for solar energy, by updating the document
25 entitled “Final Programmatic Environmental Impact

1 Statement (PEIS) for Solar Energy Development in
2 Six Southwestern States”, dated July 2012, and in-
3 corporating any additional regional analyses that
4 have been completed by Federal agencies since that
5 programmatic environmental impact statement was
6 finalized; and

7 (3) for wind energy, by updating the document
8 entitled “Final Programmatic Environmental Impact
9 Statement on Wind Energy Development on BLM-
10 Administered Lands in the Western United States”,
11 dated July 2005, and incorporating any additional
12 regional analyses that have been completed by Fed-
13 eral agencies since the programmatic environmental
14 impact statement was finalized.

15 (e) NO EFFECT ON PROCESSING SITE SPECIFIC AP-
16 PPLICATIONS.—Site specific environmental review and
17 processing of permits for proposed projects shall proceed
18 during preparation of an updated programmatic environ-
19 mental impact statement, resource management plan, or
20 resource management plan amendment.

21 (f) COORDINATION.—In developing updates required
22 by this section, the Secretary shall coordinate, on an ongo-
23 ing basis, with appropriate State, Tribal, and local govern-
24 ments, transmission infrastructure owners and operators,

1 developers, and other appropriate entities to ensure that
2 priority areas identified by the Secretary are—

3 (1) economically viable (including having access
4 to existing and planned transmission lines);

5 (2) likely to avoid or minimize impacts to habi-
6 tat for animals and plants, recreation, cultural re-
7 sources, and other uses of covered land; and

8 (3) consistent with section 202 of the Federal
9 Land Policy and Management Act of 1976 (43
10 U.S.C. 1712), including subsection (c)(9) of that
11 section (43 U.S.C. 1712(c)(9)).

12 **SEC. 71503. LIMITED GRANDFATHERING.**

13 (a) DEFINITION OF PROJECT.—In this section, the
14 term “project” means a system described in section
15 2801.9(a)(4) of title 43, Code of Federal Regulations (as
16 in effect on the date of the enactment of this Act).

17 (b) REQUIREMENT TO PAY RENTS AND FEES.—Un-
18 less otherwise agreed to by the owner of a project, the
19 owner of a project that applied for a right-of-way under
20 section 501 of the Federal Land Policy and Management
21 Act of 1976 (43 U.S.C. 1761) on or before December 19,
22 2017, shall be obligated to pay with respect to the right-
23 of-way all rents and fees in effect before the effective date
24 of the rule of the Bureau of Land Management entitled
25 “Competitive Processes, Terms, and Conditions for Leas-

1 ing Public Lands for Solar and Wind Energy Development
2 and Technical Changes and Corrections” (81 Fed. Reg.
3 92122 (December 19, 2016)).

4 **SEC. 71504. DISPOSITION OF REVENUES.**

5 (a) DISPOSITION OF REVENUES.—

6 (1) AVAILABILITY.—Subject to future appro-
7 priations, and except as provided in paragraph (2),
8 beginning on January 1, 2023, amounts collected
9 from a wind or solar project as bonus bids, rentals,
10 fees, or other payments under a right-of-way, per-
11 mit, lease, or other authorization, are authorized to
12 be made available as follows:

13 (A) Twenty-five percent shall be paid by
14 the Secretary of the Treasury to the State with-
15 in the boundaries of which the revenue is de-
16 rived.

17 (B) Twenty-five percent shall be paid by
18 the Secretary of the Treasury to the one or
19 more counties within the boundaries of which
20 the revenue is derived, to be allocated among
21 the counties based on the percentage of land
22 from which the revenue is derived.

23 (C) Twenty-five percent shall be deposited
24 in the Treasury and be made available to the
25 Secretary to carry out the program established

1 under this title, including the transfer of the
2 funds by the Bureau of Land Management to
3 other Federal agencies and State agencies to fa-
4 cilitate the processing of renewable energy per-
5 mits on Federal land, with priority given to
6 using the amounts, to the maximum extent
7 practicable without detrimental impacts to
8 emerging markets, to expediting the issuance of
9 permits required for the development of renew-
10 able energy projects in the States from which
11 the revenues are derived.

12 (D) Twenty-five percent shall be deposited
13 in the Renewable Energy Resource Conserva-
14 tion Fund established by subsection (c).

15 (2) EXCEPTIONS.—Paragraph (1) shall not
16 apply to the following:

17 (A) Amounts collected under section
18 504(g) of the Federal Land Policy and Manage-
19 ment Act of 1976 (43 U.S.C. 1764(g)).

20 (B) Amounts deposited into the National
21 Parks and Public Land Legacy Restoration
22 Fund under section 200402(b) of title 54,
23 United States Code.

24 (b) PAYMENTS TO STATES AND COUNTIES.—

1 (1) IN GENERAL.—Amounts paid to States and
2 counties under subsection (a)(1) shall be used con-
3 sistent with section 35 of the Mineral Leasing Act
4 (30 U.S.C. 191).

5 (2) PAYMENTS IN LIEU OF TAXES.—A payment
6 to a county under paragraph (1) shall be in addition
7 to a payment in lieu of taxes received by the county
8 under chapter 69 of title 31, United States Code.

9 (c) RENEWABLE ENERGY RESOURCE CONSERVATION
10 FUND.—

11 (1) IN GENERAL.—There is established in the
12 Treasury a fund to be known as the Renewable En-
13 ergy Resource Conservation Fund, which shall be
14 administered by the Secretary, in consultation with
15 the Secretary of Agriculture.

16 (2) USE OF FUNDS.—The Secretary may make
17 amounts in the Fund available to Federal, State,
18 local, and Tribal agencies to be distributed in re-
19 gions in which renewable energy projects are located
20 on Federal land. Such amounts may be used to—

21 (A) restore and protect—

22 (i) fish and wildlife habitat for af-
23 fected species;

24 (ii) fish and wildlife corridors for af-
25 fected species; and

1 (iii) wetlands, streams, rivers, and
2 other natural water bodies in areas af-
3 fected by wind, geothermal, or solar energy
4 development; and

5 (B) preserve and improve recreational ac-
6 cess to Federal land and water in an affected
7 region through an easement, right-of-way, or
8 other instrument from willing landowners for
9 the purpose of enhancing public access to exist-
10 ing Federal land and water that is inaccessible
11 or restricted.

12 (3) PARTNERSHIPS.—The Secretary may enter
13 into cooperative agreements with State and Tribal
14 agencies, nonprofit organizations, and other appro-
15 priate entities to carry out the activities described in
16 paragraph (2).

17 (4) INVESTMENT OF FUND.—

18 (A) IN GENERAL.—Amounts deposited in
19 the Fund shall earn interest in an amount de-
20 termined by the Secretary of the Treasury on
21 the basis of the current average market yield on
22 outstanding marketable obligations of the
23 United States of comparable maturities.

1 (B) USE.—Interest earned under subpara-
2 graph (A) may be expended in accordance with
3 this subsection.

4 (5) REPORT TO CONGRESS.—At the end of each
5 fiscal year, the Secretary shall submit a report to
6 the Committee on Natural Resources of the House
7 of Representatives and the Committee on Energy
8 and Natural Resources of the Senate that includes
9 a description of—

10 (A) the amount collected as described in
11 subsection (a), by source, during that fiscal
12 year;

13 (B) the amount and purpose of payments
14 during that fiscal year to each Federal, State,
15 local, and Tribal agency under paragraph (2);
16 and

17 (C) the amount remaining in the Fund at
18 the end of the fiscal year.

19 (6) INTENT OF CONGRESS.—It is the intent of
20 Congress that the revenues deposited and used in
21 the Fund shall supplement (and not supplant) an-
22 nual appropriations for activities described in para-
23 graph (2).

1 **SEC. 71505. SAVINGS.**

2 Notwithstanding any other provision of this title, the
3 Secretary shall continue to manage public lands under the
4 principles of multiple use and sustained yield in accord-
5 ance with title I of the Federal Land Policy and Manage-
6 ment Act of 1976 (43 U.S.C. 1701 et seq.) or the Forest
7 and Rangeland Renewable Resources Planning Act of
8 1974 (43 U.S.C. 1701 et seq.), as applicable, including
9 due consideration of mineral and nonrenewable energy-re-
10 lated projects and other nonrenewable energy uses, for the
11 purposes of land use planning, permit processing, and con-
12 ducting environmental reviews.

13 **TITLE XVI—INCREASING COM-**
14 **MUNITY ACCESS TO RESIL-**
15 **IENCY GRANTS**

16 **SEC. 71601. CENTRALIZED WEBSITE FOR RESILIENCY**
17 **GRANTS.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of enactment of this subsection, the Administrator
20 shall establish and regularly update a publicly available
21 website that includes—

22 (1) hyperlinks to all grants administered by the
23 National Oceanic and Atmospheric Administration
24 and hyperlinks to other Federal agencies that offer
25 similar grants to assist State, Tribal, and local gov-

1 ernments with resiliency, adaptation, and mitigation
2 of climate change and sea level rise; and

3 (2) with respect to each such grant, the contact
4 information for an individual who can offer assist-
5 ance to State, Tribal, and local governments.

6 (b) OUTREACH.—The Administrator shall conduct
7 outreach activities to inform State, Tribal, and local gov-
8 ernments of the resiliency, adaptation, and mitigation
9 grants.

10 (c) ADMINISTRATOR.—In this section, the term “Ad-
11 ministrator” means the Secretary of Commerce acting
12 through the Administrator of the National Oceanic and
13 Atmospheric Administration.

14 **TITLE XVII—KEEP AMERICA’S**
15 **WATERFRONTS WORKING**

16 **SEC. 71701. WORKING WATERFRONTS GRANT PROGRAM.**

17 The Coastal Zone Management Act of 1972 (16
18 U.S.C. 1451 et seq.) is amended by adding at the end
19 the following:

20 **“SEC. 320. WORKING WATERFRONTS GRANT PROGRAM.**

21 **“(a) WORKING WATERFRONT TASK FORCE.—**

22 **“(1) ESTABLISHMENT AND FUNCTIONS.—The**
23 **Secretary of Commerce shall establish a task force**
24 **to work directly with coastal States, user groups,**

1 and coastal stakeholders to identify and address crit-
2 ical needs with respect to working waterfronts.

3 “(2) MEMBERSHIP.—The members of the task
4 force shall be appointed by the Secretary of Com-
5 merce, and shall include—

6 “(A) experts in the unique economic, so-
7 cial, cultural, ecological, geographic, and re-
8 source concerns of working waterfronts; and

9 “(B) representatives from the National
10 Oceanic and Atmospheric Administration’s Of-
11 fice of Coastal Management, the United States
12 Fish and Wildlife Service, the Department of
13 Agriculture, the Environmental Protection
14 Agency, the United States Geological Survey,
15 the Navy, the National Marine Fisheries Serv-
16 ice, the Economic Development Agency, and
17 such other Federal agencies as the Secretary
18 considers appropriate.

19 “(3) FUNCTIONS.—The task force shall—

20 “(A) identify and prioritize critical needs
21 with respect to working waterfronts in States
22 that have a management program approved by
23 the Secretary of Commerce pursuant to section
24 306, in the areas of—

1 “(i) economic and cultural importance
2 of working waterfronts to communities;

3 “(ii) changing environments and
4 threats working waterfronts face from en-
5 vironment changes, trade barriers, sea level
6 rise, extreme weather events, ocean acidifi-
7 cation, and harmful algal blooms; and

8 “(iii) identifying working waterfronts
9 and highlighting them within communities;

10 “(B) outline options, in coordination with
11 coastal States and local stakeholders, to address
12 such critical needs, including adaptation and
13 mitigation where applicable;

14 “(C) identify Federal agencies that are re-
15 sponsible under existing law for addressing such
16 critical needs; and

17 “(D) recommend Federal agencies best
18 suited to address any critical needs for which
19 no agency is responsible under existing law.

20 “(4) INFORMATION TO BE CONSIDERED.—In
21 identifying and prioritizing policy gaps pursuant to
22 paragraph (3), the task force shall consider the find-
23 ings and recommendations contained in section VI of
24 the report entitled ‘The Sustainable Working Water-
25 fronts Toolkit: Final Report’, dated March 2013.

1 “(5) REPORT.—Not later than 18 months after
2 the date of the enactment of this section, the task
3 force shall submit a report to Congress on its find-
4 ings.

5 “(6) IMPLEMENTATION.—The head of each
6 Federal agency identified in the report pursuant to
7 paragraph (3)(C) shall take such action as is nec-
8 essary to implement the recommendations contained
9 in the report by not later than 1 year after the date
10 of the issuance of the report.

11 “(b) WORKING WATERFRONT GRANT PROGRAM.—

12 “(1) The Secretary shall establish a Working
13 Waterfront Grant Program, in cooperation with ap-
14 propriate State, regional, and other units of govern-
15 ment, under which the Secretary may make a grant
16 to any coastal State for the purpose of implementing
17 a working waterfront plan approved by the Secretary
18 under subsection (c).

19 “(2) Subject to the availability of appropria-
20 tions, the Secretary shall award matching grants
21 under the Working Waterfronts Grant Program to
22 coastal States with approved working waterfront
23 plans through a regionally equitable, competitive
24 funding process in accordance with the following:

1 “(A) The Governor, or the lead agency
2 designated by the Governor for coordinating the
3 implementation of this section, where appro-
4 priate in consultation with the appropriate local
5 government, shall determine that the applica-
6 tion is consistent with the State’s or territory’s
7 approved coastal zone plan, program, and poli-
8 cies prior to submission to the Secretary.

9 “(B) In developing guidelines under this
10 section, the Secretary shall consult with coastal
11 States, other Federal agencies, and other inter-
12 ested stakeholders with expertise in working
13 waterfront planning.

14 “(C) Coastal States may allocate grants to
15 local governments, Indian Tribes, agencies, or
16 nongovernmental organizations eligible for as-
17 sistance under this section.

18 “(3) In awarding a grant to a coastal State, the
19 Secretary shall consider—

20 “(A) the economic, cultural, and historical
21 significance of working waterfront to the coast-
22 al State;

23 “(B) the demonstrated working waterfront
24 needs of the coastal State as outlined by a
25 working waterfront plan approved for the coast-

1 al State under subsection (c), and the value of
2 the proposed project for the implementation of
3 such plan;

4 “(C) the ability to successfully leverage
5 funds among participating entities, including
6 Federal programs, regional organizations, State
7 and other government units, landowners, cor-
8 porations, or private organizations;

9 “(D) the potential for rapid turnover in
10 the ownership of working waterfront in the
11 coastal State, and where applicable the need for
12 coastal States to respond quickly when prop-
13 erties in existing or potential working water-
14 front areas or public access areas as identified
15 in the working waterfront plan submitted by
16 the coastal State come under threat or become
17 available; and

18 “(E) the impact of the working waterfront
19 plan approved for the coastal State under sub-
20 section (c) on the coastal ecosystem and the
21 users of the coastal ecosystem.

22 “(4) The Secretary shall approve or reject an
23 application for such a grant within 60 days after re-
24 ceiving an application for the grant.

25 “(c) WORKING WATERFRONT PLANS.—

1 “(1) To be eligible for a grant under subsection
2 (b), a coastal State must submit and have approved
3 by the Secretary a comprehensive working water-
4 front plan in accordance with this subsection, or be
5 in the process of developing such a plan and have an
6 established working waterfront program at the State
7 or local level, or the Secretary determines that an
8 existing coastal land use plan for that State is in ac-
9 cordance with this subsection.

10 “(2) Such plan—

11 “(A) must provide for preservation and ex-
12 pansion of access to coastal waters to persons
13 engaged in commercial fishing, recreational
14 fishing and boating businesses, aquaculture,
15 boatbuilding, or other water-dependent, coastal-
16 related business;

17 “(B) shall include one or more of—

18 “(i) an assessment of the economic,
19 social, cultural, and historic value of work-
20 ing waterfront to the coastal State;

21 “(ii) a description of relevant State
22 and local laws and regulations affecting
23 working waterfront in the geographic areas
24 identified in the working waterfront plan;

1 “(iii) identification of geographic
2 areas where working waterfronts are cur-
3 rently under threat of conversion to uses
4 incompatible with commercial and rec-
5 reational fishing, recreational fishing and
6 boating businesses, aquaculture,
7 boatbuilding, or other water-dependent,
8 coastal-related business, and the level of
9 that threat;

10 “(iv) identification of geographic areas
11 with a historic connection to working wa-
12 terfronts where working waterfronts are
13 not currently available, and, where appro-
14 priate, an assessment of the environmental
15 impacts of any expansion or new develop-
16 ment of working waterfronts on the coastal
17 ecosystem;

18 “(v) identification of other working
19 waterfront needs including improvements
20 to existing working waterfronts and work-
21 ing waterfront areas;

22 “(vi) a strategic and prioritized plan
23 for the preservation, expansion, and im-
24 provement of working waterfronts in the
25 coastal State;

1 “(vii) for areas identified under
2 clauses (iii), (iv), (v), and (vi), identifica-
3 tion of current availability and potential
4 for expansion of public access to coastal
5 waters;

6 “(viii) a description of the degree of
7 community support for such strategic plan;
8 and

9 “(ix) a contingency plan for properties
10 that revert to the coastal State pursuant to
11 determinations made by the coastal State
12 under subsection (g)(4)(C);

13 “(C) may include detailed environmental
14 impacts on working waterfronts, including haz-
15 ards, sea level rise, inundation exposure, and
16 other resiliency issues;

17 “(D) may be part of the management pro-
18 gram approved under section 306;

19 “(E) shall utilize to the maximum extent
20 practicable existing information contained in
21 relevant surveys, plans, or other strategies to
22 fulfill the information requirements under this
23 paragraph; and

24 “(F) shall incorporate the policies and reg-
25 ulations adopted by communities under local

1 working waterfront plans or strategies in exist-
2 ence before the date of the enactment of this
3 section.

4 “(3) A working waterfront plan—

5 “(A) shall be effective for purposes of this
6 section for the 5-year period beginning on the
7 date it is approved by the Secretary;

8 “(B) must be updated and re-approved by
9 the Secretary before the end of such period; and

10 “(C) shall be complimentary to and incor-
11 porate the policies and objectives of regional or
12 local working waterfront plans as in effect be-
13 fore the date of enactment of this section or as
14 subsequently revised.

15 “(4) The Secretary may—

16 “(A) award planning grants to coastal
17 States for the purpose of developing or revising
18 comprehensive working waterfront plans; and

19 “(B) award grants consistent with the pur-
20 poses of this section to States undertaking the
21 working waterfront planning process under this
22 section, for the purpose of preserving and pro-
23 tecting working waterfronts during such pro-
24 cess.

1 “(5) Any coastal State applying for a working
2 waterfront grant under this title shall—

3 “(A) develop a working waterfront plan,
4 using a process that involves the public and
5 those with an interest in the coastal zone;

6 “(B) coordinate development and imple-
7 mentation of such a plan with other coastal
8 management programs, regulations, and activi-
9 ties of the coastal State; and

10 “(C) if the coastal State allows qualified
11 holders (other than the coastal State) to enter
12 into working waterfront covenants, provide as
13 part of the working waterfront plan under this
14 subsection a mechanism or procedure to ensure
15 that the qualified holders are complying their
16 duties to enforce the working waterfront cov-
17 enant.

18 “(d) USES, TERMS, AND CONDITIONS.—

19 “(1) Each grant made by the Secretary under
20 this section shall be subject to such terms and condi-
21 tions as may be appropriate to ensure that the grant
22 is used for purposes consistent with this section.

23 “(2) A grant under this section may be used—

24 “(A) to acquire a working waterfront, or
25 an interest in a working waterfront;

1 “(B) to make improvements to a working
2 waterfront, including the construction or repair
3 of wharfs, boat ramps, or related facilities; or

4 “(C) for necessary climate adaptation miti-
5 gation.

6 “(e) PUBLIC ACCESS REQUIREMENT.—A working
7 waterfront project funded by grants made under this sec-
8 tion must provide for expansion, improvement, or preser-
9 vation of reasonable and appropriate public access to
10 coastal waters at or in the vicinity of a working water-
11 front, except for commercial fishing or other industrial ac-
12 cess points where the coastal State determines that public
13 access would be unsafe.

14 “(f) LIMITATIONS.—

15 “(1) Except as provided in paragraph (2), a
16 grant awarded under this section may be used to
17 purchase working waterfront or an interest in work-
18 ing waterfront, including an easement, only from a
19 willing seller and at fair market value.

20 “(2) A grant awarded under this section may
21 be used to acquire working waterfront or an interest
22 in working waterfront at less than fair market value
23 only if the owner certifies to the Secretary that the
24 sale is being entered into willingly and without coer-
25 cion.

1 “(3) No Federal, State, or local entity may ex-
2 ercise the power of eminent domain to secure title to
3 any property or facilities in connection with a
4 project carried out under this section.

5 “(g) ALLOCATION OF GRANTS TO LOCAL GOVERN-
6 MENTS AND OTHER ENTITIES.—

7 “(1) The Secretary shall encourage coastal
8 States to broadly allocate amounts received as
9 grants under this section among working water-
10 fronts identified in working waterfront plans ap-
11 proved under subsection (c).

12 “(2) Subject to the approval of the Secretary,
13 a coastal State may, as part of an approved working
14 waterfront plan, designate as a qualified holder any
15 unit of State or local government or nongovern-
16 mental organization, if the coastal State is ulti-
17 mately responsible for ensuring that the property
18 will be managed in a manner that is consistent with
19 the purposes for which the land entered into the pro-
20 gram.

21 “(3) A coastal State or a qualified holder des-
22 ignated by a coastal State may allocate to a unit of
23 local government, nongovernmental organization,
24 fishing cooperative, or other entity, a portion of any
25 grant made under this section for the purpose of

1 carrying out this section, except that such an alloca-
2 tion shall not relieve the coastal State of the respon-
3 sibility for ensuring that any funds so allocated are
4 applied in furtherance of the coastal State's ap-
5 proved working waterfront plan.

6 “(4) A qualified holder may hold title to or in-
7 terest in property acquired under this section, except
8 that—

9 “(A) all persons holding title to or interest
10 in working waterfront affected by a grant under
11 this section, including a qualified holder, private
12 citizen, private business, nonprofit organization,
13 fishing cooperative, or other entity, shall enter
14 into a working waterfront covenant;

15 “(B) such covenant shall be held by the
16 coastal State or a qualified holder designated
17 under paragraph (2);

18 “(C) if the coastal State determines, on
19 the record after an opportunity for a hearing,
20 that the working waterfront covenant has been
21 violated—

22 “(i) all right, title, and interest in and
23 to the working waterfront covered by such
24 covenant shall, except as provided in sub-

1 paragraph (D), revert to the coastal State;

2 and

3 “(ii) the coastal State shall have the
4 right of immediate entry onto the working
5 waterfront;

6 “(D) if a coastal State makes a determina-
7 tion under subparagraph (C), the coastal State
8 may convey or authorize the qualified holder to
9 convey the working waterfront or interest in
10 working waterfront to another qualified holder;
11 and

12 “(E) nothing in this subsection waives any
13 legal requirement under any Federal or State
14 law.

15 “(h) MATCHING CONTRIBUTIONS.—

16 “(1) Except as provided in paragraph (2), the
17 Secretary shall require that each coastal State that
18 receives a grant under this section, or a qualified
19 holder designated by that coastal State under sub-
20 section (g), shall provide matching funds in an
21 amount equal to at least 25 percent of the total cost
22 of the project carried out with the grant.

23 “(2) The Secretary may waive the application
24 of paragraph (1) for any qualified holder that is an
25 underserved community, a community that has an

1 inability to draw on other sources of funding because
2 of the small population or low income of the commu-
3 nity, or for other reasons the Secretary considers ap-
4 propriate.

5 “(3) A local community designated as a quali-
6 fied holder under subsection (g) may utilize funds or
7 other in-kind contributions donated by a nongovern-
8 mental partner to satisfy the matching funds re-
9 quirement under this subsection.

10 “(4) As a condition of receipt of a grant under
11 this section, the Secretary shall require that a coast-
12 al State provide to the Secretary such assurances as
13 the Secretary determines are sufficient to dem-
14 onstrate that the share of the cost of each eligible
15 project that is not funded by the grant awarded
16 under this section has been secured.

17 “(5) If financial assistance under this section
18 represents only a portion of the total cost of a
19 project, funding from other Federal sources may be
20 applied to the cost of the project. Each portion shall
21 be subject to match requirements under the applica-
22 ble provision of law.

23 “(6) The Secretary shall treat as non-Federal
24 match the value of a working waterfront or interest
25 in a working waterfront, including conservation and

1 other easements, that is held in perpetuity by a
2 qualified holder, if the working waterfront or inter-
3 est is identified in the application for the grant and
4 acquired by the qualified holder within 3 years of
5 the grant award date, or within 3 years after the
6 submission of the application and before the end of
7 the grant award period. Such value shall be deter-
8 mined by an appraisal performed at such time before
9 the award of the grant as the Secretary considers
10 appropriate.

11 “(7) The Secretary shall treat as non-Federal
12 match the costs associated with acquisition of a
13 working waterfront or an interest in a working wa-
14 terfront, and the costs of restoration, enhancement,
15 or other improvement to a working waterfront, if the
16 activities are identified in the project application and
17 the costs are incurred within the period of the grant
18 award, or, for working waterfront described in para-
19 graph (6), within the same time limits described in
20 that paragraph. These costs may include either cash
21 or in-kind contributions.

22 “(i) LIMIT ON ADMINISTRATIVE COSTS.—No more
23 than 5 percent of the funds made available to the Sec-
24 retary under this section may be used by the Secretary

1 for planning or administration of the program under this
2 section.

3 “(j) OTHER TECHNICAL AND FINANCIAL ASSIST-
4 ANCE.—

5 “(1) Up to 5 percent of the funds appropriated
6 under this section may be used by the Secretary for
7 purposes of providing technical assistance as de-
8 scribed in this subsection.

9 “(2) The Secretary shall—

10 “(A) provide technical assistance to coastal
11 States and local governments in identifying and
12 obtaining other sources of available Federal
13 technical and financial assistance for the devel-
14 opment and revision of a working waterfront
15 plan and the implementation of an approved
16 working waterfront plan;

17 “(B) provide technical assistance to States
18 and local governments for the development, im-
19 plementation, and revision of comprehensive
20 working waterfront plans, which may include,
21 subject to the availability of appropriations,
22 planning grants and assistance, pilot projects,
23 feasibility studies, research, and other projects
24 necessary to further the purposes of this sec-
25 tion;

1 “(C) assist States in developing other tools
2 to protect working waterfronts;

3 “(D) collect and disseminate to States
4 guidance for best storm water management
5 practices in regards to working waterfronts;

6 “(E) provide technical assistance to States
7 and local governments on integrating resilience
8 planning into working waterfront preservation
9 efforts; and

10 “(F) collect and disseminate best practices
11 on working waterfronts and resilience planning.

12 “(k) OTHER REQUIREMENTS.— All laborers and me-
13 chanics employed by contractors or subcontractors in the
14 performance of construction, alteration or repair work car-
15 ried out, in whole or in part, with financial assistance
16 made available under this section shall be paid wages at
17 rates not less than those prevailing on projects of a char-
18 acter similar in the locality as determined by the Secretary
19 of Labor in accordance with subchapter IV of chapter 31
20 of title 40, United States Code. With respect to the labor
21 standards specified in this section, the Secretary of Labor
22 shall have the authority and functions set forth in Reorga-
23 nization Plan Numbered 14 of 1950 (64 Stat. 1267; 5
24 U.S.C. App.) and section 3145 of title 40, United States
25 Code.

1 “(l) REPORTS.—

2 “(1) The Secretary shall—

3 “(A) develop performance measures to
4 evaluate and report on the effectiveness of the
5 program under this section in accomplishing the
6 purpose of this section; and

7 “(B) submit to Congress a biennial report
8 that includes such evaluations, an account of all
9 expenditures, and descriptions of all projects
10 carried out using grants awarded under this
11 section.

12 “(2) The Secretary may submit the biennial re-
13 port under paragraph (1)(B) by including it in the
14 biennial report required under section 316.

15 “(m) DEFINITIONS.—In this section:

16 “(1) The term ‘qualified holder’ means a coast-
17 al State or a unit of local or coastal State govern-
18 ment or a non-State organization designated by a
19 coastal State under subsection (g).

20 “(2) The term ‘Secretary’ means the Secretary,
21 acting through the National Oceanic and Atmos-
22 pheric Administration.

23 “(3) The term ‘working waterfront’ means real
24 property (including support structures over water
25 and other facilities) that provides access to coastal

1 waters to persons engaged in commercial and rec-
2 reational fishing, recreational fishing and boating
3 businesses, boatbuilding, aquaculture, or other
4 water-dependent, coastal-related business and is
5 used for, or that supports, commercial and rec-
6 reational fishing, recreational fishing and boating
7 businesses, boatbuilding, aquaculture, or other
8 water-dependent, coastal-related business.

9 “(4) The term ‘working waterfront covenant’
10 means an agreement in recordable form between the
11 owner of working waterfront and one or more quali-
12 fied holders, that provides such assurances as the
13 Secretary may require that—

14 “(A) the title to or interest in the working
15 waterfront will be held by a grant recipient or
16 qualified holder in perpetuity, except as pro-
17 vided in subparagraph (C);

18 “(B) the working waterfront will be man-
19 aged in a manner that is consistent with the
20 purposes for which the property is acquired
21 pursuant to this section, and the property will
22 not be converted to any use that is inconsistent
23 with the purpose of this section;

24 “(C) if the title to or interest in the work-
25 ing waterfront is sold or otherwise exchanged—

1 “(i) all working waterfront owners
2 and qualified holders involved in such sale
3 or exchange shall accede to such agree-
4 ment; and

5 “(ii) funds equal to the fair market
6 value of the working waterfront or interest
7 in working waterfront shall be paid to the
8 Secretary by parties to the sale or ex-
9 change, and such funds shall, at the dis-
10 cretion of the Secretary, be paid to the
11 coastal State in which the working water-
12 front is located for use in the implementa-
13 tion of the working waterfront plan of the
14 State approved by the Secretary under this
15 section; and

16 “(D) such covenant is subject to enforce-
17 ment and oversight by the coastal State or by
18 another person as determined appropriate by
19 the Secretary.

20 “(n) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated to the Grant Program
22 \$15,000,000.”.

1 **TITLE XVIII—BLUE CARBON FOR**
2 **OUR PLANET**

3 **SEC. 71801. INTERAGENCY WORKING GROUP.**

4 (a) ESTABLISHMENT.—The National Science and
5 Technology Council Subcommittee on Ocean Science and
6 Technology shall establish an Interagency Working Group
7 on Coastal Blue Carbon.

8 (b) PURPOSES.—The Interagency Working Group on
9 Coastal Blue Carbon shall oversee the development of a
10 national map of coastal blue carbon ecosystems, establish
11 national coastal blue carbon ecosystem protection and res-
12 toration priorities, assess the biophysical, social, and eco-
13 nomic impediments to coastal blue carbon ecosystem res-
14 toration, study the effects of climate change, environ-
15 mental stressors, and human stressors on carbon seques-
16 tration rates, and preserve the continuity of coastal blue
17 carbon data.

18 (c) MEMBERSHIP.—The Interagency Working Group
19 on Coastal Blue Carbon shall be comprised of senior rep-
20 resentatives from the National Oceanic and Atmospheric
21 Administration, the Environmental Protection Agency, the
22 National Science Foundation, the National Aeronautics
23 and Space Administration, the United States Geological
24 Survey, the United States Fish and Wildlife Service, the
25 National Park Service, the Bureau of Indian Affairs, the

1 Smithsonian Institution, the Army Corps of Engineers,
2 the Department of Agriculture, the Department of En-
3 ergy, the Department of Defense, the Department of
4 Transportation, the Department of State, the Federal
5 Emergency Management Agency, and the Council on En-
6 vironmental Quality.

7 (d) CHAIR.—The Interagency Working Group shall
8 be chaired by the Administrator.

9 (e) RESPONSIBILITIES.—The Interagency Working
10 Group shall—

11 (1) oversee the development, update, and main-
12 tenance of a national map and inventory of coastal
13 blue carbon ecosystems, including habitat types with
14 a regional focus in analysis that is usable for local
15 level protection planning and restoration;

16 (2) develop a strategic assessment of the bio-
17 physical, chemical, social, statutory, regulatory, and
18 economic impediments to protection and restoration
19 of coastal blue carbon ecosystems;

20 (3) develop a national strategy for foundational
21 science necessary to study, synthesize, and evaluate
22 the effects of climate change, environmental, and
23 human stressors on sequestration rates and capabili-
24 ties of coastal blue carbon ecosystems protection;

1 (4) establish national coastal blue carbon eco-
2 system protection and restoration priorities, includ-
3 ing an assessment of current Federal funding being
4 used for restoration efforts;

5 (5) ensure the continuity, use, and interoper-
6 ability of data assets through the Smithsonian Envi-
7 ronmental Research Center's Coastal Carbon Data
8 Clearinghouse; and

9 (6) assess current legal authorities to protect
10 and restore blue carbon ecosystems.

11 (f) REPORTS TO CONGRESS.—

12 (1) IN GENERAL.—Not later than one year
13 after the date of the enactment of this Act, the
14 Interagency Working Group shall provide to the
15 Committee on Science, Space, and Technology of the
16 House of Representatives, the Committee on Natural
17 Resources of the House of Representatives, and the
18 Committee on Commerce, Science, and Transpor-
19 tation of the Senate a report containing the fol-
20 lowing:

21 (A) A summary of federally funded coastal
22 blue carbon ecosystem research, monitoring,
23 preservation, and restoration activities, includ-
24 ing the budget for each of these activities and

1 describe the progress in advancing the national
2 priorities established in section 71803(a)(4)(A).

3 (B) An assessment of biophysical, social,
4 and economic impediments to coastal blue car-
5 bon ecosystem restoration, including the vulner-
6 ability of coastal blue carbon ecosystems to cli-
7 mate impacts, such as sea-level rise, ocean and
8 coastal acidification, and other environmental
9 and human stressors.

10 (2) STRATEGIC PLAN.—

11 (A) IN GENERAL.—The Interagency Work-
12 ing group shall create a strategic plan for Fed-
13 eral investments in basic research, development,
14 demonstration, long-term monitoring and stew-
15 ardsip, and deployment of coastal blue carbon
16 ecosystem projects for the 5-year period begin-
17 ning at the start of the first fiscal year after
18 the date on which the budget assessment is sub-
19 mitted under paragraph (1). The plan shall in-
20 clude an assessment of the use of existing Fed-
21 eral programs to protect and preserve coastal
22 blue carbon ecosystems and identify the need
23 for any additional authorities or programs.

24 (B) TIMING.—The Interagency Working
25 Group shall—

1 (i) submit the strategic plan under
2 paragraph (A) to the Committee on
3 Science, Space, and Technology of the
4 House of Representatives, the Committee
5 on Natural Resources of the House of Rep-
6 resentatives, and the Committee on Com-
7 merce, Science, and Transportation of the
8 Senate on a date that is not later than one
9 year after the enactment of this Act and
10 not earlier than the date on which the re-
11 port under paragraph (1) is submitted to
12 such committees of Congress; and

13 (ii) submit a revised version of such
14 plan not less than quinquennially there-
15 after.

16 (C) FEDERAL REGISTER.—Not later than
17 90 days before the strategic plan under this
18 paragraph, or any revision thereof, is submitted
19 under subparagraph (B), the Interagency
20 Working Group shall publish such plan in the
21 Federal Register and provide an opportunity for
22 submission of public comments for a period of
23 not less than 60 days.

1 **SEC. 71802. NATIONAL MAP OF COASTAL BLUE CARBON**
2 **ECOSYSTEMS.**

3 (a) NATIONAL MAP.—The Interagency Working
4 Group shall—

5 (1) produce, update at least once every five
6 years, and maintain a national level map and inven-
7 tory of coastal blue carbon ecosystems, including—

8 (A) the species and types of habitats and
9 species in the ecosystem;

10 (B) the condition of such habitats includ-
11 ing whether a habitat is degraded, drained, eu-
12 trophic, or tidally restricted;

13 (C) type of public or private ownership and
14 any protected status;

15 (D) the size of the ecosystem;

16 (E) the salinity boundaries;

17 (F) the tidal boundaries;

18 (G) an assessment of carbon sequestration
19 potential, methane production, and net green-
20 house gas reductions including consideration
21 of—

22 (i) quantification;

23 (ii) verifiability;

24 (iii) comparison to a historical base-
25 line, as available; and

26 (iv) permanence of those benefits;

1 (H) an assessment of cobenefits of eco-
2 system and carbon sequestration;

3 (I) the potential for landward migration as
4 a result of sea level rise;

5 (J) any upstream restrictions detrimental
6 to the watershed process and conditions such as
7 dams, dikes, and levees;

8 (K) the conversion of coastal blue carbon
9 ecosystems to other land uses and the cause of
10 such conversion; and

11 (L) a depiction of the effects of climate
12 change, including sea level rise, environmental
13 stressors, and human stressors on the seques-
14 tration rate, carbon storage, and potential of
15 coastal blue carbon ecosystems; and

16 (2) in carrying out paragraph (1)—

17 (A) incorporate, to the extent possible, ex-
18 isting data collected through federally funded
19 research and by a Federal agency, State agen-
20 cy, local agency, Tribe, including data collected
21 from the National Oceanic and Atmospheric
22 Administration Coastal Change Analysis Pro-
23 gram, U.S. Fish and Wildlife Service National
24 Wetlands Inventory, United States Geological
25 Survey LandCarbon program, Federal Emer-

1 agency Management Agency LiDAR information
2 coordination and knowledge program, Depart-
3 ment of Energy Biological and Environmental
4 Research program, and Department of Agri-
5 culture National Coastal Blue Carbon Assess-
6 ment; and

7 (B) engage regional technical experts in
8 order to accurately account for regional dif-
9 ferences in coastal blue carbon ecosystems.

10 (b) USE.—The Interagency Working Group shall use
11 the national map and inventory—

12 (1) to assess the carbon sequestration potential
13 of different coastal blue carbon habitats, and ac-
14 count for any regional differences;

15 (2) to assess and quantify emissions from de-
16 graded and destroyed coastal blue carbon eco-
17 systems;

18 (3) to develop regional assessments and to pro-
19 vide technical assistance to regional, State, Tribal,
20 and local government agencies, and regional infor-
21 mation coordination entities as defined in section
22 123030(6) of the Integrated Coastal and Ocean Ob-
23 servation System Act (33 U.S.C. 3602);

24 (4) to assess degraded coastal blue carbon eco-
25 systems and their potential for restoration, including

1 developing scenario modeling to identify vulnerable
2 areas where management, protection, and restora-
3 tion efforts should be focused;

4 (5) produce future predictions of coastal blue
5 carbon ecosystems and carbon sequestration rates in
6 the context of climate change, environmental
7 stressors, and human stressors; and

8 (6) use such map to inform the Administrator
9 of the Environmental Protection Agency's creation
10 of the annual Inventory of U.S. Greenhouse Gas
11 Emissions and Sinks.

12 **SEC. 71803. RESTORATION AND PROTECTIONS FOR EXIST-**
13 **ING COASTAL BLUE CARBON ECOSYSTEMS.**

14 (a) IN GENERAL.—The Administrator shall—

15 (1) lead the Interagency Working Group in im-
16 plementing the strategic plan under section
17 71801(f)(2);

18 (2) coordinate monitoring and research efforts
19 among Federal agencies in cooperation with State,
20 local, and Tribal government and international part-
21 ners and nongovernmental organizations;

22 (3) establish a national goal for conserving
23 ocean and coastal blue carbon ecosystems within the
24 territory of the United States, and as appropriate

1 setting targets for restoration of degraded coastal
2 blue carbon ecosystems;

3 (4) in coordination with the Interagency Work-
4 ing Group and as informed by the report under sec-
5 tion 71801(f) on current Federal expenditures on
6 coastal blue carbon ecosystem restoration, identify—

7 (A) national coastal blue carbon ecosystem
8 protection and restoration priorities that would
9 produce the highest rate of carbon sequestra-
10 tion and greatest ecosystem benefits such as
11 flood protection, soil and beach retention, ero-
12 sion reduction, biodiversity, water purification,
13 and nutrient cycling in the context of other en-
14 vironmental stressors and climate change; and

15 (B) ways to improve coordination and to
16 prevent unnecessary duplication of effort among
17 Federal agencies and departments with respect
18 to research on coastal blue carbon ecosystems
19 through existing and new coastal management
20 networks; and

21 (5) in coordination with State, local, and Tribal
22 governments and coastal stakeholders, develop inte-
23 grated pilot programs to restore degraded coastal
24 blue carbon ecosystems in accordance with sub-
25 section (b).

1 (b) INTEGRATED PILOT PROGRAMS TO RESTORE
2 AND PROTECT DEGRADED COASTAL BLUE CARBON ECO-
3 SYSTEMS.—In carrying out subsection (a)(5), the Admin-
4 istrator shall—

5 (1) establish integrated pilot programs that de-
6 velop best management practices, including design
7 criteria and performance functions for coastal blue
8 carbon ecosystem restoration and protection, nature-
9 based adaptation strategies, restoration areas that
10 intersect with the built environments as green-gray
11 infrastructure projects, management practices for
12 landward progression or migration of coastal blue
13 carbon ecosystems, and identify potential barriers to
14 restoration efforts, and increase long-term carbon
15 sequestration and storage;

16 (2) ensure that the pilot programs cover geo-
17 graphically and ecologically diverse locations with
18 significant ecological, economic, and social benefits,
19 such as flood protection, soil and beach retention,
20 erosion reduction, biodiversity, water purification,
21 and nutrient cycling to reduce hypoxic conditions,
22 and maximum potential for greenhouse gas emission
23 reduction;

24 (3) establish a procedure for reviewing applica-
25 tions for the pilot program, taking into account—

1 (A) quantification;

2 (B) verifiability;

3 (C) additionality as compared to a histor-
4 ical baseline, when feasible; and

5 (D) permanence of those benefits;

6 (4) ensure, through consultation with the Inter-
7 agency Working Group, that the goals and metrics
8 for the pilot programs are communicated to the ap-
9 propriate State, Tribe, and local governments, and
10 to the general public;

11 (5) coordinate with relevant Federal agencies
12 on the Interagency Working Group to prevent un-
13 necessary duplication of effort among Federal agen-
14 cies and departments with respect to restoration and
15 protection programs;

16 (6) give priority to proposed eligible restoration
17 activities that would—

18 (A) result in long-term protection and se-
19 questration of carbon stored in coastal and ma-
20 rine environments;

21 (B) protect key habitats for fish, wildlife,
22 and the maintenance of biodiversity;

23 (C) provide coastal protection from devel-
24 opment, storms, flooding, and land-based pollu-
25 tion;

1 (D) protect coastal resources of national,
2 historical, and cultural significance; and

3 (E) benefit communities of color, low-in-
4 come communities, Tribal or Indigenous com-
5 munities, or rural communities; and

6 (7) report to the Interagency Working Group,
7 and Committee on Science, Space, and Technology
8 of the House of Representatives, the Committee on
9 Natural Resources of the House of Representatives,
10 and the Committee on Commerce, Science, and
11 Transportation of the Senate on the total number of
12 acres of land or water protected or restored through
13 the program, the status of restoration projects, and
14 the blue carbon sequestration potential of each res-
15 toration pilot project.

16 **SEC. 71804. NAS ASSESSMENT OF CONTAINMENT OF CAR-**
17 **BON DIOXIDE IN DEEP SEAFLOOR ENVIRON-**
18 **MENT.**

19 Not later than 90 days after the date of the enact-
20 ment of this Act, the Administrator shall seek to enter
21 into an agreement with the National Academy of Sciences
22 to conduct a comprehensive assessment on the long-term
23 effects of geologic stores of carbon dioxide in a deep
24 seafloor environment, including impacts on marine species
25 and ecosystems.

1 **SEC. 71805. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Na-
3 tional Oceanic and Atmospheric Administration to carry
4 out this title \$15,000,000 for each of the fiscal years 2023
5 through 2027.

6 **SEC. 71806. DEFINITIONS.**

7 In this title:

8 (1) **ADMINISTRATOR.**—The term “Adminis-
9 trator” means the Under Secretary of Commerce for
10 Oceans and Atmosphere in the Under Secretary’s
11 capacity as the Administrator of the National Oce-
12 anic and Atmospheric Administration.

13 (2) **COASTAL BLUE CARBON ECOSYSTEM.**—The
14 term “coastal blue carbon ecosystem” refers to vege-
15 tated coastal habitats including mangroves, tidal
16 marshes, seagrasses, kelp forests, and other tidal,
17 freshwater, or salt-water wetlands, and their ability
18 to sequester carbon from the atmosphere, accumu-
19 late it in biomass for years to decades, and store it
20 in soils for centuries to millennia. Coastal blue car-
21 bon ecosystems include both autochthonous carbon
22 and allochthonous carbon.

23 (3) **STATE.**—The term “State” means each
24 State of the United States, the District of Columbia,
25 the Commonwealth of Puerto Rico, American
26 Samoa, Guam, the Commonwealth of the Northern

1 Mariana Islands, the Virgin Islands of the United
2 States, and any other territory of the United States.

3 **TITLE XIX—ELIMINATE, NEU-**
4 **TRALIZE, AND DISRUPT WILD-**
5 **LIFE TRAFFICKING REAU-**
6 **THORIZATION AND IMPROVE-**
7 **MENTS**

8 **SEC. 71901. SENSE OF CONGRESS.**

9 It is the sense of Congress that—

10 (1) the United States Government should con-
11 tinue to work with international partners, including
12 nations, nongovernmental organizations, and the pri-
13 vate sector, to identify long-standing and emerging
14 areas of concern in wildlife poaching and trafficking
15 related to global supply and demand; and

16 (2) the activities and required reporting of the
17 Presidential Task Force on Wildlife Trafficking, es-
18 tablished by Executive Order No. 13648 (78 Fed.
19 Reg. 40621), and modified by sections 201 and 301
20 of the Eliminate, Neutralize, and Disrupt Wildlife
21 Trafficking Act of 2016 (16 U.S.C. 7621 and 7631)
22 should be reauthorized to minimize the disruption of
23 the work of such Task Force.

1 **SEC. 71902. DEFINITIONS.**

2 Section 2 of the Eliminate, Neutralize, and Disrupt
3 Wildlife Trafficking Act of 2016 (16 U.S.C. 7601) is
4 amended—

5 (1) in paragraph (3), by inserting “involving
6 local communities” after “approach to conserva-
7 tion”;

8 (2) by amending paragraph to read as follows:

9 “(4) COUNTRY OF CONCERN.—The term ‘coun-
10 try of concern’ means a foreign country specially
11 designated by the Secretary of State pursuant to
12 section 201(b) as a major source of wildlife traf-
13 ficking products or their derivatives, a major transit
14 point of wildlife trafficking products or their deriva-
15 tives, or a major consumer of wildlife trafficking
16 products, in which—

17 “(A) the government has actively engaged
18 in, or knowingly profited from, the trafficking
19 of protected species; or

20 “(B) the government facilitates such traf-
21 ficking through conduct that may include a per-
22 sistent failure to make serious and sustained ef-
23 forts to prevent and prosecute such traf-
24 ficking.”; and

25 (3) in paragraph (11), by striking “section
26 201” and inserting “section 301”.

1 **SEC. 71903. FRAMEWORK FOR INTERAGENCY RESPONSE**
2 **AND REPORTING.**

3 (a) REAUTHORIZATION OF REPORT ON MAJOR WILD-
4 LIFE TRAFFICKING COUNTRIES.—Section 201 of the
5 Eliminate, Neutralize, and Disrupt Wildlife Trafficking
6 Act of 2016 (16 U.S.C. 7621) is amended—

7 (1) in subsection (a), by striking “annually
8 thereafter” and inserting “biennially thereafter by
9 June 1 of each year in which a report is required”;
10 and

11 (2) by amending subsection (c) to read as fol-
12 lows:

13 “(c) DESIGNATION.—A country may be designated as
14 a country of concern under subsection (b) regardless of
15 such country’s status as a focus country.”.

16 (b) PRESIDENTIAL TASK FORCE ON WILDLIFE
17 TRAFFICKING RESPONSIBILITIES.—Section 301(a) of the
18 Eliminate, Neutralize, and Disrupt Wildlife Trafficking
19 Act of 2016 (16 U.S.C. 7631(a)) is amended—

20 (1) in paragraph (4), by striking “and” at the
21 end;

22 (2) by redesignating paragraph (5) as para-
23 graph (10); and

24 (3) by inserting after paragraph (4) the fol-
25 lowing:

26 “(5) pursue programs and develop a strategy—

1 “(A) to expand the role of technology for
2 anti-poaching and anti-trafficking efforts, in
3 partnership with the private sector, foreign gov-
4 ernments, academia, and nongovernmental or-
5 ganizations (including technology companies
6 and the transportation and logistics sectors);
7 and

8 “(B) to enable local governments to de-
9 velop and use such technologies;

10 “(6) consider programs and initiatives that ad-
11 dress the expansion of the illegal wildlife trade to
12 digital platforms, including the use of digital cur-
13 rency and payment platforms for transactions by
14 collaborating with the private sector, academia, and
15 nongovernmental organizations, including social
16 media, e-commerce, and search engine companies, as
17 appropriate;

18 “(7)(A) establish and publish a procedure for
19 removing from the list in the biennial report any
20 country of concern that no longer meets the defini-
21 tion of country of concern under section 2(4);

22 “(B) include details about such procedure in
23 the next report required under section 201;

24 “(8)(A) implement interventions to address the
25 drivers of poaching, trafficking, and demand for ille-

1 gal wildlife and wildlife products in focus countries
2 and countries of concern;

3 “(B) set benchmarks for measuring the effec-
4 tiveness of such interventions; and

5 “(C) consider alignment and coordination with
6 indicators developed by the Task Force;

7 “(9) consider additional opportunities to in-
8 crease coordination between law enforcement and fi-
9 nancial institutions to identify trafficking activity;
10 and”.

11 (c) PRESIDENTIAL TASK FORCE ON WILDLIFE
12 TRAFFICKING STRATEGIC REVIEW.—Section 301 of the
13 Eliminate, Neutralize, and Disrupt Wildlife Trafficking
14 Act of 2016 (16 U.S.C. 7631), as amended by subsection
15 (b), is further amended—

16 (1) in subsection (d)—

17 (A) in the matter preceding paragraph (1),
18 by striking “annually” and inserting “bienni-
19 ally”;

20 (B) in paragraph (4), by striking “and” at
21 the end;

22 (C) in paragraph (5), by striking the pe-
23 riod at the end and inserting “; and”; and

24 (D) by adding at the end the following:

1 “(6) an analysis of the indicators developed by
2 the Task Force, and recommended by the Govern-
3 ment Accountability Office, to track and measure in-
4 puts, outputs, law enforcement outcomes, and the
5 market for wildlife products for each focus country
6 listed in the report, including baseline measures, as
7 appropriate, for each indicator in each focus country
8 to determine the effectiveness and appropriateness
9 of such indicators to assess progress and whether
10 additional or separate indicators, or adjustments to
11 indicators, may be necessary for focus countries.”;
12 and

13 (2) by striking subsection (e).

14 **SEC. 71904. FUNDING SAFEGUARDS.**

15 (a) PROCEDURES FOR OBTAINING CREDIBLE INFOR-
16 MATION.—Section 620M(d) of the Foreign Assistance Act
17 of 1961 (22 U.S.C. 2378d(d)) is amended—

18 (1) by redesignating paragraphs (4), (5), (6),
19 and (7) as paragraphs (5), (6), (7), and (8), respec-
20 tively; and

21 (2) by inserting after paragraph (3) the fol-
22 lowing:

23 “(4) routinely request and obtain such informa-
24 tion from the United States Agency for Inter-
25 national Development, the United States Fish and

1 Wildlife Service, and other relevant Federal agencies
2 that partner with international nongovernmental
3 conservation groups;”.

4 (b) **REQUIRED IMPLEMENTATION.**—The Secretary of
5 State shall implement the procedures established pursuant
6 to section 620M(d) of the Foreign Assistance Act of 1961,
7 as amended by subsection (a), including vetting individ-
8 uals and units, whenever the United States Agency for
9 International Development, the United States Fish and
10 Wildlife Service, or any other relevant Federal agency that
11 partners with international nongovernmental conservation
12 groups provides assistance to any unit of the security
13 forces of a foreign country.

14 **SEC. 71905. ISSUANCE OF SUBPOENAS IN WILDLIFE TRAF-**
15 **FICKING CIVIL PENALTY ENFORCEMENT AC-**
16 **TIONS.**

17 (a) **ENDANGERED SPECIES ACT OF 1973.**—Section
18 11(e) of the Endangered Species Act of 1973 (16 U.S.C.
19 1540(e)) is amended by adding at the end the following:

20 “(7) **ISSUANCE OF SUBPOENAS.**—

21 “(A) **IN GENERAL.**—For the purposes of
22 any inspection or investigation relating to the
23 import into, or the export from, the United
24 States of any fish or wildlife or plants covered
25 under this Act or relating to the delivery, re-

1 ceipt, carrying, transport, shipment, sale, or
2 offer for sale in interstate or foreign commerce
3 of any such fish or wildlife or plants imported
4 into or exported from the United States, the
5 Secretary, may issue subpoenas for the attend-
6 ance and testimony of witnesses and the pro-
7 duction of any papers, books, or other records
8 relevant to the subject matter under investiga-
9 tion.

10 “(B) FEES AND MILEAGE FOR WIT-
11 NESSES.—A witness summoned under subpara-
12 graph (A) shall be paid the same fees and mile-
13 age that are paid to witnesses in the courts of
14 the United States.

15 “(C) REFUSAL TO OBEY SUBPOENAS.—

16 “(i) IN GENERAL.—In the case of a
17 contumacy or refusal to obey a subpoena
18 served on any person pursuant to this
19 paragraph, the district court of the United
20 States for any judicial district in which the
21 person is found, resides, or transacts busi-
22 ness, on application by the United States
23 and after notice to that person, shall have
24 jurisdiction to issue an order requiring
25 that person to appear and give testimony

1 before the Secretary, to appear and
2 produce documents before the Secretary,
3 or both.

4 “(ii) FAILURE TO OBEY.—Any failure
5 to obey an order issued by a court under
6 clause (i) may be punished by that court
7 as a contempt of that court.”.

8 (b) LACEY ACT AMENDMENTS OF 1981.—Section 6
9 of the Lacey Act Amendments of 1981 (16 U.S.C. 3375)
10 is amended by adding at the end the following:

11 “(e) ISSUANCE OF SUBPOENAS.—

12 “(1) IN GENERAL.—For the purposes of any in-
13 spection or investigation relating to the import into,
14 or the export from, the United States of any fish or
15 wildlife or plants covered under the Lacey Act of
16 1900 (16 U.S.C. 3371 et seq.) or relating to the
17 transport, sale, receipt, acquisition, or purchase in
18 interstate or foreign commerce of any such fish or
19 wildlife or plants imported into or exported from the
20 United States, the Secretary may issue subpoenas
21 for the attendance and testimony of witnesses and
22 the production of any papers, books, or other
23 records relevant to the subject matter under inves-
24 tigation.

1 “(2) FEES AND MILEAGE FOR WITNESSES.—A
2 witness summoned under paragraph (1) shall be
3 paid the same fees and mileage that are paid to wit-
4 nesses in the courts of the United States.

5 “(3) REFUSAL TO OBEY SUBPOENAS.—

6 “(A) IN GENERAL.—In the case of a con-
7 tumacy or refusal to obey a subpoena served on
8 any person pursuant to this subsection, the dis-
9 trict court of the United States for any judicial
10 district in which the person is found, resides, or
11 transacts business, on application by the United
12 States and after notice to that person, shall
13 have jurisdiction to issue an order requiring
14 that person to appear and give testimony before
15 the Secretary, to appear and produce docu-
16 ments before the Secretary, or both.

17 “(B) FAILURE TO OBEY.—Any failure to
18 obey an order issued by a court under subpara-
19 graph (A) may be punished by that court as a
20 contempt of that court.”.

21 (c) BALD AND GOLDEN EAGLE PROTECTION ACT.—

22 (1) CIVIL PENALTIES.—Subsection (b) of the
23 first section of the Act of June 8, 1940 (16 U.S.C.
24 668(b)) (commonly known as the “Bald and Golden
25 Eagle Protection Act”), is amended—

1 (A) by striking “(b) Whoever, within the”
2 and inserting the following:

3 “(b) CIVIL PENALTIES.—

4 “(1) IN GENERAL.—Whoever, within the”; and

5 (B) by adding at the end the following:

6 “(2) HEARINGS; ISSUANCE OF SUBPOENAS.—

7 “(A) HEARINGS.—Hearings held during
8 proceedings for the assessment of civil penalties
9 under paragraph (1) shall be conducted in ac-
10 cordance with section 554 of title 5, United
11 States Code.

12 “(B) ISSUANCE OF SUBPOENAS.—

13 “(i) IN GENERAL.—For purposes of
14 any hearing held during proceedings for
15 the assessment of civil penalties under
16 paragraph (1), the Secretary may issue
17 subpoenas for the attendance and testi-
18 mony of witnesses and the production of
19 relevant papers, books, and documents,
20 and may administer oaths.

21 “(ii) FEES AND MILEAGE FOR WIT-
22 NESSES.—A witness summoned pursuant
23 to clause (i) shall be paid the same fees
24 and mileage that are paid to witnesses in
25 the courts of the United States.

1 “(iii) REFUSAL TO OBEY SUB-
2 POENAS.—

3 “(I) IN GENERAL.—In the case
4 of a contumacy or refusal to obey a
5 subpoena served on any person pursu-
6 ant to this subparagraph, the district
7 court of the United States for any ju-
8 dicial district in which the person is
9 found, resides, or transacts business,
10 on application by the United States
11 and after notice to that person, shall
12 have jurisdiction to issue an order re-
13 quiring that person to appear and give
14 testimony before the Secretary, to ap-
15 pear and produce documents before
16 the Secretary, or both.

17 “(II) FAILURE TO OBEY.—Any
18 failure to obey an order issued by a
19 court under subclause (I) may be pun-
20 ished by that court as a contempt of
21 that court.”.

22 (2) INVESTIGATORY SUBPOENAS.—Section 3 of
23 the Act of June 8, 1940 (16 U.S.C. 668b) (com-
24 monly known as the “Bald and Golden Eagle Pro-

1 tection Act”), is amended by adding at the end the
2 following:

3 “(d) ISSUANCE OF SUBPOENAS.—

4 “(1) IN GENERAL.—For the purposes of any in-
5 spection or investigation relating to the import into
6 or the export from the United States of any bald or
7 golden eagles covered under this Act, or any parts,
8 nests, or eggs of any such bald or golden eagles, the
9 Secretary may issue subpoenas for the attendance
10 and testimony of witnesses and the production of
11 any papers, books, or other records relevant to the
12 subject matter under investigation.

13 “(2) FEES AND MILEAGE FOR WITNESSES.—A
14 witness summoned under paragraph (1) shall be
15 paid the same fees and mileage that are paid to wit-
16 nesses in the courts of the United States.

17 “(3) REFUSAL TO OBEY SUBPOENAS.—

18 “(A) IN GENERAL.—In the case of a con-
19 tumacy or refusal to obey a subpoena served on
20 any person pursuant to this subsection, the dis-
21 trict court of the United States for any judicial
22 district in which the person is found, resides, or
23 transacts business, on application by the United
24 States and after notice to that person, shall
25 have jurisdiction to issue an order requiring

1 that person to appear and give testimony before
2 the Secretary, to appear and produce docu-
3 ments before the Secretary, or both.

4 “(B) FAILURE TO OBEY.—Any failure to
5 obey an order issued by a court under subpara-
6 graph (A) may be punished by that court as a
7 contempt of that court.”.

8 **DIVISION I—COMMITTEE ON**
9 **THE JUDICIARY**
10 **TITLE I—SUBCOMMITTEE ON**
11 **COURTS, INTELLECTUAL**
12 **PROPERTY, AND THE INTER-**
13 **NET**

14 **SEC. 80101. BASIC RESEARCH.**

15 Notwithstanding any other provision of law, each
16 agency that awards a Federal research grant shall not dis-
17 close, either publicly or privately, to an applicant for such
18 grant the identity of any member of the grant review panel
19 for such applicant.

20 **SEC. 80102. COLLECTION OF DEMOGRAPHIC INFORMATION**
21 **FOR PATENT INVENTORS.**

22 (a) AMENDMENT.—Chapter 11 of title 35, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

1 **“§ 124. Collection of demographic information for**
2 **patent inventors**

3 “(a) VOLUNTARY COLLECTION.—The Director shall
4 provide for the collection of demographic information, in-
5 cluding gender, race, military or veteran status, and any
6 other demographic category that the Director determines
7 appropriate, related to each inventor listed with an appli-
8 cation for patent, that may be submitted voluntarily by
9 that inventor.

10 “(b) PROTECTION OF INFORMATION.—The Director
11 shall—

12 “(1) keep any information submitted under sub-
13 section (a) confidential and separate from the appli-
14 cation for patent; and

15 “(2) establish appropriate procedures to en-
16 sure—

17 “(A) the confidentiality of any information
18 submitted under subsection (a); and

19 “(B) that demographic information is not
20 made available to examiners or considered in
21 the examination of any application for patent.

22 “(c) RELATION TO OTHER LAWS.—

23 “(1) FREEDOM OF INFORMATION ACT.—Any
24 demographic information submitted under subsection
25 (a) shall be exempt from disclosure under section
26 552(b)(3) of title 5.

1 “(2) FEDERAL INFORMATION POLICY LAW.—
2 Subchapter I of chapter 35 of title 44 shall not
3 apply to the collection of demographic information
4 under subsection (a).

5 “(d) PUBLICATION OF DEMOGRAPHIC INFORMA-
6 TION.—

7 “(1) REPORT REQUIRED.—Not later than 1
8 year after the date of enactment of this section, and
9 not later than January 31 of each year thereafter,
10 the Director shall make publicly available a report
11 that, except as provided in paragraph (3)—

12 “(A) includes the total number of patent
13 applications filed during the previous year
14 disaggregated—

15 “(i) by demographic information de-
16 scribed in subsection (a); and

17 “(ii) by technology class number,
18 technology class title, country of residence
19 of the inventor, and State of residence of
20 the inventor in the United States;

21 “(B) includes the total number of patents
22 issued during the previous year disaggregated—

23 “(i) by demographic information de-
24 scribed in subsection (a); and

1 “(ii) by technology class number,
2 technology class title, country of residence
3 of the inventor, and State of residence of
4 the inventor in the United States; and

5 “(C) includes a discussion of the data col-
6 lection methodology and summaries of the ag-
7 gregate responses.

8 “(2) DATA AVAILABILITY.—In conjunction with
9 issuance of the report under paragraph (1), the Di-
10 rector shall make publicly available data based on
11 the demographic information collected under sub-
12 section (a) that, except as provided in paragraph
13 (3), allows the information to be cross-tabulated to
14 review subgroups.

15 “(3) PRIVACY.—The Director—

16 “(A) may not include personally identifying
17 information in—

18 “(i) the report made publicly available
19 under paragraph (1); or

20 “(ii) the data made publicly available
21 under paragraph (2); and

22 “(B) in making publicly available the re-
23 port under paragraph (1) and the data under
24 paragraph (2), shall anonymize any personally
25 identifying information related to the demo-

1 graphic information collected under subsection
2 (a).

3 “(e) BIENNIAL REPORT.—Not later than 2 years
4 after the date of enactment of this section, and every 2
5 years thereafter, the Director shall submit to Congress a
6 biennial report that evaluates the data collection process
7 under this section, ease of access to the information by
8 the public, and recommendations on how to improve data
9 collection.”.

10 (b) TECHNICAL AND CONFORMING AMENDMENT.—
11 The table of sections at the beginning of chapter 11 of
12 title 35, United States Code, is amended by adding at the
13 end the following:

“124. Collection of demographic information for patent inventors.”.

14 **SEC. 80103. STOPPING HARMFUL OFFERS ON PLATFORMS**
15 **BY SCREENING AGAINST FAKES IN E-COM-**
16 **MERCE.**

17 (a) CONTRIBUTORY LIABILITY FOR ELECTRONIC
18 COMMERCE PLATFORMS.—Section 32 of the Act entitled
19 “An Act to provide for the registration and protection of
20 trademarks used in commerce, to carry out the provisions
21 of certain international conventions, and for other pur-
22 poses”, approved July 5, 1946 (commonly known as the
23 “Trademark Act of 1946”) (15 U.S.C. 1114), is amended
24 by adding at the end the following:

1 “(4)(A) An electronic commerce platform shall
2 be contributorily liable in a civil action under para-
3 graph (1) for a case in which a third-party seller
4 uses in commerce a counterfeit mark in connection
5 with the sale, offering for sale, distribution, or ad-
6 vertising of goods that implicate health and safety
7 on the platform, unless the platform demonstrates
8 that the platform took each of the following steps to
9 prevent such use on the platform before any infring-
10 ing act by the third-party seller:

11 “(i) Determined after a reasonable inves-
12 tigation, and reasonably periodically con-
13 firmed—

14 “(I) that the third-party seller des-
15 ignated a registered agent in the United
16 States for service of process; or

17 “(II) in the case of third-party seller
18 located in the United States that has not
19 designated a registered agent under sub-
20 clause (I), that the third-party seller has
21 designated a verified address for service of
22 process in the United States.

23 “(ii) Verified through reliable documenta-
24 tion, including to the extent possible some form
25 of government-issued identification, the iden-

1 tity, principal place of business, and contact in-
2 formation of the third-party seller.

3 “(iii) Except as provided for in subpara-
4 graph (C), required the third-party seller to—

5 “(I) take reasonable steps to verify
6 the authenticity of goods on or in connec-
7 tion with which a registered mark is used;
8 and

9 “(II) attest to the platform that the
10 third-party seller has taken reasonable
11 steps under subclause (I) to verify the au-
12 thenticity of the goods.

13 “(iv) Imposed on the third-party seller as
14 a condition of participating on the platform
15 contractual requirements that—

16 “(I) the third-party seller agrees not
17 to use a counterfeit mark in connection
18 with the sale, offering for sale, distribu-
19 tion, or advertising of goods on the plat-
20 form;

21 “(II) the third-party seller consents to
22 the jurisdiction of United States courts
23 with respect to claims related to participa-
24 tion by the third-party seller on the plat-
25 form; and

1 “(III) the third-party seller designates
2 an agent for service of process in the
3 United States, or, in the case of third-
4 party seller located in the United States,
5 the third-party seller designates a verified
6 address for service of process in the United
7 States.

8 “(v) Displayed conspicuously on the plat-
9 form the verified principal place of business,
10 contact information, and identity of the third-
11 party seller, and the country from which the
12 goods were originally shipped from the third-
13 party seller, except the platform shall not be re-
14 quired to display any such information that
15 constitutes the personal identity of an indi-
16 vidual, a residential street address, or personal
17 contact information of an individual, and in
18 such cases shall instead provide alternative,
19 verified means of contacting the third-party
20 seller.

21 “(vi) Except as provided for in subpara-
22 graph (C), displayed conspicuously in each list-
23 ing the country of origin and manufacture of
24 the goods as identified by the third-party seller,
25 unless such information was not reasonably

1 available to the third-party seller and the third-
2 party seller has identified to the platform the
3 steps it undertook to identify the country of ori-
4 gin and manufacture of the goods and the rea-
5 sons it was unable to identify the same.

6 “(vii) Required each third-party seller to
7 use images that accurately depict the goods
8 sold, offered for sale, distributed, or advertised
9 on the platform.

10 “(viii) Implemented at no charge from the
11 platform to the registrant reasonable proactive
12 measures for screening goods before displaying
13 the goods to the public to prevent the use by
14 any third-party seller of a counterfeit mark in
15 connection with the sale, offering for sale, dis-
16 tribution, or advertising of goods on the plat-
17 form. The determination of whether proactive
18 measures are reasonable shall consider the size
19 and resources of a platform, the available tech-
20 nological and non-technological solutions at the
21 time of screening, the information provided by
22 the registrant to the platform, and any other
23 factor considered relevant by a court.

24 “(ix) Provided reasonably accessible elec-
25 tronic means by which a registrant and con-

1 sumer can notify the platform of suspected use
2 of a counterfeit mark.

3 “(x) Implemented at no charge from the
4 platform to the registrant a program to expedi-
5 tiously disable or remove from the platform any
6 listing for which a platform has reasonable
7 awareness of use of a counterfeit mark in con-
8 nection with the sale, offering for sale, distribu-
9 tion, or advertising of goods. Reasonable aware-
10 ness of use of a counterfeit mark may be in-
11 ferred based on information regarding the use
12 of a counterfeit mark on the platform generally,
13 general information about the third-party seller,
14 identifying characteristics of a particular list-
15 ing, or other circumstances as appropriate. A
16 platform may reinstate a listing disabled or re-
17 moved under this clause if, after an investiga-
18 tion, the platform reasonably determines that a
19 counterfeit mark was not used in the listing. A
20 reasonable decision to reinstate a listing shall
21 not be a basis for finding that a platform failed
22 to comply with this clause.

23 “(xi) Implemented a publicly available,
24 written policy that requires termination of a
25 third-party seller that reasonably has been de-

1 terminated to have engaged in repeated use of a
2 counterfeit mark in connection with the sale, of-
3 fering for sale, distribution, or advertising of
4 goods on the platform. Use of a counterfeit
5 mark by a third-party seller in 3 separate list-
6 ings within 1 year typically shall be considered
7 repeated use, but a platform may allow a third-
8 party seller to remain active after repeated use
9 of a counterfeit mark when reasonable miti-
10 gating circumstances exist. The determination
11 of whether reasonable mitigating circumstances
12 exist shall consider the overall activity of the
13 third-party seller, efforts the third-party seller
14 has taken to cure supply-chain concerns, efforts
15 the third-party takes to resolve disputes once
16 notified of a concern, and any other factor con-
17 sidered relevant by a court. A platform may re-
18 instate a third-party seller if, after an investiga-
19 tion, the platform reasonably determines that
20 the third-party seller did not engage in repeated
21 use of a counterfeit mark or that reasonable
22 mitigating circumstances existed. A reasonable
23 decision to reinstate a third-party seller shall
24 not be a basis for finding that a platform failed
25 to comply with this clause.

1 “(xii) Implemented at no charge from the
2 platform to the registrant reasonable measures
3 for screening third-party sellers to ensure that
4 sellers who have been terminated do not rejoin
5 or remain on the platform under a different
6 seller identity or alias. The determination of
7 whether screening measures are reasonable
8 shall consider the size and resources of a plat-
9 form, the available technological and non-tech-
10 nological solutions at the time of screening, and
11 any other factor considered relevant by a court.

12 “(xiii) Provided a verified basis to contact
13 a third-party seller upon request by a registrant
14 that has a bona fide belief that the seller has
15 used a counterfeit mark in connection with the
16 sale, offering for sale, distribution, or adver-
17 tising of goods on the platform except that the
18 platform is not required to provide information
19 that constitutes the personal identity of an indi-
20 vidual, a residential street address, or personal
21 contact information of an individual (in such
22 case, the provider shall provide an alternative
23 means of contacting the third-party seller).

24 “(B)(i) This paragraph shall apply—

1 “(I) to an electronic commerce platform
2 that has sales on the platform in the previous
3 calendar year of not less than \$500,000; or

4 “(II) to an electronic commerce platform
5 with less than \$500,000 in sales in the previous
6 calendar year, 6 months after the platform has
7 received 10 notices, in aggregate, that qualify
8 under clause (ii).

9 “(ii) To count toward the aggregate 10-notice
10 threshold under clause (i)(II), a notice shall—

11 “(I) include a reference to this paragraph;

12 “(II) include an explicit notification of the
13 10-notice limit and the requirement of the plat-
14 form to publish the information in clause (iii);
15 and

16 “(III) identify a listing on the platform
17 that reasonably could be determined to have
18 used a counterfeit mark in connection with the
19 sale, offering for sale, distribution, or adver-
20 tising of goods that implicate health and safety.

21 “(iii) Not later than 1 month after the date on
22 which a platform described in clause(i)(II) receives
23 the first notice described under clause (ii), the plat-
24 form shall make publicly available an attestation
25 that the sales on the platform in the previous cal-

1 endar year were less than \$500,000 and an aggre-
2 gate count of the notices that qualify under clause
3 (ii). Such count shall be updated upon receipt of ad-
4 ditional notices.

5 “(C) Notwithstanding clauses (iii) and (vi) of
6 subparagraph (A), a platform is exempt from the re-
7 quirements of such clauses for goods, on or in con-
8 nection with which a registered mark is used, sold,
9 offered for sale, or advertised by a third-party seller
10 for less than \$5,000 if the third-party seller sells, of-
11 fers for sale, or advertises on the platform 5 or
12 fewer goods of the same type in connection with the
13 same mark in a 1-year period.

14 “(D) This paragraph may not be construed to
15 limit liability in contexts other than those described
16 in this paragraph, including any cause of action
17 available under any other provision of this Act, not-
18 withstanding that the same facts may give rise to a
19 claim under this paragraph.

20 “(E) With respect to fiscal year 2024, and each
21 fiscal year thereafter, the amounts in subparagraphs
22 (B) and (C) shall be increased each year by an
23 amount equal to the percentage increase, if any, in
24 the Consumer Price Index.

25 “(F) In this paragraph:

1 “(i) The term ‘counterfeit mark’ has the
2 meaning given that term in section 34(d)(1)(B).

3 “(ii) The term ‘electronic commerce plat-
4 form’ means any electronically accessed plat-
5 form that includes publicly interactive features
6 that allow for arranging the sale or purchase of
7 goods, or that enables a person other than an
8 operator of the platform to sell or offer to sell
9 physical goods to consumers located in the
10 United States.

11 “(iii) The term ‘goods that implicate
12 health and safety’ means goods the use of
13 which can lead to illness, disease, injury, serious
14 adverse event, allergic reaction, or death if pro-
15 duced without compliance with all applicable
16 Federal, State, and local health and safety reg-
17 ulations and industry-designated testing, safety,
18 quality, certification, manufacturing, packaging,
19 and labeling standards.

20 “(iv) The term ‘third-party seller’ means a
21 person other than the electronic commerce plat-
22 form that uses the platform to arrange for the
23 sale or purchase of goods.”.

24 (b) MATERIAL MISREPRESENTATIONS IN TAKE-
25 DOWN NOTICES.—

1 (1) AMENDMENT.—The Act entitled “An Act to
2 provide for the registration and protection of trade-
3 marks used in commerce, to carry out the provisions
4 of certain international conventions, and for other
5 purposes”, approved July 5, 1946 (commonly known
6 as the “Trademark Act of 1946”) is amended by in-
7 serting after section 32 (15 U.S.C. 1114), the fol-
8 lowing new section:

9 **“SEC. 32A. MATERIAL MISREPRESENTATIONS IN TAKE-**
10 **DOWN NOTICES.**

11 “(a) CIVIL LIABILITY.—Any person who knowingly
12 makes any material misrepresentation in a notice to an
13 electronic commerce platform that a counterfeit mark was
14 used in a listing by a third party seller for goods that
15 implicate health and safety shall be liable in a civil action
16 for damages by the third-party seller that is injured by
17 such misrepresentation, as the result of the electronic
18 commerce platform relying upon such misrepresentation
19 to remove or disable access to the listing, including tem-
20 porary removal or disablement.

21 “(b) ACTION BY ELECTRONIC COMMERCE PLAT-
22 FORM.—

23 “(1) AUTHORITY TO BRING ACTION.—If a
24 third-party seller who otherwise could bring an ac-
25 tion under subsection (a), consents and declines to

1 file suit, an electronic commerce platform may bring
2 an action under subsection (a) against a person who
3 knowingly made a material misrepresentation in 10
4 or more notices to the platform alleging that a coun-
5 terfeit mark was used in a listing by a third party
6 seller for goods that implicate health and safety.

7 “(2) CONSENT BY THIRD-PARTY SELLER RE-
8 QUIRED.—Consent shall be obtained in writing from
9 each third-party seller to which the notices covered
10 by the civil action were directed.

11 “(3) CONTENTS OF CONSENT.—The consent by
12 a third-party seller shall be made in specific ref-
13 erence to a particular notice after the notice has
14 been filed with the electronic commerce platform and
15 removal or disablement has occurred.

16 “(c) STATUTORY DAMAGES.—Any person who brings
17 a claim under this section may elect, at any time before
18 final judgment is rendered by the trial court, to recover,
19 instead of actual damages, statutory damages in the
20 amount of—

21 “(1) not less than \$2,500 or more than
22 \$15,000 per notice containing a knowing, material
23 misrepresentation; or

1 “(2) if aggravating circumstances exist, not less
2 than \$15,000 or more than \$75,000 per notice con-
3 taining a knowing, material misrepresentation.

4 “(d) DEFINITIONS.—In this section:

5 “(1) COUNTERFEIT MARK.—The term ‘counter-
6 feit mark’ has the meaning given that term in sec-
7 tion 34(d)(1)(B).

8 “(2) ELECTRONIC COMMERCE PLATFORM;
9 GOODS THAT IMPLICATE HEALTH AND SAFETY;
10 THIRD-PARTY SELLER.—The terms ‘electronic com-
11 merce platform’, ‘goods that implicate health and
12 safety’, and ‘third-party seller’ have the meaning
13 given those terms in section 32(4)(F).”.

14 (2) TECHNICAL AND CONFORMING AMEND-
15 MENT.—Section 35(a) of the Act entitled “An Act to
16 provide for the registration and protection of trade-
17 marks used in commerce, to carry out the provisions
18 of certain international conventions, and for other
19 purposes”, approved July 5, 1946 (commonly known
20 as the “Trademark Act of 1946”) (15 U.S.C.
21 1117(a)) is amended by inserting after “under sec-
22 tion 43(a) or (d),” the following: “a violation under
23 subsection (a) or (b) of section 32A,”.

1 (c) EFFECTIVE DATE.—This section, and the amend-
2 ments made by this section, shall take effect on the date
3 that is 1 year after the date of the enactment of this Act.

4 **TITLE II—SUBCOMMITTEE ON**
5 **ANTITRUST, COMMERCIAL**
6 **AND ADMINISTRATIVE LAW**

7 **SEC. 80201. PREMERGER NOTIFICATION FILING FEES.**

8 Section 605 of Public Law 101–162 (15 U.S.C. 18a
9 note) is amended—

10 (1) in subsection (b)—

11 (A) in paragraph (1)—

12 (i) by striking “\$45,000” and insert-
13 ing “\$30,000”;

14 (ii) by striking “\$100,000,000” and
15 inserting “\$161,500,000”;

16 (iii) by striking “2004” and inserting
17 “2022”; and

18 (iv) by striking “2003” and inserting
19 “2021”;

20 (B) in paragraph (2)—

21 (i) by striking “\$125,000” and insert-
22 ing “\$100,000”;

23 (ii) by striking “\$100,000,000” and
24 inserting “\$161,500,000”;

1 (iii) by striking “but less” and insert-
2 ing “but is less”; and

3 (iv) by striking “and” at the end;

4 (C) in paragraph (3)—

5 (i) by striking “\$280,000” and insert-
6 ing “\$250,000”; and

7 (ii) by striking the period at the end
8 and inserting “but is less than
9 \$1,000,000,000 (as so adjusted and pub-
10 lished);”; and

11 (D) by adding at the end the following:

12 “(4) \$400,000 if the aggregate total amount
13 determined under section 7A(a)(2) of the Clayton
14 Act (15 U.S.C. 18a(a)(2)) is not less than
15 \$1,000,000,000 (as so adjusted and published) but
16 is less than \$2,000,000,000 (as so adjusted and
17 published);

18 “(5) \$800,000 if the aggregate total amount
19 determined under section 7A(a)(2) of the Clayton
20 Act (15 U.S.C. 18a(a)(2)) is not less than
21 \$2,000,000,000 (as so adjusted and published) but
22 is less than \$5,000,000,000 (as so adjusted and
23 published); and

24 “(6) \$2,250,000 if the aggregate total amount
25 determined under section 7A(a)(2) of the Clayton

1 Act (15 U.S.C. 18a(a)(2)) is not less than
2 \$5,000,000,000 (as so adjusted and published).”;
3 and

4 (2) by adding at the end the following:

5 “(c)(1) For each fiscal year commencing after Sep-
6 tember 30, 2022, the filing fees in this section shall be
7 increased each year by an amount equal to the percentage
8 increase, if any, in the Consumer Price Index, as deter-
9 mined by the Department of Labor or its successor, for
10 the year then ended over the level so established for the
11 year ending September 30, 2021.

12 “(2) As soon as practicable, but not later than Janu-
13 ary 31 of each year, the Federal Trade Commission shall
14 publish the adjusted amounts required by paragraph (1).

15 “(3) The Federal Trade Commission shall not adjust
16 amounts required by paragraph (1) if the percentage in-
17 crease described in paragraph (1) is less than 1 percent.

18 “(4) An amount adjusted under this section shall be
19 rounded to the nearest multiple of \$5,000.”.

20 **SEC. 80202. AUTHORIZATION OF APPROPRIATIONS.**

21 There is authorized to be appropriated for fiscal year
22 2022—

23 (1) \$252,000,000 for the Antitrust Division of
24 the Department of Justice; and

1 (2) \$418,000,000 for the Federal Trade Com-
2 mission.

3 **SEC. 80203. MERGERS INVOLVING FOREIGN GOVERNMENT**
4 **SUBSIDIES.**

5 (a) ACCOUNTING FOR FOREIGN GOVERNMENT SUB-
6 SIDIES.—A person required to file a notification required
7 by section 7A of the Clayton Act (15 U.S.C. 18a) that
8 received a subsidy from a foreign state shall include in
9 such notification a detailed accounting of each such sub-
10 sidy.

11 (b) AUTHORITY OF ANTITRUST REGULATORS.—The
12 Federal Trade Commission, with the concurrence of the
13 Assistant Attorney General in charge of the Antitrust Di-
14 vision of the Department of Justice and by rule in accord-
15 ance with section 553 of title 5, consistent with purposes
16 of this section shall require that the notification required
17 under subsection (a) be in such form and contain such
18 documentary material and information relevant to a pro-
19 posed acquisition as is necessary and appropriate to enable
20 the Federal Trade Commission and the Assistant Attorney
21 General in charge of the Antitrust Division of the Depart-
22 ment of Justice to determine whether such acquisition
23 may, if consummated, violate the antitrust laws.

24 (c) DEFINITIONS.—For the purposes of this section:

1 (1) FOREIGN STATE.—The term “foreign state”
2 shall have the meaning given it in section 1603(a)
3 of title 28, United States Code.

4 (2) SUBSIDY.—The term “subsidy” includes a
5 direct subsidy, a grant, a loan (including a below-
6 market loan), a loan guarantee, a tax concession, a
7 preferential governmental procurement policy, or
8 other form of economic support including ownership
9 or control by a foreign state.

10 (d) EFFECTIVE DATE.—This section shall take effect
11 on the date on which the rule described in subsection (b)
12 takes effect.

13 **TITLE III—IMMIGRATION** 14 **PROVISIONS**

15 **SEC. 80301. W VISAS.**

16 Section 101(a)(15) of the Immigration and Nation-
17 ality Act (8 U.S.C. 1101(a)(15)) is amended—

18 (1) in subparagraph (U)(iii), by striking “or”
19 at the end;

20 (2) in subparagraph (V)(ii)(II), by striking the
21 period at the end and inserting “; or”; and

22 (3) by adding at the end the following:

23 “(W) subject to—

1 “(i) section 218A(a), an alien who is
2 an entrepreneur with an ownership interest
3 in a start-up entity;

4 “(ii) section 218A(b), an alien who is
5 or will be an essential employee of a start-
6 up entity; or

7 “(iii) section 218A(c), the spouse or
8 child of an alien described in clause (i) or
9 (ii) who is accompanying, or following to
10 join, the alien.”.

11 **SEC. 80302. START-UP ENTITIES; NONIMMIGRANT ENTRE-**
12 **PRENEURS AND EMPLOYEES.**

13 (a) IN GENERAL.—Chapter 2 of title II of the Immi-
14 gration and Nationality Act (8 U.S.C. 1181 et seq.) is
15 amended by inserting after section 218 the following:

16 **“SEC. 218A. START-UP ENTITIES; ADMISSION OF NON-**
17 **IMMIGRANT ENTREPRENEURS AND EMPLOY-**
18 **EES.**

19 “(a) NONIMMIGRANT ENTREPRENEURS.—

20 “(1) IN GENERAL.—

21 “(A) PROCEDURES.—The Secretary shall
22 establish procedures for an alien to obtain non-
23 immigrant status under section
24 101(a)(15)(W)(i). Such procedures shall include
25 a petition filed by the alien that shall be ap-

1 proved by the Secretary before a visa may be
2 granted. The petition shall be in such form and
3 contain such information as the Secretary shall
4 prescribe, except that, in the case of an alien
5 seeking a change of nonimmigrant classifica-
6 tion, the petition shall include an option to re-
7 quest such a change.

8 “(B) REQUIRED ELEMENTS.—The Sec-
9 retary may approve a petition under subpara-
10 graph (A) if the Secretary determines that—

11 “(i) the alien possesses an ownership
12 interest in a start-up entity of not less
13 than 10 percent;

14 “(ii) the alien will play a central and
15 active role in the management or oper-
16 ations of the start-up entity;

17 “(iii) the alien possesses the knowl-
18 edge, skills, or experience to substantially
19 assist the start-up entity with the growth
20 and success of its business; and

21 “(iv) subject to paragraph (4), the
22 start-up entity, during the 18-month pe-
23 riod preceding the filing of the petition, re-
24 ceived—

1 “(I) at least \$250,000 in quali-
2 fying investments from one or more
3 qualified investors; or

4 “(II) at least \$100,000 in quali-
5 fying government awards or grants.

6 “(C) DURATION.—Status under section
7 101(a)(15)(W)(i) shall be valid for an initial pe-
8 riod of 3 years and may be extended thereafter
9 in accordance with this subsection.

10 “(2) 3-YEAR EXTENSION ELIGIBILITY CRI-
11 TERIA.—The Secretary may approve a petition to
12 extend the initial status of an alien as a non-
13 immigrant under section 101(a)(15)(W)(i) for an
14 additional 3-year period, if the Secretary determines
15 that—

16 “(A) the alien—

17 “(i) possesses an ownership interest of
18 not less than 5 percent in the start-up en-
19 tity that formed the basis for the alien’s
20 initial petition for status as a non-
21 immigrant under section 101(a)(15)(W)(i);
22 and

23 “(ii) will continue to play a central
24 and active role in the management or oper-
25 ations of the start-up entity; and

1 “(B) subject to paragraph (4), during the
2 alien’s initial period of status as a non-
3 immigrant under section 101(a)(15)(W)(i), the
4 start-up entity—

5 “(i) received at least \$500,000 in ad-
6 ditional qualifying investments from one or
7 more qualified investors, qualifying govern-
8 ment awards or grants, or a combination
9 of such funding;

10 “(ii) created at least 5 qualified jobs;
11 or

12 “(iii) generated not less than
13 \$500,000 in annual revenue in the United
14 States and averaged 20 percent in annual
15 revenue growth.

16 “(3) ADDITIONAL EXTENSIONS IN 1-YEAR IN-
17 CREMENTS.—With respect to an alien whose status
18 as a nonimmigrant under section 101(a)(15)(W)(i)
19 was extended under paragraph (2), the Secretary
20 may approve not more than 2 additional petitions to
21 further extend such status in 1-year increments if
22 the Secretary determines that—

23 “(A) the alien—

24 “(i) possesses an ownership interest in
25 the start-up entity that formed the basis

1 for the alien’s initial petition for status as
2 a nonimmigrant under section
3 101(a)(15)(W)(i); and

4 “(ii) will continue to play a central
5 and active role in the management or oper-
6 ations of the start-up entity; and

7 “(B) the start-up entity has made substan-
8 tial progress in satisfying the criteria under
9 paragraphs (2) and (3) of section 218B(c) and
10 is reasonably expected to satisfy such require-
11 ments within the 1-year period following the ex-
12 piration of the alien’s status as a nonimmigrant
13 under section 101(a)(15)(W)(i).

14 “(4) OTHER COMPARABLE EVIDENCE.—If a
15 start-up entity partially meets one or more of the
16 criteria described in paragraph (1)(B)(iv) or (2)(B),
17 and the Secretary determines, based on other reli-
18 able and compelling evidence, that the start-up enti-
19 ty has substantial potential for rapid growth and job
20 creation, the Secretary may grant the applicable pe-
21 tition.

22 “(5) REPORTING OF MATERIAL CHANGES.—

23 “(A) IN GENERAL.—An alien with status
24 under section 101(a)(15)(W)(i) shall imme-
25 diately notify the Secretary in writing, in ac-

1 cordance with procedures established by the
2 Secretary, if he or she will no longer play a cen-
3 tral and active role in the management or oper-
4 ations of the start-up entity or ceases to possess
5 a qualifying ownership interest in the start-up
6 entity.

7 “(B) QUALIFYING OWNERSHIP INTER-
8 EST.—For purposes of subparagraph (A), the
9 alien will cease to possess a qualifying owner-
10 ship interest in the start-up entity if—

11 “(i) during the initial 3-year period of
12 status described in paragraph (1), the
13 alien’s ownership interest falls below 5 per-
14 cent; or

15 “(ii) during a period of status de-
16 scribed in paragraph (2) or (3), the alien
17 ceases to maintain any ownership interest.

18 “(6) CLARIFICATION.—With respect to an alien
19 who establishes a qualifying ownership interest de-
20 scribed in paragraph (1)(B)(i) in a start-up entity
21 and is otherwise eligible for status under section
22 101(a)(15)(W)(i) based on such ownership, any time
23 previously spent in such status with a different
24 start-up entity shall not render the alien ineligible to

1 be granted such status in accordance with this sub-
2 section.

3 “(b) NONIMMIGRANT ESSENTIAL EMPLOYEES.—

4 “(1) IN GENERAL.—The Secretary shall estab-
5 lish procedures for a start-up entity that serves as
6 the basis for an approved petition under subsection
7 (a) to file a petition to grant an alien status as a
8 nonimmigrant under section 101(a)(15)(W)(ii). Sta-
9 tus under such section shall be valid for an initial
10 period of 3 years. The Secretary may approve an ini-
11 tial petition under this paragraph if the Secretary
12 determines that the alien—

13 “(A) has an offer from the start-up entity
14 for employment in an executive capacity or
15 managerial capacity; and

16 “(B) possesses knowledge, skills, or experi-
17 ence that are essential to the growth and suc-
18 cess of the start-up entity.

19 “(2) NUMERICAL LIMITATIONS.—The number
20 of aliens with status under section 101(a)(15)(W)(ii)
21 who may be employed by a start-up entity at any
22 one time may not exceed—

23 “(A) 2 such aliens if such entity has 10 or
24 fewer full-time employees in the United States;

1 “(B) 3 such aliens if such entity has at
2 least 11 and not more than 30 full-time employ-
3 ees in the United States;

4 “(C) 4 such aliens if such entity has at
5 least 31 and not more than 70 full-time employ-
6 ees in the United States; and

7 “(D) 5 such aliens if such entity has more
8 than 70 full-time employees in the United
9 States.

10 “(3) 3-YEAR EXTENSION.—The Secretary may
11 approve a petition to extend the status of an alien
12 as a nonimmigrant under section 101(a)(15)(W)(ii)
13 for one additional 3-year period if the Secretary de-
14 termines that the alien continues to meet the criteria
15 described in paragraph (1).

16 “(4) TERMINATION OF ELIGIBILITY TO PETI-
17 TION FOR W-2 NONIMMIGRANTS.—A start-up entity’s
18 eligibility to submit new petitions for aliens under
19 paragraph (1) shall terminate on the date on which
20 the start-up entity no longer serves as the basis for
21 status of any nonimmigrant under section
22 101(a)(15)(W)(i).

23 “(c) SPOUSES AND CHILDREN.—

24 “(1) IN GENERAL.—A spouse or children ac-
25 companying or following to join a principal alien

1 with status as a nonimmigrant under clause (i) or
2 (ii) of section 101(a)(15)(W) shall be entitled to sta-
3 tus as a nonimmigrant under clause (iii) of such sec-
4 tion.

5 “(2) EMPLOYMENT AUTHORIZATION.—In the
6 case of an alien spouse with status as a non-
7 immigrant under section 101(a)(15)(W)(iii), the
8 Secretary shall authorize such spouse to engage in
9 employment in the United States and provide the
10 spouse with an ‘employment authorized’ endorse-
11 ment or other appropriate work permit.

12 “(d) TERMINATION OF NONIMMIGRANT STATUS.—

13 “(1) IN GENERAL.—The Secretary shall provide
14 written notice to an alien admitted or otherwise
15 granted status as a nonimmigrant under clause (i)
16 or (ii) of section 101(a)(15)(W) of the Secretary’s
17 intent to terminate such status if the Secretary has
18 reasonable grounds to believe that—

19 “(A) the facts or information contained in
20 the petition for such status were not true and
21 accurate;

22 “(B) the alien failed to timely file or other-
23 wise comply with the material change reporting
24 requirement in subsection (a)(5), if applicable;

25 or

1 “(C) the petition was erroneously granted.

2 “(2) NOTICE AND DECISION.—A notice of in-
3 tent to terminate issued under paragraph (1) shall
4 identify the grounds for termination and provide at
5 least 60 days for the alien to submit rebuttal evi-
6 dence.

7 “(e) DUAL INTENT.—Notwithstanding section
8 214(b), an alien may obtain a visa or be granted status
9 under section 101(a)(15)(W) even if such alien intends to
10 seek lawful permanent resident status in the United
11 States.

12 “(f) DEFINITIONS.—In this section:

13 “(1) FULL-TIME EMPLOYEE.—The term ‘full-
14 time employee’ means an individual performing serv-
15 ices in a position that requires a minimum of 35
16 working hours per week, and does not include inde-
17 pendent contractors or combinations of part-time
18 employees.

19 “(2) QUALIFIED INVESTOR.—

20 “(A) IN GENERAL.—Except as provided in
21 subparagraph (B) and consistent with subpara-
22 graph (C), the term ‘qualified investor’
23 means—

1 “(i) an individual who is a United
2 States citizen or lawful permanent resident
3 of the United States; or

4 “(ii) an organization that is located in
5 the United States and operates through a
6 legal entity that has its principal place of
7 business in the United States, that is ma-
8 jority owned and controlled by United
9 States citizens or lawful permanent resi-
10 dents of the United States,

11 which individual or organization regularly
12 makes substantial investments in start-up enti-
13 ties that subsequently exhibit substantial
14 growth in revenue generation or job creation.

15 “(B) EXCEPTIONS.—The term ‘qualified
16 investor’ does not include an individual or orga-
17 nization that has been—

18 “(i) permanently or temporarily en-
19 joined from participating in the offer or
20 sale of a security or in the provision of
21 services as an investment adviser, broker,
22 dealer, municipal securities dealer, govern-
23 ment securities broker, government securi-
24 ties dealer, bank, transfer agent or credit
25 rating agency;

1 “(ii) barred from association with any
2 entity involved in the offer or sale of secu-
3 rities or the provision of such services; or

4 “(iii) otherwise found to have partici-
5 pated in the offer or sale of securities or
6 the provision of such services in violation
7 of law.

8 “(C) SUBSTANTIAL INVESTMENT HIS-
9 TORY.—An individual or organization shall be
10 considered to regularly make substantial invest-
11 ments in start-up entities that subsequently ex-
12 hibit substantial growth in revenue generation
13 or job creation if—

14 “(i) during the preceding 5 years, the
15 individual or organization invested a total
16 of not less than \$600,000 in start-up enti-
17 ties in exchange for equity, convertible
18 debt, or other security convertible into eq-
19 uity commonly used in financing trans-
20 actions within their respective industries;
21 and

22 “(ii) subsequent to such investment,
23 at least 2 such entities each created at
24 least 5 qualified jobs or generated at least
25 \$500,000 in revenue with average

1 annualized revenue growth of at least 20
2 percent.

3 “(3) QUALIFIED JOB.—The term ‘qualified job’
4 means a job located in the United States that re-
5 quires a minimum of 35 working hours per week
6 that has been filled for at least 1 year by one or
7 more qualifying employees.

8 “(4) QUALIFYING EMPLOYEE.—The term
9 ‘qualifying employee’ means a United States citizen,
10 a lawful permanent resident, or other immigrant
11 lawfully authorized to be employed in the United
12 States. Such term does not include independent con-
13 tractors, nonimmigrant entrepreneurs or essential
14 start-up employees of the start-up entity, or the par-
15 ents, spouses, brothers, sisters, sons, or daughters of
16 such nonimmigrant entrepreneurs.

17 “(5) QUALIFYING GOVERNMENT AWARD OR
18 GRANT.—The term ‘qualifying government award or
19 grant’ means an award or grant for economic devel-
20 opment, research and development, or job creation
21 (or other similar monetary award typically given to
22 start-up entities) made by a Federal, State, or local
23 government entity (not including foreign government
24 entities) that regularly provides such awards or
25 grants to start-up entities. The term does not in-

1 clude any contractual commitment for goods or serv-
2 ices.

3 “(6) QUALIFYING INVESTMENT.—

4 “(A) IN GENERAL.—The term ‘qualifying
5 investment’ means an investment of lawfully de-
6 rived capital made in good faith in a start-up
7 entity that is a purchase from such entity of its
8 equity, convertible debt, or other security con-
9 vertible into its equity that is or becomes com-
10 monly used in financing transactions within
11 such entity’s industry.

12 “(B) EXCLUSIONS.—The term ‘qualifying
13 investment’ does not include a direct or indirect
14 investment from an alien seeking status under
15 section 101(a)(15)(W), the parent, spouse,
16 brother, sister, son, or daughter of such an
17 alien, or any corporation, limited liability com-
18 pany, partnership, or other entity in which such
19 entrepreneur or the parents, spouse, brother,
20 sister, son, or daughter of such entrepreneur
21 has any direct or indirect ownership interest.

22 “(7) SECRETARY.—The term ‘Secretary’ means
23 the Secretary of Homeland Security.

24 “(8) START-UP ENTITY.—The term ‘start-up
25 entity’ means a United States business entity that

1 has lawfully conducted business during any period of
2 operation since its formation, and that was formed
3 within the 5-year period immediately preceding the
4 date the alien files a petition for classification under
5 section 101(a)(15)(W)(i).

6 “(9) UNITED STATES BUSINESS ENTITY.—The
7 term ‘United States business entity’ means any cor-
8 poration, limited liability company, partnership, or
9 other entity that is organized under Federal law or
10 the laws of any State, and that conducts business in
11 the United States, that is not an investment vehicle
12 primarily engaged in the offer, purchase, sale or
13 trading of securities, futures contracts, derivatives or
14 similar instruments.

15 **“SEC. 218B. ADMISSION OF IMMIGRANT ENTREPRENEURS.**

16 “(a) IN GENERAL.—The Secretary shall establish
17 procedures for an alien who is eligible under subsection
18 (c) to petition for classification as an immigrant entre-
19 preneur.

20 “(b) EXCLUSION FROM NUMERICAL LIMITATIONS.—
21 An alien classified as an immigrant entrepreneur under
22 this section, and the spouse and children of such alien,
23 shall be immediately eligible for immigrant visas and such
24 visas shall not be subject to or counted against the numer-
25 ical limitations under section 201, 202, or 203.

1 “(c) ELIGIBILITY CRITERIA.—The Secretary may ap-
2 prove a petition filed by an alien for classification as an
3 immigrant entrepreneur under this section if the Secretary
4 determines that—

5 “(1) the alien—

6 “(A) is present in the United States and
7 has maintained status as a nonimmigrant under
8 section 101(a)(15)(W)(i) or another non-
9 immigrant status pursuant to which the alien is
10 employed by a start-up entity (as such term is
11 defined in section 218A(f)(8));

12 “(B) has maintained an ownership interest
13 in the start-up entity since its formation; and

14 “(C) plays an active and central role in the
15 management or operations of the start-up enti-
16 ty;

17 “(2) the start-up entity has created at least 10
18 qualified jobs (as such term is defined in section
19 218A(f)(3)); and

20 “(3) the start-up entity has—

21 “(A) received not less than a total of
22 \$1,250,000 in qualifying investments, quali-
23 fying government grants or awards, or a com-
24 bination of such funding; or

1 “(B) generated not less than \$1,000,000
2 in annual revenue in the United States in the
3 2-year period preceding the filing of the peti-
4 tion.

5 “(d) IMMIGRANT VISA PROCESSING OR ADJUSTMENT
6 OF STATUS.—An alien classified as an immigrant entre-
7 preneur under this section, and the spouse and children
8 of such alien, may apply for an immigrant visa in accord-
9 ance with the procedures described in section 221 or for
10 adjustment of status under section 245 if such individuals
11 are otherwise eligible for adjustment of status.

12 **“SEC. 218C. INFLATION ADJUSTMENT; FEES.**

13 “(a) INFLATION ADJUSTMENT.—The Secretary may
14 adjust the monetary amounts described in paragraphs
15 (1)(B)(iv) and (2)(B) of section 218A(a) and section
16 218B(c)(3) on a biennial basis by the percentage (if any)
17 by which the Consumer Price Index for All Urban Con-
18 sumers for the month of June preceding the date on which
19 such adjustment takes effect exceeds the Consumer Price
20 Index for All Urban Consumers for the same month of
21 the second preceding calendar year. Any such increase
22 shall apply to aliens filing petitions on or after the date
23 on which the increase takes effect.

24 “(b) FEES.—

1 “(1) IN GENERAL.—The Secretary may require
2 an alien petitioning or applying for any benefit
3 under section 218A or 218B to pay a reasonable fee
4 that is commensurate with the cost of processing the
5 petition or application.

6 “(2) SUPPLEMENTAL FEE FOR STEM SCHOLAR-
7 SHIPS.—

8 “(A) IN GENERAL.—In addition to any re-
9 quired processing fee, the Secretary shall collect
10 a \$1,000 supplemental fee in connection with
11 each petition for classification of an alien as a
12 nonimmigrant under section 101(a)(15)(W)(i)
13 or as an immigrant under section 218B.

14 “(B) USE.—Supplemental fees collected
15 under subparagraph (A) shall be credited as
16 discretionary offsetting collections to the cur-
17 rently applicable appropriation, account, or
18 fund of the National Science Foundation for
19 purposes of providing scholarships for low-in-
20 come individuals described in section
21 414(d)(2)(A) of the American Competitiveness
22 and Workforce Improvement Act of 1998 (42
23 U.S.C. 1869c(2)(A)), and shall be made avail-
24 able for such purposes only to the extent and

1 in the amounts provided in advance in appro-
2 priations Acts.

3 “(3) PREMIUM PROCESSING.—Subject to any
4 reasonable conditions, the Secretary shall establish
5 premium processing procedures for petitions or ap-
6 plications filed under sections 218A and 218B in ac-
7 cordance with section 286(u) and the Emergency
8 Stopgap USCIS Stabilization Act (Public Law 116–
9 159).”.

10 (b) CONFORMING AMENDMENT.—The table of con-
11 tents of the Immigration and Nationality Act (8 U.S.C.
12 1101 et seq.) is amended by inserting after the item relat-
13 ing to section 218 the following:

 “Sec. 218A. Start-up entities; admission of nonimmigrant entrepreneurs and
 employees.

 “Sec. 218B. Admission of immigrant entrepreneurs.

 “Sec. 218C. Inflation adjustment; fees.”.

14 **SEC. 80303. ADVANCED DEGREE STEM GRADUATES.**

15 (a) IN GENERAL.—Section 201(b)(1) of the Immi-
16 gration and Nationality Act (8 U.S.C. 1151(b)(1)) is
17 amended by adding at the end the following:

18 “(F)(i) Aliens who—

19 “(I) are described in paragraph (1) or
20 (2) of section 203(b);

21 “(II) have earned a doctoral or, in the
22 case of an alien who works in a critical in-
23 dustry (as such term is defined in section

1 20209 of the America COMPETES Act of
2 2022), a master’s degree in a program of
3 study involving science, technology, engi-
4 neering, or mathematics—

5 “(aa) from a qualified United
6 States research institution; or

7 “(bb) from a foreign institution if
8 such degree is the equivalent to a de-
9 gree issued by a qualified United
10 States research institution; and

11 “(III) are seeking admission to en-
12 gage in work in the United States in a
13 field related to such degree.

14 “(ii) Aliens who are a spouse or child of a prin-
15 cipal alien described in clause (i), if accompanying or
16 following to join the principal alien.”.

17 (b) PROCEDURES.—Section 204(a)(1) of the Immi-
18 gration and Nationality Act (8 U.S.C. 1154(a)(1)) is
19 amended by adding at the end the following:

20 “(M)(i) Any alien desiring to be classified under sec-
21 tion 201(b)(1)(F)(i) may file a petition with the Secretary
22 of Homeland Security for such classification.

23 “(ii)(I) In addition to any required processing fee, the
24 Secretary shall collect a \$1,000 supplemental fee in con-

1 nection with each petition filed under clause (i) for classi-
2 fication of an alien under section 201(b)(1)(F)(i).

3 “(II) Supplemental fees collected under subclause (I)
4 shall be credited as discretionary offsetting collections to
5 the currently applicable appropriation, account, or fund of
6 the National Science Foundation for purposes of providing
7 scholarships for low-income individuals described in sec-
8 tion 414(d)(2)(A) of the American Competitiveness and
9 Workforce Improvement Act of 1998 (42 U.S.C.
10 1869c(2)(A)), and shall be made available for such pur-
11 poses only to the extent and in the amounts provided in
12 advance in appropriations Acts.

13 “(iii) For purposes of section 201(b)(1)(F)(i):

14 “(I) The term ‘historically Black college or uni-
15 versity’ has the meaning given the term ‘part B in-
16 stitution’ in section 322 of the Higher Education
17 Act of 1965 (20 U.S.C. 1061).

18 “(II) The term ‘minority-serving institution’
19 means any of the following (as described in section
20 371 of the Higher Education Act of 1965 (20
21 U.S.C. 1067q(a))):

22 “(aa) A Hispanic-serving institution.

23 “(bb) An Alaska Native-serving institution
24 or a Native Hawaiian-serving institution.

25 “(cc) A Predominantly Black Institution.

1 “(dd) An Asian American and Native
2 American Pacific Islander-serving institution.

3 “(ee) A Native American-serving nontribal
4 institution.

5 “(III) The term ‘program of study involving
6 science, technology, engineering, or mathematics’
7 means a field included in the Department of Edu-
8 cation’s Classification of Instructional Programs tax-
9 onomy within the summary groups of agricultural
10 sciences, natural resources and conservation, com-
11 puter and information sciences and support services,
12 engineering, biological and biomedical sciences,
13 mathematics and statistics, military technologies,
14 physical sciences, health professions and related pro-
15 grams, or medical residency and fellowship pro-
16 grams, or the summary group subsets of accounting
17 and related services and taxation.

18 “(IV) The term ‘qualified United States re-
19 search institution’, when used with respect to an
20 alien seeking status under section 201(b)(1)(F)(i),
21 means an institution that—

22 “(aa) is described in section 101(a) of the
23 Higher Education Act of 1965 (20 U.S.C.
24 1001(a)); and

1 “(bb) for not less than 3 years during the
2 period in which such alien was pursuing the
3 doctoral degree, either—

4 “(AA) spent not less than
5 \$25,000,000 for research and development,
6 as determined by the National Center for
7 Science and Engineering Statistics of the
8 National Science Foundation; or

9 “(BB) was classified by the Carnegie
10 Foundation for the Advancement of Teach-
11 ing as a doctorate-granting university with
12 a very high level (R1) or high level (R2) of
13 research activity and is a historically Black
14 college or university or minority-serving in-
15 stitution.”.

16 (c) DUAL INTENT FOR F NONIMMIGRANTS IN STEM
17 FIELDS PERMITTED.—Notwithstanding section 214(b) of
18 the Immigration and Nationality Act (8 U.S.C. 1184(b)),
19 an alien who is a bona fide student admitted to a program
20 of study involving science, technology, engineering, or
21 mathematics (as such term is defined in section
22 204(a)(1)(M) of such Act), may obtain a visa or be grant-
23 ed status under section 101(a)(15)(F) of such Act even
24 if such alien intends to seek lawful permanent resident
25 status in the United States.

1 **SEC. 80304. CONFORMING AMENDMENTS.**

2 (a) USE OF FEE FOR LOW-INCOME SCHOLARSHIP
3 PROGRAM.—Section 414(d)(4) of the of the American
4 Competitiveness and Workforce Improvement Act of 1998
5 (42 U.S.C. 1869c(d)(4)) is amended to read as follows:

6 “(4) FUNDING.—

7 “(A) AMOUNTS DEPOSITED IN H-1B NON-
8 IMMIGRANT PETITIONER ACCOUNT.—The Di-
9 rector shall carry out this subsection with funds
10 made available under section 286(s)(3) of the
11 Immigration and Nationality Act (8 U.S.C.
12 1356(s)(3)). The Director may use not more
13 than 50 percent of such funds for under-
14 graduate programs for curriculum development,
15 professional and workforce development, and to
16 advance technological education. Funds for
17 these other programs may be used for purposes
18 other than scholarships.

19 “(B) OTHER IMMIGRATION PETITION
20 FEES.—Consistent with sections 218C(b)(2)(B)
21 and 204(a)(1)(M)(ii)(II) of the Immigration
22 and Nationality Act, the Director shall use
23 funds made available under such sections to
24 award scholarships under this subsection to in-
25 dividuals described in paragraph (2)(A).”.

1 (b) SUBSEQUENT FINDING OF NON-ENTITLEMENT
2 TO CLASSIFICATION.—Section 204(e) of the Immigration
3 and Nationality Act (8 U.S.C. 1154(e) is amended by in-
4 serting “section 201(b)(1)(F) or” before “subsection
5 (a),”.

6 **SEC. 80305. RULEMAKING.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this title, the Secretary, in con-
9 sultation with the Secretary of State and the Secretary
10 of Commerce, shall publish in the Federal Register, an
11 interim final rule implementing the amendments made by
12 this title. Notwithstanding section 553 of title 5, United
13 States Code, the rule shall be effective, on an interim
14 basis, immediately upon publication, but may be subject
15 to change and revision after public notice and opportunity
16 for comment. The Secretary shall finalize such rule not
17 later than 1 year after the date of the enactment of this
18 title.

19 (b) DESIGNATED QUALIFIED INVESTORS.—The rule
20 described in subsection (a) shall include—

21 (1) procedures for individuals and organizations
22 to request designation as qualified investors (as such
23 term is defined in section 218A(f) of the Immigra-
24 tion and Nationality Act, as added by this title); and

1 (2) streamlined filing procedures for petitions
2 to classify an alien as an nonimmigrant under sec-
3 tion 101(A)(15)(W)(i) of the Immigration and Na-
4 tionality Act (8 U.S.C. 1101(a)(15)(W)(i)), as added
5 by this title, or as an immigrant under section 218B
6 of such Act (as so added) based on a start-up entity
7 that has received investment capital from one or
8 more qualified investors that have been designated
9 as such pursuant to the procedures described in
10 paragraph (1).

11 **SEC. 80306. RECIPROCAL VISAS FOR NATIONALS OF SOUTH**
12 **KOREA.**

13 (a) IN GENERAL.—Section 101(a)(15)(E) of the Im-
14 migration and Nationality Act (8 U.S.C. 1101(a)(15)(E))
15 is amended—

16 (1) in clause (ii), by striking “or” after “cap-
17 ital;”; and

18 (2) by adding at the end “or (iv) solely to per-
19 form services in a specialty occupation in the United
20 States if the alien is a national of the Republic of
21 Korea and with respect to whom the Secretary of
22 Labor determines and certifies to the Secretary of
23 Homeland Security and the Secretary of State that
24 the intending employer has filed with the Secretary
25 of Labor an attestation under section 212(t)(1);”.

1 (b) NUMERICAL LIMITATION.—Section 214(g) of
2 such Act (8 U.S.C. 1184(g)) is amended by adding at the
3 end the following:

4 “(12)(A) The Secretary of State may not approve a
5 number of initial applications submitted for aliens de-
6 scribed in section 101(a)(15)(E)(iv) that is more than the
7 applicable numerical limitations set out in this paragraph.

8 “(B) The applicable numerical limitation referred to
9 in subparagraph (A) is 15,000 for each fiscal year.

10 “(C) The applicable numerical limitation referred to
11 in subparagraph (A) shall only apply to principal aliens
12 and not the spouses or children of such aliens.”.

13 (c) SPECIALTY OCCUPATION DEFINED.—Section
14 214(i)(1) of such Act (8 U.S.C. 1184(i)(1)) is amended
15 by striking “section 101(a)(15)(E)(iii),” and inserting
16 “clauses (iii) and (iv) of section 101(a)(15)(E),”.

17 (d) ATTESTATION.—Section 212(t) of such Act (8
18 U.S.C. 1182(t)), as added by section 402(b)(2) of the
19 United States-Chile Free Trade Agreement Implementa-
20 tion Act (Public Law 108–77; 117 Stat. 941), is amend-
21 ed—

22 (1) by striking “or section 101(a)(15)(E)(iii)”
23 each place it appears and inserting “or clause (iii)
24 or (iv) of section 101(a)(15)(E)”; and

1 (2) in paragraphs (3)(C)(i)(II), (3)(C)(ii)(II),
2 and (3)(C)(iii)(II), by striking “or
3 101(a)(15)(E)(iii)” each place it appears.

4 **SEC. 80307. SPECIAL IMMIGRANT VISAS FOR CERTAIN FUL-**
5 **BRIGHT SCHOLARS.**

6 (a) SPECIAL IMMIGRANT VISAS FOR CERTAIN
7 SCHOLARS.—Section 602(b) of the Afghan Allies Protec-
8 tion Act of 2009 (8 U.S.C. 1101 note) is amended—

9 (1) in paragraph (1), by striking “an alien de-
10 scribed in subparagraph (A), (B), or (C) of para-
11 graph (2)” and inserting “an alien described in sub-
12 paragraph (A), (B), (C), or (D) of paragraph (2)”;

13 (2) in paragraph (2)—

14 (A) in subparagraph (A)(iii), by striking
15 “subparagraph (D)” and inserting “subpara-
16 graph (E)”;

17 (B) by redesignating subparagraphs (B),
18 (C), (D), (E), and (F) as subparagraphs (C),
19 (D), (E), (F), and (G), respectively;

20 (C) by inserting after subparagraph (A)
21 the following:

22 “(B) FULBRIGHT AND OTHER SCHOLARS
23 AS PRINCIPAL ALIEN.—An alien is described in
24 this subparagraph if the alien is a national or
25 citizen of Afghanistan and was selected between

1 October 7, 2001 and August 31, 2022, to par-
2 ticipate in—

3 “(i) the J. William Fulbright Edu-
4 cational Exchange Program authorized
5 under section 102 of the Mutual Edu-
6 cational and Cultural Exchange Act of
7 1961 (22 U.S.C. 2452(a)(1)) including the
8 Fulbright Scholar-in-Residence Grants and
9 the Fulbright Foreign Language Teaching
10 Assistant Program;

11 “(ii) the Hubert H. Humphrey Fel-
12 lowship Program pursuant to section
13 112(a)(2) of the Mutual Educational and
14 Cultural Exchange Act of 1961 (22 U.S.C.
15 2460(a)(2));

16 “(iii) the International Visitor Leader-
17 ship Program pursuant to section
18 112(a)(3) of the Mutual Educational and
19 Cultural Exchange Act of 1961 (22 U.S.C.
20 2460(a)(3)); or

21 “(iv) any other educational or cultural
22 exchange activity administered by the Sec-
23 retary of State pursuant to sections 102 or
24 112 of the Mutual Educational and Cul-
25 tural Exchange Act of 1961 (22 U.S.C.

1 2452; 22 U.S.C. 2460) for which the Sec-
2 retary determines that a participating alien
3 is eligible for a special immigrant visa
4 under this paragraph.”; and

5 (D) in subparagraph (C), as redesignated
6 by subparagraph (B), by striking “subpara-
7 graph (A)” and inserting “subparagraph (A) or
8 (B)”;

9 (3) in paragraph (4)(C), by striking “an alien
10 described in subparagraph (A), (B), or (C) of para-
11 graph (2)” and inserting “an alien described in sub-
12 paragraph (A), (B), (C), or (D) of paragraph (2)”;

13 (4) in paragraph (5), by striking “an alien de-
14 scribed in subparagraph (A), (B), or (C) of para-
15 graph (2)” and inserting “an alien described in sub-
16 paragraph (A), (B), (C), or (D) of paragraph (2)”;

17 (5) in paragraph (6), by striking “an alien de-
18 scribed in subparagraph (A), (B), or (C) of para-
19 graph (2)” and inserting “an alien described in sub-
20 paragraph (A), (B), (C), or (D) of paragraph (2)”;

21 and

22 (6) in paragraph (9), by striking “an alien de-
23 scribed in subparagraph (A), (B), or (C) of para-
24 graph (2)” and inserting “an alien described in sub-
25 paragraph (A), (B), (C), or (D) of paragraph (2)”.

1 (b) NUMERICAL LIMITATIONS.—Section 602(b)(3) of
2 the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101
3 note) is amended—

4 (1) by redesignating subparagraphs (B), (C),
5 (D), (E), and (F) as subparagraphs (C), (D), (E),
6 (F), and (G), respectively;

7 (2) by inserting after subparagraph (A) the fol-
8 lowing new subparagraph:

9 “(B) FULBRIGHT AND OTHER SCHOL-
10 ARS.—An alien provided immigrant status pur-
11 suant to subparagraph (2)(B) shall not be
12 counted against any numerical limitation under
13 this section, or section 201, 202, 203, or 207
14 of the Immigration and Nationality Act (8
15 U.S.C. 1151, 1152, 1153, and 1157).”;

16 (3) in subparagraph (E), as redesignated by
17 paragraph (1),—

18 (A) by striking “paragraph (C)” and in-
19 serting “subparagraph (D)”; and

20 (B) by striking “subsection (b)(2)(D)” and
21 inserting “paragraph (2)(E)”;

22 (4) in subparagraph (F), as redesignated by
23 paragraph (1),—

24 (A) by striking “paragraph (2)(D)” and
25 inserting “paragraph (2)(E)”; and

1 (B) by striking “subparagraph (D)” each
2 place that it appears and inserting “subpara-
3 graph (E)”]; and

4 (5) in subparagraph (G), as redesignated by
5 paragraph (1), by striking “subparagraphs (D) and
6 (E)” and inserting “subparagraphs (E) and (F)”.

7 **SEC. 80308. CITIZENSHIP FOR CERTAIN CHILDREN BORN**
8 **OUTSIDE THE UNITED STATES.**

9 (a) IN GENERAL.—Section 104 of the Child Citizen-
10 ship Act of 2000 (8 U.S. C. 1431 note) is amended to
11 read as follows:

12 **“SEC. 104. EFFECTIVE DATE.**

13 “The amendments made by this title shall take effect
14 120 days after the date of the enactment of this Act and
15 shall apply—

16 “(1) to individuals who satisfy the requirements
17 of section 320 of the Immigration and Nationality
18 Act (8 U.S.C. 1431), before, on, or after the date
19 of the enactment of this Act; and

20 “(2) to individuals who satisfy the requirements
21 of section 322 (8 U.S.C. 1433) of the Immigration
22 and Nationality Act, as in effect on such effective
23 date.”.

24 (b) EFFECTIVE DATE.—

1 (1) IN GENERAL.—The amendments made by
2 this section shall take effect on the date of the en-
3 actment of this section.

4 (2) LIMITATION.—An individual who, before the
5 date of the enactment of the Child Citizenship Act
6 of 2000 (Public Law 106–395), satisfied the re-
7 quirements of section 320(a) of the Immigration and
8 Nationality Act (8 U.S.C. 1431(a)), or section
9 320(b) of such Act, if applicable, is deemed to be a
10 citizen of the United States as of the date of the en-
11 actment of this section if such individual is not a cit-
12 izen of the United States under any other Act.

13 **SEC. 80309. FOREIGN CORRUPTION ACCOUNTABILITY.**

14 (a) FINDINGS.—Congress finds the following:

15 (1) When public officials and their allies use the
16 mechanisms of government to engage in extortion or
17 bribery, they impoverish their countries' economic
18 health and harm citizens.

19 (2) By empowering the United States Govern-
20 ment to hold to account foreign public officials and
21 their associates who engage in extortion or bribery,
22 the United States can deter malfeasance and ulti-
23 mately serve the citizens of fragile countries suffo-
24 cated by corrupt bureaucracies.

1 (3) The Special Inspector General for Afghan
2 Reconstruction’s 2016 report “Corruption in Con-
3 flict: Lessons from the U.S. Experience in Afghani-
4 stan” included the recommendation, “Congress
5 should consider enacting legislation that authorizes
6 sanctions against foreign government officials or
7 their associates who engage in corruption.”.

8 (b) AUTHORIZATION OF IMPOSITION OF SANC-
9 TIONS.—

10 (1) IN GENERAL.—The Secretary of State may
11 impose the sanctions described in paragraph (2)
12 with respect to any foreign person who is an indi-
13 vidual the Secretary of State determines—

14 (A) engages in public corruption activities
15 against a United States person, including—

16 (i) soliciting or accepting bribes;

17 (ii) using the authority of the state to
18 extort payments; or

19 (iii) engaging in extortion; or

20 (B) conspires to engage in, or knowingly
21 and materially assists, sponsors, or provides sig-
22 nificant financial, material, or technological
23 support for any of the activities described in
24 subparagraph (A).

25 (2) SANCTIONS DESCRIBED.—

1 (A) INADMISSIBILITY TO UNITED
2 STATES.—A foreign person who is subject to
3 sanctions under this section shall be—

4 (i) inadmissible to the United States;

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

8 (iii) otherwise ineligible to be admitted
9 or paroled into the United States or to re-
10 ceive any other benefit under the Immigra-
11 tion and Nationality Act (8 U.S.C. 1101 et
12 seq.).

13 (B) CURRENT VISAS REVOKED.—

14 (i) IN GENERAL.—The visa or other
15 entry documentation of a foreign person
16 who is subject to sanctions under this sec-
17 tion shall be revoked regardless of when
18 such visa or other entry documentation is
19 issued.

20 (ii) EFFECT OF REVOCATION.—A rev-
21 ocation under clause (i) shall—

22 (I) take effect immediately; and

23 (II) automatically cancel any
24 other valid visa or entry documenta-

1 tion that is in the foreign person's
2 possession.

3 (3) EXCEPTION TO COMPLY WITH LAW EN-
4 FORCEMENT OBJECTIVES AND AGREEMENT REGARD-
5 ING HEADQUARTERS OF UNITED NATIONS.—San-
6 ctions described under paragraph (2) shall not apply
7 to a foreign person if admitting the person into the
8 United States—

9 (A) would further important law enforce-
10 ment objectives; or

11 (B) is necessary to permit the United
12 States to comply with the Agreement regarding
13 the Headquarters of the United Nations, signed
14 at Lake Success June 26, 1947, and entered
15 into force November 21, 1947, between the
16 United Nations and the United States, or other
17 applicable international obligations of the
18 United States.

19 (4) TERMINATION OF SANCTIONS.—The Sec-
20 retary of State may terminate the application of
21 sanctions under this subsection with respect to a for-
22 eign person if the Secretary of State determines and
23 reports to the appropriate congressional committees
24 not later than 15 days before the termination of the
25 sanctions that—

1 (A) the person is no longer engaged in the
2 activity that was the basis for the sanctions or
3 has taken significant verifiable steps toward
4 stopping the activity;

5 (B) the Secretary of State has received re-
6 liable assurances that the person will not know-
7 ingly engage in activity subject to sanctions
8 under this part in the future; or

9 (C) the termination of the sanctions is in
10 the national security interests of the United
11 States.

12 (5) REGULATORY AUTHORITY.—The Secretary
13 of State shall issue such regulations, licenses, and
14 orders as are necessary to carry out this subsection.

15 (6) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES DEFINED.—In this subsection, the term “ap-
17 propriate congressional committees” means—

18 (A) the Committee on the Judiciary and
19 the Committee on Foreign Affairs of the House
20 of Representatives; and

21 (B) the Committee on the Judiciary and
22 the Committee on Foreign Relations of the Sen-
23 ate.

24 (c) REPORTS TO CONGRESS.—

1 (1) IN GENERAL.—The Secretary of State shall
2 submit to the appropriate congressional committees,
3 in accordance with paragraph (2), a report that in-
4 cludes—

5 (A) a list of each foreign person with re-
6 spect to whom the Secretary of State imposed
7 sanctions pursuant to subsection (b) during the
8 year preceding the submission of the report;

9 (B) the number of foreign persons with re-
10 spect to which the Secretary of State—

11 (i) imposed sanctions under sub-
12 section (b)(1) during that year; and

13 (ii) terminated sanctions under sub-
14 section (b)(4) during that year;

15 (C) the dates on which such sanctions were
16 imposed or terminated, as the case may be;

17 (D) the reasons for imposing or termi-
18 nating such sanctions;

19 (E) the total number of foreign persons
20 considered under subsection (b)(3) for whom
21 sanctions were not imposed; and

22 (F) recommendations as to whether the
23 imposition of additional sanctions would be an
24 added deterrent in preventing public corruption.

25 (2) DATES FOR SUBMISSION.—

1 (A) INITIAL REPORT.—The Secretary of
2 State shall submit the initial report under para-
3 graph (1) not later than 120 days after the
4 date of the enactment of this Act.

5 (B) SUBSEQUENT REPORTS.—The Sec-
6 retary of State shall submit a subsequent report
7 under paragraph (1) on December 10, or the
8 first day thereafter on which both Houses of
9 Congress are in session, of—

10 (i) the calendar year in which the ini-
11 tial report is submitted if the initial report
12 is submitted before December 10 of that
13 calendar year; and

14 (ii) each calendar year thereafter.

15 (3) FORM OF REPORT.—

16 (A) IN GENERAL.—Each report required
17 by paragraph (1) shall be submitted in unclassi-
18 fied form, but may include a classified annex.

19 (B) EXCEPTION.—The name of a foreign
20 person to be included in the list required by
21 paragraph (1)(A) may be submitted in the clas-
22 sified annex authorized by subparagraph (A)
23 only if the Secretary of State—

1 (i) determines that it is vital for the
2 national security interests of the United
3 States to do so; and

4 (ii) uses the annex in a manner con-
5 sistent with congressional intent and the
6 purposes of this section.

7 (4) PUBLIC AVAILABILITY.—

8 (A) IN GENERAL.—The unclassified por-
9 tion of the report required by paragraph (1)
10 shall be made available to the public, including
11 through publication in the Federal Register.

12 (B) NONAPPLICABILITY OF CONFIDEN-
13 TIALITY REQUIREMENT WITH RESPECT TO VISA
14 RECORDS.—The Secretary of State shall publish
15 the list required by paragraph (1)(A) without
16 regard to the requirements of section 222(f) of
17 the Immigration and Nationality Act (8 U.S.C.
18 1202(f)) with respect to confidentiality of
19 records pertaining to the issuance or refusal of
20 visas or permits to enter the United States.

21 (5) APPROPRIATE CONGRESSIONAL COMMIT-
22 TEES DEFINED.—In this subsection, the term “ap-
23 propriate congressional committees” means—

1 (A) the Committee on Foreign Affairs, and
2 the Committee on the Judiciary of the House of
3 Representatives; and

4 (B) the Committee on Foreign Relations,
5 and the Committee on the Judiciary of the Sen-
6 ate.

7 (d) SUNSET.—

8 (1) IN GENERAL.—The authority to impose
9 sanctions under subsection (b) and the requirements
10 to submit reports under subsection (c) shall termi-
11 nate on the date that is 6 years after the date of en-
12 actment of this Act.

13 (2) CONTINUATION IN EFFECT OF SANC-
14 TIONS.—Sanctions imposed under subsection (b) on
15 or before the date specified in paragraph (1), and in
16 effect as of such date, shall remain in effect until
17 terminated in accordance with the requirements of
18 subsection (b)(4).

19 (e) DEFINITIONS.—In this section:

20 (1) ENTITY.—The term “entity” means a part-
21 nership, association, trust, joint venture, corpora-
22 tion, group, subgroup, or other organization.

23 (2) FOREIGN PERSON.—The term “foreign per-
24 son” means a person that is not a United States
25 person.

1 (3) UNITED STATES PERSON.—The term
2 “United States person” means a person that is a
3 United States citizen, permanent resident alien, enti-
4 ty organized under the laws of the United States or
5 any jurisdiction within the United States (including
6 foreign branches), or any person in the United
7 States.

8 (4) PERSON.—The term “person” means an in-
9 dividual or entity.

10 (5) PUBLIC CORRUPTION.—The term “public
11 corruption” means the unlawful exercise of entrusted
12 public power for private gain, including by bribery,
13 nepotism, fraud, or embezzlement.

14 **TITLE IV—ADMISSION OF ESSEN-**
15 **TIAL SCIENTISTS AND TECH-**
16 **NICAL EXPERTS**

17 **SEC. 80401. ADMISSION OF ESSENTIAL SCIENTISTS AND**
18 **TECHNICAL EXPERTS TO PROMOTE AND PRO-**
19 **TECT NATIONAL SECURITY INNOVATION**
20 **BASE.**

21 (a) SPECIAL IMMIGRANT STATUS.—In accordance
22 with the procedures established under subsection (f)(1),
23 and subject to subsection (c)(1), the Secretary of Home-
24 land Security may provide an alien described in subsection
25 (b) (and the spouse and children of the alien if accom-

1 panying or following to join the alien) with the status of
2 a special immigrant under section 101(a)(27) of the Immi-
3 gration and Nationality Act (8 U.S.C. 1101(a)(27)), if the
4 alien—

5 (1) submits a classification petition under sec-
6 tion 204(a)(1)(G)(i) of such Act (8 U.S.C.
7 1154(a)(1)(G)(i)); and

8 (2) is otherwise eligible to receive an immigrant
9 visa and is otherwise admissible to the United States
10 for permanent residence.

11 (b) ALIENS DESCRIBED.—An alien is described in
12 this subsection if—

13 (1) the alien—

14 (A) is employed by a United States em-
15 ployer and engaged in work to promote and
16 protect the National Security Innovation Base;

17 (B) is engaged in basic or applied re-
18 search, funded by the Department of Defense,
19 through a United States institution of higher
20 education (as defined in section 101 of the
21 Higher Education Act of 1965 (20 U.S.C.
22 1001)); or

23 (C) possesses scientific or technical exper-
24 tise that will advance the development of crit-
25 ical technologies identified in the National De-

1 fense Strategy or the National Defense Science
2 and Technology Strategy, required by section
3 218 of the John S. McCain National Defense
4 Authorization Act for Fiscal Year 2019 (Public
5 Law 115–232; 132 Stat. 1679); and

6 (2) the Secretary of Defense issues a written
7 statement to the Secretary of Homeland Security
8 confirming that the admission of the alien is essen-
9 tial to advancing the research, development, testing,
10 or evaluation of critical technologies described in
11 paragraph (1)(C) or otherwise serves national secu-
12 rity interests.

13 (c) NUMERICAL LIMITATIONS.—

14 (1) IN GENERAL.—The total number of prin-
15 cipal aliens who may be provided special immigrant
16 status under this section may not exceed—

17 (A) 10 in each of fiscal years 2022
18 through 2030; and

19 (B) 100 in fiscal year 2031 and each fiscal
20 year thereafter.

21 (2) EXCLUSION FROM NUMERICAL LIMITA-
22 TION.—Aliens provided special immigrant status
23 under this section shall not be counted against the
24 numerical limitations under sections 201(d), 202(a),

1 and 203(b)(4) of the Immigration and Nationality
2 Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4)).

3 (d) DEFENSE COMPETITION FOR SCIENTISTS AND
4 TECHNICAL EXPERTS.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall develop and implement a process to select, on a com-
7 petitive basis from among individuals described in sub-
8 section (b), individuals for recommendation to the Sec-
9 retary of Homeland Security for special immigrant status
10 described in subsection (a).

11 (e) AUTHORITIES.—In carrying out this section, the
12 Secretary of Defense shall authorize appropriate personnel
13 of the Department of Defense to use all personnel and
14 management authorities available to the Department, in-
15 cluding the personnel and management authorities pro-
16 vided to the science and technology reinvention labora-
17 tories, the Major Range and Test Facility Base (as de-
18 fined in 196(i) of title 10, United States Code), and the
19 Defense Advanced Research Projects Agency.

20 (f) PROCEDURES.—Not later than 360 days after the
21 date of the enactment of this Act, the Secretary of Home-
22 land Security and Secretary of Defense shall jointly estab-
23 lish policies and procedures implementing the provisions
24 in this section, which shall include procedures for—

1 (1) processing of petitions for classification sub-
2 mitted under subsection (a)(1) and applications for
3 an immigrant visa or adjustment of status, as appli-
4 cable; and

5 (2) thorough processing of any required secu-
6 rity clearances.

7 (g) FEES.—The Secretary of Homeland Security
8 shall establish a fee—

9 (1) to be charged and collected to process an
10 application filed under this section; and

11 (2) that is set at a level that will ensure recov-
12 ery of the full costs of such processing and any addi-
13 tional costs associated with the administration of the
14 fees collected.

15 (h) IMPLEMENTATION REPORT REQUIRED.—Not
16 later than 180 days after the date of the enactment of
17 this Act, the Secretary of Homeland Security and Sec-
18 retary of Defense shall jointly submit to the appropriate
19 congressional committees a report that includes—

20 (1) a plan for implementing the authorities pro-
21 vided under this section; and

22 (2) identification of any additional authorities
23 that may be required to assist the Secretaries in
24 fully implementing section.

25 (i) PROGRAM EVALUATION AND REPORT.—

1 (1) EVALUATION.—The Comptroller General of
2 the United States shall conduct an evaluation of the
3 competitive program and special immigrant program
4 described in subsections (a) through (g).

5 (2) REPORT.—Not later than October 1, 2026,
6 the Comptroller General shall submit to the appro-
7 priate congressional committees a report on the re-
8 sults of the evaluation conducted under paragraph
9 (1).

10 (j) DEFINITIONS.—In this section:

11 (1) The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Armed Services and
14 the Committee on the Judiciary of the House of
15 Representatives; and

16 (B) the Committee on Armed Services and
17 the Committee on the Judiciary of the Senate.

18 (2) The term “National Security Innovation
19 Base” means the network of persons and organiza-
20 tions, including Federal agencies, institutions of
21 higher education, Federally funded research and de-
22 velopment centers, defense industrial base entities,
23 nonprofit organizations, commercial entities, and
24 venture capital firms that are engaged in the mili-
25 tary and non-military research, development, fund-

1 ing, and production of innovative technologies that
2 support the national security of the United States.

3 **TITLE V—CRIMINAL PROVISIONS**

4 **SEC. 80501. JUSTICE FOR VICTIMS OF KLEPTOCRACY.**

5 (a) FORFEITED PROPERTY.—

6 (1) IN GENERAL.—Chapter 46 of title 18,
7 United States Code, is amended by adding at the
8 end the following:

9 **“§ 988. Accounting of certain forfeited property**

10 “(a) ACCOUNTING.—The Attorney General shall
11 make available to the public an accounting of any property
12 relating to foreign government corruption that is forfeited
13 to the United States under section 981 or 982.

14 “(b) FORMAT.—The accounting described under sub-
15 section (a) shall be published on the website of the Depart-
16 ment of Justice in a format that includes the following:

17 “(1) A heading as follows: ‘Assets stolen from
18 the people of _____ and recovered by the
19 United States’, the blank space being filled with the
20 name of the foreign government that is the target of
21 corruption.

22 “(2) The total amount recovered by the United
23 States on behalf of the foreign people that is the tar-
24 get of corruption at the time when such recovered
25 funds are deposited into the Department of Justice

1 Asset Forfeiture Fund or the Department of the
2 Treasury Forfeiture Fund

3 “(c) UPDATED WEBSITE.—The Attorney General
4 shall update the website of the Department of Justice to
5 include an accounting of any new property relating to for-
6 eign government corruption that has been forfeited to the
7 United States under section 981 or 982 not later than
8 14 days after such forfeiture, unless such update would
9 compromise an ongoing law enforcement investigation.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions for chapter 46 of title 18, United States Code,
12 is amended by adding at the end the following:

“988. Accounting of certain forfeited property.”.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that recovered assets be returned for the benefit of
15 the people harmed by the corruption under conditions that
16 reasonably ensure the transparent and effective use, ad-
17 ministration and monitoring of returned proceeds.

18 **TITLE VI—OTHER MATTERS**

19 **SEC. 80601. REGISTRATION OF AGENT.**

20 (a) IN GENERAL.—Chapter 190 of title 28, United
21 States Code, is amended by adding at the end the fol-
22 lowing new section:

1 **“§ 5002. Registration of an agent for the service of**
2 **process on covered entities**

3 “(a) IN GENERAL.—A covered entity conducting
4 business in the United States shall register with the De-
5 partment of Commerce not less than one agent residing
6 in the United States if the covered entity—

7 “(1) is organized under the laws of, or has its
8 principal place of business in, a foreign country;

9 “(2) is traded in shares and such shares are
10 held in majority by any individual or group of indi-
11 viduals reside in a foreign country; or

12 “(3) is owned by individuals or other entities
13 who reside or are headquartered outside of the
14 United States and the majority of business earnings
15 of the covered entity are derived from commerce out-
16 side of the United States.

17 “(b) FILING.—A registration required under sub-
18 section (a) shall be filed with the Department of Com-
19 merce not later than 30 days after—

20 “(1) the date of enactment of this Act; or

21 “(2) the departure of the previously registered
22 agent from employment or contract with the covered
23 entity.

24 “(c) PURPOSE OF REGISTERED AGENT.—

25 “(1) AVAILABILITY.—A covered entity shall en-
26 sure that not less than one registered agent on

1 whom process may be served is available at the busi-
2 ness address of the registered agent each day from
3 9 a.m. to 5 p.m. in the time zone of the business ad-
4 dress, excluding Saturdays, Sundays, and Federal
5 holidays.

6 “(2) COMMUNICATION.—The registered agent
7 shall be required to be available to accept service of
8 process on behalf of the covered entity under which
9 the agent is registered by the means of any commu-
10 nication included in the registration submitted to the
11 Department of Commerce.

12 “(d) COOPERATION.—A registered agent shall co-
13 operate in good faith with the United States Government
14 and representatives of other individuals and entities.

15 “(e) REQUIRED INFORMATION.—The registration
16 submitted to the Department of Commerce shall include
17 the following information:

18 “(1) The name of the covered entity registering
19 an agent under this section.

20 “(2) The name of the Chief Executive Officer,
21 President, Partner, Chairman, or other controlling
22 individual of the covered entity.

23 “(3) The name of the individual who is being
24 registered as the agent for the service of process.

1 “(4) The business address of the covered entity
2 registering an agent under this section.

3 “(5) The business address of the individual who
4 is being registered as the agent for the service of
5 process.

6 “(6) Contact information, including an email
7 address and phone number for the individual who is
8 being registered as the agent for the service of proc-
9 ess.

10 “(7) The date on which the agent shall begin
11 to accept service of process under this section.

12 “(f) WEBSITE.—The information submitted to the
13 Department of Commerce pursuant to this section shall
14 be made available on a publicly accessible database on the
15 website of the Department of Commerce.

16 “(g) PERSONAL JURISDICTION.—A covered entity
17 that registers an agent under this section thereby consents
18 to the personal jurisdiction of the State or Federal courts
19 of the State in which the registered agent is located for
20 the purpose of any regulatory proceeding or civil action
21 relating to such covered entity.

22 “(h) DEFINITIONS.—In this section:

23 “(1) COVERED ENTITY.—The term ‘covered en-
24 tity’ means—

1 “(A) a corporation, partnership, associa-
2 tion, organization, or other combination of per-
3 sons established for the purpose of commercial
4 activities; or

5 “(B) a trust or a fund established for the
6 purpose of commercial activities.

7 “(2) DEPARTMENT OF COMMERCE.—The term
8 ‘Department of Commerce’ means the United States
9 Department of Commerce.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 for chapter 190 of title 28, United States Code, is amend-
12 ed by adding at the end the following:

“5002. Registration of an agent for the service of process on covered entities.”.

13 **DIVISION J—COMMITTEE ON**
14 **EDUCATION AND LABOR**
15 **TITLE I—NATIONAL**
16 **APPRENTICESHIP ACT OF 2022**

17 **SEC. 90101. SHORT TITLE.**

18 This title may be cited as the “National Apprentice-
19 ship Act of 2022”.

20 **SEC. 90102. EFFECTIVE DATE.**

21 This title, and the amendments made by this title,
22 shall take effect beginning on October 1, 2022.

23 **SEC. 90103. AMENDMENT.**

24 The Act of August 16, 1937 (commonly referred to
25 as the “National Apprenticeship Act”; 50 Stat. 664, chap-

1 ter 663; 29 U.S.C. 50 et seq.), is amended to read as fol-
 2 lows:

3 **“SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

4 “(a) **SHORT TITLE.**—This Act may be cited as the
 5 ‘National Apprenticeship Act’.

6 “(b) **TABLE OF CONTENTS.**—The table of contents
 7 for this Act is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Definitions.

“Sec. 3. Programs under the national apprenticeship system.

“Sec. 4. Transition provisions.

“Sec. 5. Disaggregation of data.

“Sec. 6. Relation to other laws.

“**TITLE I—PROMOTING PROGRAMS UNDER THE NATIONAL
 APPRENTICESHIP SYSTEM**

“**Subtitle A—The Office of Apprenticeship, State Registration Agency
 Approval Process, and Interagency Agreement**

“Sec. 111. The Office of Apprenticeship.

“Sec. 112. National Advisory Committee on Apprenticeships.

“Sec. 113. State apprenticeship agencies and State Offices of Apprenticeship.

“Sec. 114. Interagency agreement with Department of Education.

“**Subtitle B—Process and Standards for the National Apprenticeship System**

“Sec. 121. Occupations suitable for apprenticeship.

“Sec. 122. Quality standards of programs under the national apprenticeship
 system.

“Sec. 123. Apprenticeship agreements.

“Sec. 124. Registration of programs under the national apprenticeship system.

“**Subtitle C—Evaluations and Research**

“Sec. 131. Program evaluations.

“Sec. 132. National apprenticeship system research.

“**Subtitle D—General Provisions**

“Sec. 141. Authorization of appropriations.

“**TITLE II—MODERNIZING THE NATIONAL APPRENTICESHIP
 SYSTEM FOR THE 21ST CENTURY GRANTS**

“Sec. 201. Grant requirements.

“Sec. 202. Uses of Funds.

“Sec. 203. Grant evaluations.

“Sec. 204. Authorization of appropriations for grants.

1 **“SEC. 2. DEFINITIONS.**

2 “In this Act:

3 “(1) ADMINISTRATOR.—The term ‘Adminis-
4 trator’ means the Administrator of the Office of Ap-
5 prenticeship established under section 111(a).

6 “(2) ADVISORY COMMITTEE.—The term ‘Advi-
7 sory Committee’ means the National Advisory Com-
8 mittee on Apprenticeships established under section
9 112.

10 “(3) APPRENTICE.— The term ‘apprentice’
11 means an individual who is—

12 “(A) at least 16 years of age, except where
13 a higher minimum age standard is otherwise re-
14 quired by law;

15 “(B) employed by an employer that spon-
16 sors or participates in an apprenticeship pro-
17 gram; and

18 “(C) a participant of such an apprentice-
19 ship program.

20 “(4) APPRENTICESHIP AGREEMENT.—The term
21 ‘apprenticeship agreement’ means a written agree-
22 ment under section 123 between—

23 “(A) an apprentice, a youth apprentice, or
24 a pre-apprentice; and

25 “(B) a sponsor.

1 “(5) APPRENTICESHIP HUB.—The term ‘ap-
2 prenticeship hub’ means a regional or sectoral quali-
3 fied intermediary recognized by a State apprentice-
4 ship agency or a State Office of Apprenticeship as
5 organizing and providing activities and services re-
6 lated to the development of programs under the na-
7 tional apprenticeship system.

8 “(6) APPRENTICESHIP PROGRAM.—The term
9 ‘apprenticeship program’ means a program that
10 meets the standards described in section 122(b) and
11 is registered under this Act.

12 “(7) COMPETENCY.—The term ‘competency’
13 means the attainment of knowledge, skills, and abili-
14 ties in a subject area, as specified by an occupa-
15 tional skill standard and demonstrated by an appro-
16 priate written or hands-on proficiency measurement.

17 “(8) DEPARTMENT.—The term ‘Department’
18 means the Department of Labor.

19 “(9) EDUCATION AND TRAINING PROVIDER.—
20 The term ‘education and training provider’ means—

21 “(A) an area career and technical edu-
22 cation school;

23 “(B) an early college high school;

24 “(C) an educational service agency;

25 “(D) a high school;

1 “(E) a local educational agency or State
2 educational agency;

3 “(F) a Tribal educational agency, Tribally
4 controlled college or university, or Tribally con-
5 trolled postsecondary career and technical insti-
6 tution;

7 “(G) a postsecondary educational institu-
8 tion;

9 “(H) a minority-serving institution;

10 “(I) a provider of adult education and lit-
11 eracy activities under the Adult Education and
12 Family Literacy Act (29 U.S.C. 3271 et seq.);

13 “(J) a local agency administering plans
14 under title I of the Rehabilitation Act of 1973
15 (29 U.S.C. 720 et seq.), other than section 112
16 or part C of that title (29 U.S.C. 732, 741);

17 “(K) a related instruction provider, includ-
18 ing a qualified intermediary acting as a related
19 instruction provider as approved by a registra-
20 tion agency;

21 “(L) a Job Corps center (as defined in sec-
22 tion 142 of the Workforce Innovation and Op-
23 portunity Act (29 U.S.C. 3192)); or

24 “(M) a consortium of entities described in
25 any of subparagraphs (A) through (L).

1 “(10) ELIGIBLE ENTITY.—

2 “(A) IN GENERAL.—The term ‘eligible en-
3 tity’ means—

4 “(i) a program sponsor;

5 “(ii) a State workforce development
6 board or State workforce agency, or a local
7 workforce development board or local
8 workforce development agency;

9 “(iii) an education and training pro-
10 vider, or a consortium thereof;

11 “(iv) if the applicant is in a State
12 with a State apprenticeship agency, such
13 State apprenticeship agency;

14 “(v) an Indian Tribe or Tribal organi-
15 zation;

16 “(vi) an industry or sector partner-
17 ship, a group of employers, a trade asso-
18 ciation, or a professional association that
19 sponsors or participates in a program
20 under the national apprenticeship system;

21 “(vii) a Governor of a State;

22 “(viii) a labor organization or joint
23 labor-management organization; or

24 “(ix) a qualified intermediary.

1 “(B) SPONSOR REQUIREMENT.—Not fewer
2 than one entity under subparagraph (A) shall
3 be the sponsor of a program under the national
4 apprenticeship system.

5 “(11) INDIAN TRIBE; TRIBAL ORGANIZATION.—
6 The terms ‘Indian Tribe’ and ‘Tribal organization’
7 have the meaning given the terms (without regard to
8 capitalization) in section 4 of the Indian Self-Deter-
9 mination and Education Assistance Act (25 U.S.C.
10 5304).

11 “(12) INTERIM CREDENTIAL.—The term ‘in-
12 terim credential’ means a credential issued by a reg-
13 istration agency, upon request of the appropriate
14 sponsor, as certification of competency attainment
15 by a program participant during participation in a
16 program under the national apprenticeship system.

17 “(13) JOURNEYWORKER.—The term
18 ‘journeyworker’ means a worker who has attained a
19 level of skill, abilities, and competencies recognized
20 within an industry as having mastered the skills and
21 competencies required for the occupation.

22 “(14) MINORITY-SERVING INSTITUTION.—The
23 term ‘minority-serving institution’ means an institu-
24 tion defined in any of paragraphs (1) through (7) of

1 section 371(a) of the Higher Education Act of 1965
2 (20 U.S.C. 1067q(a)).

3 “(15) NATIONAL APPRENTICESHIP SYSTEM.—
4 The term ‘national apprenticeship system’ means the
5 apprenticeship programs, youth apprenticeship pro-
6 grams, and pre-apprenticeship programs that are co-
7 ordinated by the Office of Apprenticeship and State
8 apprenticeship agencies.

9 “(16) NATIONAL PROGRAM STANDARDS OF AP-
10 PRENTICESHIP.—The term ‘national program stand-
11 ards of apprenticeship’ means a set of apprentice-
12 ship program standards developed and adopted by a
13 sponsor that—

14 “(A) are designed for nontraditional ap-
15 prenticeship occupations;

16 “(B) are demonstrably national or multi-
17 State in their design, suitability, and scope; and

18 “(C) are registered on a nationwide basis
19 by the Office of Apprenticeship upon having
20 satisfied the requirements of this Act.

21 “(17) NONTRADITIONAL APPRENTICESHIP POP-
22 ULATION.—The term ‘nontraditional apprenticeship
23 population’ means a group of individuals (such as
24 individuals from the same gender, race, or ethnicity),
25 the members of which—

1 “(A) comprise fewer than 25 percent of the
2 program participants in a program under the
3 national apprenticeship system; or

4 “(B) comprise a percentage of individuals
5 employed in an occupation that is lower than
6 the percentage of the total population com-
7 prised by such members, based on the most re-
8 cent satisfactory data from the Bureau of the
9 Census.

10 “(18) NONTRADITIONAL APPRENTICESHIP OC-
11 CUPATION.—

12 “(A) IN GENERAL.—The term ‘nontradi-
13 tional apprenticeship occupation’ means an oc-
14 cupation in an industry sector which has an av-
15 erage program participant rate of fewer than
16 10 percent for each of the 5 preceding years.

17 “(B) PROGRAM PARTICIPANT RATE.—In
18 this paragraph, the term ‘program participant
19 rate’, when used with respect to an occupation
20 in an industry sector, means the percentage of
21 the total program participants that participate
22 in a program under the national apprenticeship
23 system in such occupation.

24 “(19) OCCUPATIONS SUITABLE FOR APPREN-
25 TICESHIP.—The term ‘occupations suitable for ap-

1 prenticeship’ means an occupation that the Adminis-
2 trator has determined meets the requirements of sec-
3 tion 121.

4 “(20) OUTLYING AREA.—The term ‘outlying
5 area’ means American Samoa, Guam, the Common-
6 wealth of the Northern Mariana Islands, and the
7 United States Virgin Islands.

8 “(21) PRE-APPRENTICE.—The term ‘pre-ap-
9 prentice’ means a participant in a pre-apprenticeship
10 program.

11 “(22) PRE-APPRENTICESHIP PROGRAM.—The
12 term ‘pre-apprenticeship program’ means a training
13 model or program that—

14 “(A) prepares individuals for acceptance
15 into an apprenticeship program;

16 “(B) meets the standards described in sec-
17 tion 122(c); and

18 “(C) is registered under this Act.

19 “(23) PROGRAM PARTICIPANT.—The term ‘pro-
20 gram participant’ means an apprentice, a pre-ap-
21 prentice, or a youth apprentice.

22 “(24) QUALIFIED INTERMEDIARY.—

23 “(A) IN GENERAL.—The term ‘qualified
24 intermediary’ means an entity that dem-
25 onstrates expertise in building, connecting, sus-

1 taining, and measuring the performance of
2 partnerships described in subparagraph (B) and
3 serves program participants and employers
4 by—

5 “(i) connecting employers to programs
6 under the national apprenticeship system;

7 “(ii) assisting in the design and imple-
8 mentation of such programs, including cur-
9 riculum development and delivery for re-
10 lated instruction;

11 “(iii) supporting entities, sponsors, or
12 program administrators in meeting the
13 registration and reporting requirements of
14 this Act;

15 “(iv) providing professional develop-
16 ment activities such as training to men-
17 tors;

18 “(v) supporting the recruitment, re-
19 tention, and completion of potential pro-
20 gram participants, including nontraditional
21 apprenticeship populations and individuals
22 with barriers to employment;

23 “(vi) developing and providing person-
24 alized program participant supports, in-
25 cluding by partnering with organizations to

1 provide access to or referrals for supportive
2 services and financial advising;

3 “(vii) providing services, resources,
4 and supports for development, delivery, ex-
5 pansion, or improvement of programs
6 under the national apprenticeship system;
7 or

8 “(viii) serving as a program sponsor.

9 “(B) PARTNERSHIPS.—The term ‘partner-
10 ships described in subparagraph (B)’ means
11 partnerships among entities involved in, or ap-
12 plying to participate in, programs under the na-
13 tional apprenticeship system, including—

14 “(i) industry or sector partnerships;

15 “(ii) partnerships among employers,
16 joint labor-management organizations,
17 labor organizations, community-based or-
18 ganizations, industry associations, State or
19 local workforce development boards, edu-
20 cation and training providers, social service
21 organizations, economic development orga-
22 nizations, Indian Tribes or Tribal organi-
23 zations, one-stop operators, one-stop part-
24 ners, or veterans-service organizations in

1 the State workforce development system;

2 or

3 “(iii) partnerships among one or more

4 of the entities described in clauses (i) and

5 (ii).

6 “(25) RECOGNIZED POSTSECONDARY CREDEN-

7 TIAL.—The term ‘recognized postsecondary creden-

8 tial’ has the meaning given the term in section 3 of

9 the Workforce Innovation and Opportunity Act (29

10 U.S.C. 3102), except that such term does not in-

11 clude a certificate of completion of an apprentice-

12 ship.

13 “(26) REGISTRATION AGENCY.—The term ‘reg-

14 istration agency’ means the Office of Apprenticeship

15 or State apprenticeship agency in a State that is re-

16 sponsible for—

17 “(A) registering programs under the na-

18 tional apprenticeship system and program par-

19 ticipants in the State or area covered by such

20 Office or agency; and

21 “(B) carrying out the responsibilities of

22 supporting the youth apprenticeship, pre-ap-

23 prenticeship, or apprenticeship programs reg-

24 istered by such Office or agency, including—

1 “(i) providing technical assistance to
2 such programs and sponsors of such pro-
3 grams; and

4 “(ii) conducting regular quality assur-
5 ance assessments and reviews of such pro-
6 grams to ensure their compliance with the
7 minimum labor standards and the equal
8 employment opportunity requirements of
9 Act.

10 “(27) RELATED INSTRUCTION.—The term ‘re-
11 lated instruction’ means an organized and system-
12 atic form of instruction that meets the requirements
13 of section 122(b)(1)(C).

14 “(28) RELATED FEDERAL PROGRAMS.—The
15 term ‘related Federal programs’ means programs or
16 activities under the following:

17 “(A) The Workforce Innovation and Op-
18 portunity Act (29 U.S.C. 3101 et seq.), includ-
19 ing adult education and literacy activities under
20 such Act.

21 “(B) The Wagner-Peyser Act (29 U.S.C.
22 49 et seq.).

23 “(C) The Elementary and Secondary Edu-
24 cation Act of 1965 (20 U.S.C. 6301 et seq.).

1 “(D) The Higher Education Act of 1965
2 (20 U.S.C. 1001 et seq.).

3 “(E) The Individuals with Disabilities
4 Education Act (20 U.S.C. 1400 et seq.).

5 “(F) Title I of the Rehabilitation Act of
6 1973 (29 U.S.C. 720 et seq.).

7 “(G) Title V of the Older Americans Act
8 of 1965 (42 U.S.C. 3056 et seq.).

9 “(H) The postsecondary level under the
10 Carl D. Perkins Career and Technical Edu-
11 cation Act of 2006 (20 U.S.C. 2302).

12 “(I) Chapter 2 of title II of the Trade Act
13 of 1974 (19 U.S.C. 2271 et seq.).

14 “(J) Chapter 41 of title 38, United States
15 Code.

16 “(K) Employment and training activities
17 carried out under the Community Services
18 Block Grant Act (42 U.S.C. 9901 et seq.).

19 “(L) State unemployment compensation
20 laws (in accordance with applicable Federal
21 law).

22 “(M) Section 231 of the Second Chance
23 Act of 2007 (34 U.S.C. 60541).

24 “(N) Part A of title IV of the Social Secu-
25 rity Act (42 U.S.C. 601 et seq.).

1 “(O) Employment and training activities
2 carried out by the Department of Housing and
3 Urban Development, the Department of De-
4 fense, the Department of Commerce, the De-
5 partment of Energy, the Department of Trans-
6 portation, and the Small Business Administra-
7 tion.

8 “(P) Section 6(d)(4) of the Food and Nu-
9 trition Act of 2008 (7 U.S.C. 2015(d)(4)).

10 “(Q) Educational assistance programs
11 under chapters 30 through 36 of title 38,
12 United States Code.

13 “(29) SECRETARY.—The term ‘Secretary’
14 means the Secretary of Labor.

15 “(30) SPONSOR.—The term ‘sponsor’ means
16 any employer, joint labor-management organization,
17 trade association, committee, professional associa-
18 tion, labor organization, education and training pro-
19 vider, or qualified intermediary—

20 “(A) in whose name a program under the
21 national apprenticeship system is (or is to be)
22 registered or approved by a registration agency;
23 and

24 “(B) that assumes responsibility for the
25 implementation of such program.

1 “(31) STATE.—The term ‘State’—

2 “(A) has the meaning given such term in
3 section 3 of the Workforce Innovation and Op-
4 portunity Act (29 U.S.C. 3102); and

5 “(B) includes each of the outlying areas.

6 “(32) STATE APPRENTICESHIP AGENCY.—The
7 term ‘State apprenticeship agency’ means a State
8 agency recognized as a State apprenticeship agency
9 under section 113.

10 “(33) STATE APPRENTICESHIP COUNCIL.—The
11 term ‘State apprenticeship council’ means an entity
12 established under section 113(b)(3) to assist the
13 State apprenticeship agency.

14 “(34) STATE OFFICE OF APPRENTICESHIP.—
15 The term ‘State office of apprenticeship’ means the
16 office designated by the Administrator to administer
17 programs under the national apprenticeship system
18 in such State and meets the requirements of section
19 111(b)(3).

20 “(35) STATE OR LOCAL WORKFORCE DEVELOP-
21 MENT BOARDS.—The terms ‘State workforce devel-
22 opment board’ and ‘local workforce development
23 board’ have the meanings given the terms ‘State
24 board’ and ‘local board’, respectively, in section 3 of

1 the Workforce Innovation and Opportunity Act (29
2 U.S.C. 3102).

3 “(36) STATE WORKFORCE AGENCY.—The term
4 ‘State workforce agency’ means the State agency
5 with responsibility for workforce investment activi-
6 ties under chapters 2 and 3 of subtitle B of title I
7 of the Workforce Innovation and Opportunity Act
8 (29 U.S.C. 3121 et seq., 3131 et seq.).

9 “(37) CTE TERMS.—The terms ‘area career
10 and technical education school’, ‘articulation agree-
11 ment’, ‘credit transfer agreement’, ‘postsecondary
12 educational institution’, ‘Tribally controlled college
13 or university’, ‘Tribally controlled postsecondary ca-
14 reer and technical institution’, and ‘work-based
15 learning’ have the meanings given in section 3 of the
16 Carl D. Perkins Career and Technical Education
17 Act of 2006 (20 U.S.C. 2302).

18 “(38) ESEA TERMS.—The terms ‘dual or con-
19 current enrollment program’, ‘early college high
20 school’, ‘education service agency’, ‘high school’,
21 ‘local educational agency’, ‘paraprofessional’, and
22 ‘State educational agency’ have the meanings given
23 in section 8101 of the Elementary and Secondary
24 Education Act of 1965 (20 U.S.C. 7801).

1 “(39) TRIBAL EDUCATIONAL AGENCY.—The
2 term ‘Tribal educational agency’ has the meaning
3 given the term in section 6132 of the Elementary
4 and Secondary Education Act of 1965 (20 U.S.C.
5 7452).

6 “(40) WIOA TERMS.—The terms ‘career path-
7 way’, ‘dislocated worker’, ‘in-demand industry sector
8 or occupation’, ‘individual with a barrier to employ-
9 ment’, ‘industry or sector partnership’, ‘labor market
10 area’, ‘local area’, ‘one-stop center’, ‘one-stop oper-
11 ator’, ‘one-stop partner’, ‘supportive services’, and
12 ‘workforce development system’ have the meanings
13 given in section 3 of the Workforce Innovation and
14 Opportunity Act (29 U.S.C. 3102).

15 “(41) YOUTH APPRENTICE.—The term ‘youth
16 apprentice’ means a participant in a youth appren-
17 ticeship program.

18 “(42) YOUTH APPRENTICESHIP PROGRAM.—
19 The term ‘youth apprenticeship program’ means a
20 model or program that meets the standards de-
21 scribed in section 122(d) and is registered under this
22 Act.

1 **“SEC. 3. PROGRAMS UNDER THE NATIONAL APPRENTICE-**
2 **SHIP SYSTEM.**

3 “Any funds appropriated under this Act shall only
4 be used for, or provided to, programs under the national
5 apprenticeship system, including any funds awarded for
6 the purposes of grants, contracts, or cooperative agree-
7 ments, or the development, implementation, or administra-
8 tion, of program under the national apprenticeship system.

9 **“SEC. 4. TRANSITION PROVISIONS.**

10 “(a) IN GENERAL.—The Secretary shall take such
11 steps as are necessary to provide for the orderly transition
12 to the authority of this Act (as amended by National Ap-
13 prenticeship Act of 2022) from any authority under this
14 Act as in effect on the day before the date of enactment
15 of the National Apprenticeship Act of 2022.

16 “(b) RULES AND REGULATIONS.—The Secretary of
17 Labor may—

18 “(1) prescribe, in accordance with chapter 5 of
19 title 5, United States Code, rules and regulations to
20 carry out this Act to the extent necessary to admin-
21 ister and ensure compliance with the requirements of
22 this Act; and

23 “(2) continue to administer any regulations in
24 effect as of the date of enactment of the National
25 Apprenticeship Act of 2022 that are not inconsistent
26 with this Act.

1 **“SEC. 5. DISAGGREGATION OF DATA.**

2 “(a) IN GENERAL.—The disaggregation of data
3 under this Act shall not be required when the number of
4 program participants in a category is insufficient to yield
5 statistically reliable information or when the results would
6 reveal personally identifiable information about a program
7 participant or would reveal such information when com-
8 bined with other released information.

9 “(b) EXCEPTION.—This section shall not apply with
10 respect to the disaggregation of data for the purposes of
11 research and evaluation under section 132.

12 **“SEC. 6. RELATION TO OTHER LAWS.**

13 “Nothing in this Act shall invalidate, supersede, or
14 limit the remedies, rights, and procedures under any Fed-
15 eral, State, or local law, or the law of any State or political
16 subdivision of any State or jurisdiction establishing min-
17 imum labor standards of apprenticeship or minimum re-
18 quirements for equal employment opportunity in connec-
19 tion with programs under the national apprenticeship sys-
20 tem that are more protective than those established under
21 this Act, including those laws governing the numeric ratio
22 of apprentices to journeyworkers, the minimum starting
23 age of an apprentice, the minimum entry wage payable
24 to a program participant, the minimum number of hours
25 of on-the-job learning or related instruction required by
26 an apprenticeship program, and the provision of remedies,

1 rights, and procedures that provides greater or equal pro-
2 tection for individuals based on race, color, religion, na-
3 tional origin, sex, sexual orientation, gender identity, age,
4 genetic information, or disability than are afforded by this
5 Act.

6 **“TITLE I—PROMOTING PRO-**
7 **GRAMS UNDER THE NA-**
8 **TIONAL APPRENTICESHIP**
9 **SYSTEM**

10 **“Subtitle A—The Office of Appren-**
11 **ticeship, State Registration**
12 **Agency Approval Process, and**
13 **Interagency Agreement**

14 **“SEC. 111. THE OFFICE OF APPRENTICESHIP.**

15 “(a) ESTABLISHMENT OF THE OFFICE OF APPREN-
16 TICESHIP.—

17 “(1) IN GENERAL.—There is established, in the
18 Employment and Training Administration of the
19 Department of Labor, an Office of Apprenticeship
20 (referred to in this section as the ‘Office’), which
21 shall be directed by an Administrator who has dem-
22 onstrated knowledge of the national apprenticeship
23 system necessary to head the Office to facilitate the
24 administration of the requirements of this Act and
25 of any regulations issued under this Act, to coordi-

1 nate the effective operation of the national appren-
2 ticeship system, and to fulfill and advance the spe-
3 cific duties and objectives described in this Act.

4 “(2) FINAL DECISION-MAKING AUTHORITY.—

5 The Office of Apprenticeship shall retain final deci-
6 sion-making authority on all matters related to the
7 registration, deregistration, and operation of pro-
8 grams registered by a registration agency for Fed-
9 eral purposes.

10 “(b) RESPONSIBILITIES.—The Administrator shall be
11 responsible for the administration of this Act, including:

12 “(1) PROMOTION AND AWARENESS ACTIVI-
13 TIES.—The Administrator shall carry out promotion
14 and awareness activities, including the following:

15 “(A) Supporting the development or scal-
16 ing of apprenticeship models nationally, pro-
17 moting the effectiveness of youth apprentice-
18 ship, pre-apprenticeship, and apprenticeship
19 programs, and providing promotional materials
20 to State apprenticeship agencies, State work-
21 force development systems or local workforce
22 development systems, State educational agen-
23 cies or local educational agencies, employers,
24 trade associations, professional associations, in-
25 dustry groups, labor organizations, joint labor-

1 management organizations, education and
2 training providers, Federal and State correc-
3 tional facilities, veterans-service organizations,
4 and prospective apprentices in such programs.

5 “(B) Promoting greater diversity in the
6 national apprenticeship system including by—

7 “(i)(I) promoting outreach to non-
8 traditional apprenticeship populations, in-
9 cluding by engaging schools that partici-
10 pate in a schoolwide program under section
11 1114 of the Elementary and Secondary
12 Education Act of 1965 (20 U.S.C. 6314)
13 and minority-serving institutions;

14 “(II) disseminating best practices to
15 recruit nontraditional apprenticeship popu-
16 lations, women, minorities, long-term un-
17 employed, individuals with a disability, in-
18 dividuals recovering from substance abuse
19 disorders, veterans, military spouses, indi-
20 viduals experiencing homelessness, individ-
21 uals impacted by the criminal or juvenile
22 justice system, and foster and former fos-
23 ter youth; and

24 “(III) engaging small, medium-size,
25 women-owned, and minority-owned busi-

1 nesses, and employers in high-skill, high-
2 wage, and in-demand industry sectors and
3 occupations that are nontraditional ap-
4 prenticeship occupations; and

5 “(ii) supporting the participation and
6 retention of apprentices and employers de-
7 scribed in clause (i) in the national appren-
8 ticeship system.

9 “(2) TECHNICAL ASSISTANCE ACTIVITIES.—The
10 Administrator shall carry out technical assistance
11 activities, including the following:

12 “(A) Providing technical assistance to—

13 “(i) assist State apprenticeship agen-
14 cies and sponsors in complying with the re-
15 quirements of this Act, including devel-
16 oping the State plan in section 113(c), the
17 process and standards described in subtitle
18 B, and the evaluation and research re-
19 quirements described in subtitle C;

20 “(ii) receive and resolve comments or
21 complaints from youth apprentices, pre-ap-
22 prentices, or apprentices, sponsors, employ-
23 ers, State apprenticeship agencies, State
24 local workforce agencies or local workforce
25 agencies, State educational agencies or

1 local educational agencies, qualified inter-
2 mediaries, labor organizations, joint labor-
3 management organizations, or other stake-
4 holders;

5 “(iii) assist sponsors, employers,
6 qualified intermediaries, and education and
7 training or related instruction providers, or
8 other entities interested in becoming spon-
9 sors, or seeking support for developing pro-
10 grams under the national apprenticeship
11 system or effectively carrying out such pro-
12 grams, including providing assistance for
13 remote or virtual learning or training, as
14 necessary;

15 “(iv) assist those applying for or car-
16 rying out grants, contracts, or cooperative
17 agreements under title II, including
18 through facilitating the sharing of best
19 practices;

20 “(v) share, through a national appren-
21 ticeship system clearinghouse, high-quality
22 materials for programs under the national
23 apprenticeship system, such as related in-
24 struction or training materials, in user-
25 friendly formats and languages that are

1 easily accessible, as determined by the Ad-
2 ministrator; and

3 “(vi) assist State apprenticeship agen-
4 cies in establishing or expanding appren-
5 ticeship hubs as is required in section
6 113(e)(7).

7 “(B) Cooperating with other Federal agen-
8 cies for the promotion and adoption of pro-
9 grams under the national apprenticeship sys-
10 tem, including the—

11 “(i) Secretary of Education in—

12 “(I) providing technical assist-
13 ance for the development and imple-
14 mentation of related instruction under
15 the national apprenticeship system
16 that is aligned with State education
17 systems and education and training
18 providers; and

19 “(II) supporting the stackability
20 and portability of academic credit and
21 credentials earned as part of such
22 programs, including through articula-
23 tion agreements and career pathways;

24 “(ii) State workforce development sys-
25 tems to promote awareness of opportuni-

1 ties under the national apprenticeship sys-
2 tem;

3 “(iii) Attorney General and the Direc-
4 tor of the Bureau of Prisons in providing
5 technical assistance for the development
6 and implementation of related instruction
7 under the national apprenticeship system
8 that is aligned with a mentoring program
9 administered by the Attorney General to—

10 “(I) support the establishment or
11 expansion of pre-apprenticeships and
12 apprenticeship programs to all Fed-
13 eral correctional institutions;

14 “(II) share through the national
15 apprenticeship system clearinghouse
16 research and best practices for pro-
17 grams under the national apprentice-
18 ship system in correctional settings
19 and for individuals impacted by the
20 criminal and juvenile justice system;

21 “(III) provide technical assist-
22 ance for State prison systems and em-
23 ployers seeking to operate or improve
24 corrections-based pre-apprenticeship
25 or apprenticeship programs; and

1 “(IV) support the successful
2 transition of individuals in correc-
3 tional institutions to pre-apprentice-
4 ship or apprenticeship programs upon
5 exiting from correctional settings; and

6 “(iv) Secretary of Health and Human
7 Services to coordinate with State programs
8 for temporary assistance to needy families
9 funded under part A of title VI of the So-
10 cial Security Act to promote awareness of
11 opportunities under the national appren-
12 ticeship system for participants in such
13 State programs.

14 “(3) STATE OFFICES OF APPRENTICESHIP.—

15 “(A) ESTABLISHMENT OF OFFICES.—

16 “(i) IN GENERAL.—The Administrator
17 shall establish and operate a State Office
18 of Apprenticeship in a State described in
19 clause (ii) to serve as the registration
20 agency for such State.

21 “(ii) APPLICABLE STATES.—A State
22 described in this clause is a State—

23 “(I) in which, as of the day be-
24 fore the date of enactment of the Na-
25 tional Apprenticeship Act of 2022,

1 there is no State Office of Apprenticeship;
2 and

3 “(II) that has not applied for
4 recognition as a State apprenticeship
5 agency under section 113, or for
6 which such recognition has not pro-
7 vided or has been withdrawn by the
8 Administrator under such section.

9 “(B) STATE PLAN REQUIREMENT.—Each
10 State Office of Apprenticeship shall be adminis-
11 tered by a State Director who shall prepare and
12 submit a State plan that meets the require-
13 ments of section 113(c).

14 “(C) VACANCIES.—Subject to the avail-
15 ability of appropriations, in the case of a State
16 Office of Apprenticeship with a vacant position,
17 the Administrator shall—

18 “(i) make information on such va-
19 cancy available on a publicly accessible
20 website; and

21 “(ii) report to the Committee on Edu-
22 cation and Labor of the House of Rep-
23 resentatives and the Committee on Health,
24 Education, Labor, and Pensions of the
25 Senate, on the status and length of such

1 vacancy if such vacancy is not filled not
2 later than 90 days after such position has
3 become vacant.

4 “(D) RULE OF CONSTRUCTION.—Nothing
5 in this paragraph shall be construed to prohibit
6 any State described in subparagraph (A)(ii)
7 from establishing an agency or entity to pro-
8 mote programs under the national apprentice-
9 ship system in such State, in coordination with
10 the State Office of Apprenticeship operating in
11 the State, so long as such agency or entity does
12 not act as the registration agency in such State.

13 “(4) QUALITY STANDARDS, APPRENTICESHIP
14 AGREEMENT, AND REGISTRATION REVIEW.—In order
15 for the Secretary, acting through the Administrator,
16 to support the formulation and furtherance of labor
17 standards necessary to safeguard the welfare of pro-
18 gram participants, and to extend the application of
19 such standards in apprenticeship agreements, not
20 later than 1 year after the effective date of the Na-
21 tional Apprenticeship Act of 2022, and at least every
22 3 years thereafter, the Administrator shall review,
23 and where appropriate, update the process for meet-
24 ing the requirements of subtitle B, including applica-
25 ble subregulatory guidance and registration proc-

1 esses to ensure that such process is easily accessible
2 and efficient to bring together employers and labor
3 as sponsors or potential sponsors of programs under
4 the national apprenticeship system.

5 “(5) OCCUPATIONS SUITABLE FOR APPREN-
6 TICESHIP.—

7 “(A) EXISTING OCCUPATIONS.—The Ad-
8 ministrators shall regularly review and update
9 the requirements for each approved occupation
10 suitable for apprenticeship to ensure that such
11 requirements are in compliance with require-
12 ments under this Act.

13 “(B) NEW OCCUPATION.—

14 “(i) IN GENERAL.—The Administrator
15 shall review and make a determination on
16 whether to approve an occupation suitable
17 for apprenticeship not later than 45 days
18 after receiving an application from a per-
19 son seeking such approval from the Admin-
20 istrator.

21 “(ii) ESTIMATED TIMELINE.—If such
22 determination is not made with such 45
23 days, the Administrator shall provide the
24 applicant with a written explanation for
25 the delay and offer an estimated timeline

1 for a determination that does not to exceed
2 90 days after the date of such written ex-
3 planation.

4 “(C) NATIONAL OCCUPATIONAL STAND-
5 ARDS.—

6 “(i) IN GENERAL.—From the funds
7 appropriated under section 141(a), the Ad-
8 ministrator shall convene, on an ongoing
9 basis and taking into consideration rec-
10 ommendations of the Advisory Committee
11 under section 112(d)(4), the industry sec-
12 tor leaders and experts described in clause
13 (ii) for the purposes of establishing or up-
14 dating specific frameworks of national oc-
15 cupational standards for occupations suit-
16 able for apprenticeship (including potential
17 occupations) that—

18 “(I) meet the requirements of
19 this Act; and

20 “(II) describe program scope and
21 length, related instruction, on-the-job
22 training, recognized postsecondary
23 credentials, and competencies, and rel-
24 evant timelines for review of such
25 frameworks.

1 “(ii) INDUSTRY SECTOR LEADERS AND
2 EXPERTS.—The industry sector leaders
3 and experts are employers, industry asso-
4 ciations, joint labor-management organiza-
5 tions, labor organizations, education and
6 training providers, credential providers,
7 program participants, national qualified
8 intermediaries, including those supporting
9 increased participation of nontraditional
10 apprenticeship populations and nontradi-
11 tional apprenticeship occupations, and
12 other stakeholders relevant to the sector or
13 occupation for which the frameworks are
14 being established or updated, as deter-
15 mined by the Administrator.

16 “(iii) PRIORITY NATIONAL OCCUPA-
17 TIONS SUITABLE FOR APPRENTICESHIP.—
18 In establishing frameworks under clause
19 (i) for the first time after the effective date
20 of the National Apprenticeship Act of
21 2022, the Administrator shall prioritize the
22 establishment of such standards in high-
23 skill, high-wage, or in-demand industry
24 sectors and occupations.

1 “(D) REGULATIONS.—Not later than 1
2 year after the date of the enactment of the Na-
3 tional Apprenticeship Act of 2022, the Sec-
4 retary shall issue regulations that outline a
5 process for proactively establishing and approv-
6 ing standards and requirements for occupations
7 suitable for apprenticeship in consultation with
8 the industry sector leaders and experts de-
9 scribed in subparagraph (C)(ii).

10 “(E) NONTRADITIONAL APPRENTICESHIP
11 POPULATIONS.—The Administrator shall regu-
12 larly evaluate the participation of the nontradi-
13 tional apprenticeship populations for each of
14 the approved occupations suitable for appren-
15 ticeship, such as women, minorities, long-term
16 unemployed, individuals with a disability, indi-
17 viduals with substance abuse issues, veterans,
18 military spouses, individuals experiencing home-
19 lessness, individuals impacted by the criminal or
20 juvenile justice system, and foster and former
21 foster youth.

22 “(6) PROGRAM OVERSIGHT AND EVALUA-
23 TION.—The Administrator shall—

24 “(A) monitor State apprenticeship agen-
25 cies, State Offices of Apprenticeship, grantees,

1 and sponsors of programs under the national
2 apprenticeship system to ensure compliance
3 with the requirements of this Act;

4 “(B) provide technical assistance to assist
5 such entities with such compliance or program
6 performance;

7 “(C) conduct research and evaluation in
8 accordance with subtitle C; and

9 “(D) require regular reports on the per-
10 formance of state agencies, including on efforts
11 state agencies make to increase employer
12 awareness of apprenticeship programs for em-
13 ployers who have not participated.

14 “(7) PROMOTING DIVERSITY IN THE NATIONAL
15 APPRENTICESHIP SYSTEM.—The Administrator shall
16 promote diversity and ensure equal opportunity to
17 participate in programs for apprentices, youth ap-
18 prentices, and pre-apprentices, including—

19 “(A) taking steps necessary to promote di-
20 versity in occupations suitable for apprentice-
21 ship under the national apprenticeship system,
22 especially in high-skill, high-wage, or in-demand
23 industry sectors and occupations in areas with
24 high percentages of low-income individuals;

1 “(B) ensuring programs under the national
2 apprenticeship system—

3 “(i) adopt and implement the policies
4 and programs described in part 30 of title
5 29, Code of Federal Regulations (as in ef-
6 fect on January 1, 2022); and

7 “(ii) are subject, for any violation of
8 clause (i), to enforcement action under this
9 Act; and

10 “(C) supporting the recruitment, employ-
11 ment, and retention of nontraditional appren-
12 ticeship populations in programs under the na-
13 tional apprenticeship system in high-skill, high-
14 wage, and in-demand industry sectors and occu-
15 pations, including women, people of color, indi-
16 viduals with disabilities, low-income participants
17 in related Federal programs, individuals im-
18 pacted by the criminal and juvenile justice sys-
19 tem, and individuals with barriers to employ-
20 ment, as applicable.

21 “(8) GRANT AWARDS.—The Administrator shall
22 award grants, contracts, or cooperative agreements
23 under title II.

24 “(9) NATIONAL ADVISORY COMMITTEE.—The
25 Administrator shall—

1 “(A) regularly consult with the National
2 Advisory Committee on Apprenticeships under
3 section 112; and

4 “(B) ensure that the required rec-
5 ommendations and other reports of the Advi-
6 sory Committee are submitted to the Secretary
7 and transmitted to the Committee on Education
8 and Labor of the House of Representatives and
9 the Committee on Health, Education, Labor,
10 and Pensions of the Senate.

11 “(10) COORDINATION.—The Administrator
12 shall coordinate and align programs under the na-
13 tional apprenticeship system with related Federal
14 programs, to better promote participation in the na-
15 tional apprenticeship program.

16 “(c) INFORMATION COLLECTION AND DISSEMINA-
17 TION.—The Administrator shall provide for data collection
18 and dissemination of information regarding programs
19 under the national apprenticeship system, including—

20 “(1) not later than 1 year after the date of the
21 enactment of the National Apprenticeship Act of
22 2022, establishing and supporting a single informa-
23 tion technology infrastructure to support data collec-
24 tion and reporting from State apprenticeship agen-
25 cies, State Offices of Apprenticeship, grantees under

1 title II, program sponsors, and program administra-
2 tors under the national apprenticeship system by
3 providing for a data infrastructure that—

4 “(A) is developed and maintained by the
5 Administrator, with input from national data
6 and privacy experts, is informed by best prac-
7 tices on public provision of credential informa-
8 tion, and to the extent practicable, aligns with
9 the technology infrastructure for related Fed-
10 eral programs, such as the technology infra-
11 structure used under the Workforce Innovation
12 and Opportunity Act (29 U.S.C. 3101 et seq.);

13 “(B) best meets the needs of the national
14 apprenticeship system stakeholders reporting
15 data to the Administrator or State apprentice-
16 ship agencies, including through the provision
17 of technical assistance and financial assistance
18 as necessary to ensure reporting systems are
19 equipped to report into a single information
20 technology infrastructure; and

21 “(C) is aligned with data from the per-
22 formance reviews under section 131(b)(1)(A);

23 “(2) providing for data sharing that includes
24 making nonpersonally identifiable apprenticeship
25 data available on a publicly accessible website that

1 is consumer tested and is searchable and com-
2 parable, through the use of common, linked, open-
3 data description language, such as the credential
4 transparency description language or a substantially
5 similar resource, so that interested parties can be-
6 come aware of apprenticeship opportunities and of
7 program outcomes that best meets the needs of
8 youth apprentices, pre-apprentices, and apprentices,
9 employers, education and training providers, pro-
10 gram sponsors, and relevant stakeholders, includ-
11 ing—

12 “(A) information on program offerings
13 under the national apprenticeship system based
14 on geographical location and occupations suit-
15 able for apprenticeship;

16 “(B) information on education and train-
17 ing providers providing opportunities under
18 such system, including whether programs under
19 such system offer dual or concurrent enrollment
20 programs, articulation agreements, and recog-
21 nized postsecondary credentials as part of the
22 program offerings;

23 “(C) information about the educational
24 and occupational credentials and related com-
25 petencies of programs under such system; and

1 “(D) information based on the most recent
2 data available to the Office that is consistent
3 with national standards and practices.

4 **“SEC. 112. NATIONAL ADVISORY COMMITTEE ON APPREN-**
5 **TICESHIPS.**

6 “(a) ESTABLISHMENT.—

7 “(1) IN GENERAL.—There is established, in the
8 Department of Labor, a National Advisory Com-
9 mittee on Apprenticeships.

10 “(2) COMPOSITION.—

11 “(A) APPOINTMENTS.—The Advisory Com-
12 mittee shall consist of 27 voting members de-
13 scribed in subparagraph (B) appointed by the
14 Secretary.

15 “(B) LIST OF INDIVIDUALS.—The individ-
16 uals described in this subparagraph are—

17 “(i) 9 representatives of employers or
18 industry associations who participate in an
19 apprenticeship program (at least 1 of
20 which represents a women, minority, or
21 veteran-owned business), including rep-
22 resentatives of employers representing non-
23 traditional apprenticeship occupations, and
24 other high-skill, high-wage, or in-demand

1 industry sectors or occupations, as applica-
2 ble;

3 “(ii) 9 representatives of labor organi-
4 zations or joint labor-management organi-
5 zations who have responsibility for the ad-
6 ministration of an apprenticeship program
7 (including those sponsored by a joint labor-
8 management organization and from non-
9 traditional apprenticeship occupations), at
10 least 1 of which represent employees pri-
11 marily in the building trades and construc-
12 tion industry;

13 “(iii) 1 representative of each from—

14 “(I) a State apprenticeship agen-
15 cy;

16 “(II) a State or local workforce
17 development board with significant ex-
18 pertise in supporting a program under
19 the national apprenticeship system;

20 “(III) a community organization
21 with significant expertise supporting
22 such a program;

23 “(IV) an area career and tech-
24 nical education school or local edu-
25 cational agency;

1 “(V) a State apprenticeship
2 council;

3 “(VI) a State or local postsec-
4 ondary education and training pro-
5 viders that administers, or has not
6 less than 1 articulation agreement
7 with an entity administering, a pro-
8 gram under the national apprentice-
9 ship system;

10 “(VII) a provider of an industry
11 recognized credential;

12 “(VIII) a national qualified inter-
13 mediary, including a national qualified
14 intermediary that supports increased
15 participation of nontraditional appren-
16 ticeship populations and nontradi-
17 tional apprenticeship occupations; and

18 “(IX) a program participant.

19 “(C) EX OFFICIO NONVOTING MEMBERS.—
20 The Advisory Committee shall consist of ex offi-
21 cio nonvoting members from each of the fol-
22 lowing departments, selected by the applicable
23 Secretary—

24 “(i) the Department of Labor;

25 “(ii) the Department of Commerce;

- 1 “(iii) the Department of Education;
2 “(iv) the Department of Energy;
3 “(v) the Department of Housing and
4 Urban Development;
5 “(vi) the Department of Transpor-
6 tation;
7 “(vii) the Department of Veterans Af-
8 fairs;
9 “(viii) the Department of Health and
10 Human Services;
11 “(ix) the Department of Justice;
12 “(x) the Department of Defense; and
13 “(xi) the Federal Communications
14 Commission.

15 “(D) RECOMMENDATIONS.—The Speaker
16 of the House of Representatives, the Minority
17 Leader of the House of Representatives, the
18 Majority Leader of the Senate, and the Minor-
19 ity Leader of the Senate may each recommend
20 to the Secretary an individual described in
21 clause (i) or (ii) of subparagraph (B) for ap-
22 pointment under subparagraph (A) who shall be
23 subject to the requirements of paragraph (3).

24 “(3) QUALIFICATIONS.—An individual shall be
25 selected under paragraph (1) on the basis of the ex-

1 perience and competence of such individual with re-
2 spect to programs under the national apprenticeship
3 system.

4 “(4) TERMS.—

5 “(A) IN GENERAL.—Each voting member
6 of the Advisory Committee shall be appointed
7 for a term of 3 years, except as provided in
8 subparagraphs (B) through (D).

9 “(B) TERMS OF INITIAL APPOINTEES.—

10 “(i) IN GENERAL.—The appointments
11 of the initial members of the Advisory
12 Committee shall be made not later than 6
13 months after the effective date of the Na-
14 tional Apprenticeship Act of 2022.

15 “(ii) STAGGERING OF TERMS.—As
16 designated by the Secretary at the time of
17 the appointment, of the members first ap-
18 pointed—

19 “(I) one-third of such members
20 shall serve a 1-year term;

21 “(II) one-third of such members
22 shall serve a 2-year term; and

23 “(III) one-third of such members
24 shall serve a 3-year term.

1 “(C) VACANCIES.—Any member appointed
2 to fill a vacancy occurring before the expiration
3 of the term for which the member’s predecessor
4 was appointed shall be appointed only for the
5 remainder of that term. A member may serve
6 after the expiration of that member’s term until
7 a successor has taken office. A vacancy in the
8 Advisory Committee shall be filled in the man-
9 ner in which the original appointment was
10 made, except that such appointment shall be
11 made not later than 90 days after the date of
12 the vacancy. A member who fulfilled a partial
13 term as the result of a vacancy may, at the end
14 that term, be appointed to a full term.

15 “(D) MULTIPLE TERMS.—A voting mem-
16 ber of the Advisory Committee may serve not
17 more than 2 full terms on the Advisory Com-
18 mittee.

19 “(E) SUBCOMMITTEES.—The Secretary
20 may establish subcommittees under the Advi-
21 sory Committee, which shall be composed in
22 equal number of representatives from individ-
23 uals listed in subclauses (I), (II), and (III) of
24 subparagraph (B)(ii) to carry out specific func-
25 tions related to the purposes of the Advisory

1 Committee, and provide recommendations to
2 the Advisory Committee for the review and con-
3 sideration of the Advisory Committee, and
4 which may meet, as appropriate, when the Advi-
5 sory Committee is not meeting in accordance
6 with subsection (c).

7 “(b) CHAIRPERSON.—The Secretary shall designate
8 one of the voting members described in subsection
9 (a)(2)(A) of the Advisory Committee to serve as Chair-
10 person of the Advisory Committee.

11 “(c) MEETINGS.—

12 “(1) IN GENERAL.—The Advisory Committee
13 shall meet at the call of the Secretary and shall hold
14 not fewer than 4 meetings during each calendar
15 year. The Secretary shall consult with the Chair-
16 person in developing the agenda for the meeting.

17 “(2) OPEN ACCESS.—All meetings of the Advi-
18 sory Committee shall be open to the public. A tran-
19 script shall be kept of each meeting and made avail-
20 able for public inspection within 30 days of the
21 meeting.

22 “(d) DUTIES.—The Advisory Committee shall, at a
23 minimum—

24 “(1) advise, consult with, and make rec-
25 ommendations to the Secretary on matters relating

1 to the administration of this Act, including rec-
2 ommendations on regulations and policies related to
3 the administration of this Act;

4 “(2) annually prepare a set of recommendations
5 for the Secretary, to be shared with the Committee
6 on Education and Labor of the House of Represent-
7 atives and the Committee on Health, Education,
8 Labor and Pensions of the Senate, to improve the
9 registration process under subtitle B to make the
10 process easily accessible and efficient for use by
11 sponsors while maintaining the requirements under
12 subtitle B;

13 “(3) make recommendations on expanding par-
14 ticipation of nontraditional apprenticeship popu-
15 lations in programs under the national apprentice-
16 ship system;

17 “(4) review occupations suitable for apprentice-
18 ship and, based on reviews of labor market trends
19 and changes, make recommendations to the Sec-
20 retary on whether to—

21 “(A) update the list of occupations suitable
22 for apprenticeship under section 111(b)(5)(A);
23 or

24 “(B) convene sector leaders and experts
25 under section 111(b)(5)(C) for the establishing

1 specific frameworks of national occupational
2 standards; and

3 “(5) make recommendations on the develop-
4 ment of demonstrations projects as described in sec-
5 tion 132(f).

6 “(e) PERSONNEL.—

7 “(1) COMPENSATION OF MEMBERS.—

8 “(A) IN GENERAL.—A member of the Ad-
9 visory Committee who is not an officer or em-
10 ployee of the Federal Government shall be com-
11 pensated at a rate equal to the daily equivalent
12 of the annual rate of basic pay prescribed for
13 level IV of the Executive Schedule under section
14 5315 of title 5, United States Code, for each
15 day (including travel time) during which the
16 member is engaged in the performance of the
17 duties of the Advisory Committee.

18 “(B) OFFICERS OR EMPLOYEES OF THE
19 UNITED STATES.—Members of the Advisory
20 Committee who are officers or employees of the
21 United States may not receive additional pay,
22 allowances, or benefits by reason of their service
23 on the Advisory Committee.

24 “(2) STAFF.—The Secretary shall supply the
25 Advisory Committee with an executive Secretary and

1 provide such secretarial, clerical, and other services
2 as the Secretary determines to be necessary to en-
3 able the Advisory Committee to carry out the duties
4 described in subsection (d).

5 “(3) DATA REQUESTS.—The Advisory Com-
6 mittee through its Chairperson may request data
7 from the Secretary as determined necessary by the
8 Advisory Committee to carry out its functions as de-
9 scribed in this section.

10 “(f) PERMANENT COMMITTEE.—The Federal Advi-
11 sory Committee Act (5 U.S.C. App.) (other than section
12 14 of such Act) shall apply to the Advisory Committee.

13 **“SEC. 113. STATE APPRENTICESHIP AGENCIES AND STATE**
14 **OFFICES OF APPRENTICESHIP.**

15 “(a) RECOGNITION OF STATE APPRENTICESHIP
16 AGENCIES.—

17 “(1) IN GENERAL.—The Administrator shall
18 recognize a State agency as a State apprenticeship
19 agency in accordance with this section and cooperate
20 with such State apprenticeship agency regarding the
21 formulation and promotion of standards of appren-
22 ticeship under subtitle B.

23 “(2) APPLICATION.—A State desiring to have a
24 State agency recognized as a State apprenticeship
25 agency under this section shall submit an application

1 at such time, in such manner, and containing such
2 information as the Administrator may require, in-
3 cluding—

4 “(A) the initial State plan described in
5 subsection (c)(2)(A)(i);

6 “(B) a description of how the State ap-
7 prenticeship agency will meet the State plan re-
8 quirements of subsection (c); and

9 “(C) a description of the linkages and co-
10 ordination of the State’s proposed standards,
11 criteria, and requirements with the State’s eco-
12 nomic development strategies and workforce de-
13 velopment system and the State’s secondary,
14 postsecondary, and adult education systems.

15 “(3) REVIEW AND RECOGNITION.—

16 “(A) IN GENERAL.—Not later than 6
17 months after the date on which a State submits
18 an application under paragraph (2), the Sec-
19 retary shall notify the State regarding whether
20 the agency of the State is recognized as a State
21 apprenticeship agency under this section.

22 “(B) DURATION OF RECOGNITION.—

23 “(i) DURATION.—The recognition of a
24 State apprenticeship agency shall be for a
25 4-year period beginning on the date the

1 State apprenticeship agency is notified
2 under subparagraph (A).

3 “(ii) NOTIFICATION.—

4 “(I) IN GENERAL.—The Sec-
5 retary shall notify a State apprentice-
6 ship agency not later than 180 days
7 before the last day of the 4-year pe-
8 riod regarding whether the State ap-
9 prenticeship agency is in compliance
10 with this section.

11 “(II) COMPLIANCE.—In the case
12 of a State apprenticeship agency that
13 is in compliance with this section, the
14 agency’s recognition under this section
15 shall be renewed for an additional 4-
16 year period and the notification under
17 subclause (I) shall include notification
18 of such renewal.

19 “(III) NONCOMPLIANCE.—In the
20 case of a State apprenticeship agency
21 that is not in compliance with this
22 section, the notification shall—

23 “(aa) specify the areas of
24 noncompliance;

1 “(bb) require corrective ac-
2 tion; and

3 “(cc) offer technical assist-
4 ance.

5 “(iii) RENEWAL AFTER CORREC-
6 TION.—If the Administrator determines
7 that a State apprenticeship agency has
8 corrected the identified areas of noncompli-
9 ance under this subparagraph not later
10 than 180 days of notification of noncompli-
11 ance, the State apprenticeship agency’s
12 recognition under this section shall be re-
13 newed for an additional 4-year period.

14 “(C) TRANSITION PERIOD FOR STATE
15 AGENCIES.—

16 “(i) IN GENERAL.—Not later than 1
17 year after the effective date of the Na-
18 tional Apprenticeship Act of 2022, a State
19 agency that, as of the day before the date
20 of enactment of such Act, was recognized
21 by the Secretary for purposes of reg-
22 istering apprenticeship programs in accord-
23 ance with this Act shall submit an applica-
24 tion under paragraph (2).

1 “(ii) TRANSITION PERIOD.—A State
2 agency described in clause (i) shall be rec-
3 ognized as a State apprenticeship agency
4 under this section for a 4-year period be-
5 ginning on the date on which the Secretary
6 approves the application submitted by the
7 State agency under paragraph (2).

8 “(b) AUTHORITY OF A STATE APPRENTICESHIP
9 AGENCY.—

10 “(1) IN GENERAL.—For the period during
11 which a State apprenticeship agency is recognized
12 under subsection (a) and to maintain such recogni-
13 tion, the State apprenticeship agency shall carry out
14 the requirements of this Act.

15 “(2) PROGRAM RECOGNITION.—With respect to
16 a State with a State apprenticeship agency, the
17 State apprenticeship agency shall have sole authority
18 to recognize and register a pre-apprenticeship, youth
19 apprenticeship, or apprenticeship program in such
20 State, which shall include—

21 “(A) determining whether such program is
22 in compliance with the standards for such pro-
23 gram under section 122;

24 “(B) in the case of such a program that is
25 in compliance with such standards, recognizing

1 the program and providing a certificate of rec-
2 ognition for such program;

3 “(C) providing technical assistance to cur-
4 rent or potential sponsors; and

5 “(D) in the case of such a program that
6 fails to meet the requirements of this Act, pro-
7 viding for the withdrawal of recognition of the
8 program in accordance with section 131(b).

9 “(3) STATE APPRENTICESHIP COUNCIL.—

10 “(A) IN GENERAL.—A State apprentice-
11 ship agency is authorized to establish and main-
12 tain a State apprenticeship council, which shall
13 operate under the direction and control of the
14 State apprenticeship agency, and whose func-
15 tions shall include providing the State appren-
16 ticeship agency with advice, recommendations,
17 and reports concerning apprenticeship policies,
18 regulations, and trends.

19 “(B) COMPOSITION.—A State apprentice-
20 ship council may be regulatory or advisory in
21 nature, and shall—

22 “(i) be composed of persons familiar
23 with occupations suitable for apprentice-
24 ship; and

1 “(ii) be fairly balanced, with an equal
2 number of—

3 “(I) representatives of employer
4 organizations, including from non-
5 traditional apprenticeship occupations;

6 “(II) representatives of labor or-
7 ganizations or joint labor-management
8 organizations, including from non-
9 traditional apprenticeship occupations;
10 and

11 “(III) public members; and

12 “(iii) to the extent practicable, have
13 not less than 1 member who is a member
14 of the State workforce board.

15 “(C) SPECIAL RULE.—A State apprentice-
16 ship council may make recommendations on a
17 sponsor’s application for program registration,
18 but shall not make final determinations on ap-
19 proval or disapproval of such application.

20 “(c) STATE PLAN.—

21 “(1) IN GENERAL.—For a State apprenticeship
22 agency to be eligible to receive allotments under sub-
23 section (f) and to be recognized under this section,
24 the State apprenticeship agency shall submit to the

1 Secretary a State plan that meets the requirements
2 of this subsection.

3 “(2) APPROVAL OF STATE PLAN.—

4 “(A) SUBMISSION.—

5 “(i) INITIAL PLAN.—The first State
6 plan of a State apprenticeship agency shall
7 contain the contents required under this
8 subsection, including the plan to promote
9 diversity in the national apprenticeship
10 system as described in paragraph (5), and
11 shall be submitted to the Administrator
12 not later than 120 days prior to the com-
13 mencement of the first full program year
14 of the State apprenticeship agency, which
15 shall include—

16 “(I) a description of any State
17 laws, policies, or operational proce-
18 dures relating to the process of recog-
19 nizing programs under the national
20 apprenticeship system that is incon-
21 sistent with, or imposes requirements
22 in addition to, the requirements of
23 this Act;

24 “(II) an assurance that the State
25 will notify the Administrator if there

1 are any changes to the State laws (in-
2 cluding regulations), policies, or pro-
3 cedures described in subclause (I) that
4 occur after the date of submission of
5 such plan; and

6 “(III) an assurance that the
7 State will make available on a publicly
8 available website a description of any
9 laws (including regulations), policies,
10 and operational procedures relating to
11 the process of recognizing programs
12 under the national apprenticeship sys-
13 tem that are inconsistent with, or im-
14 pose requirements in addition to, the
15 requirements of this Act.

16 “(ii) SUBSEQUENT PLANS.—Except as
17 provided in clause (i), a State plan shall be
18 submitted to the Administrator not later
19 than 120 days prior to the end of the 4-
20 year period covered by the preceding State
21 plan.

22 “(B) APPROVAL.—A State plan shall be
23 subject to the approval of the Administrator
24 and shall be considered to be approved at the
25 end of the 90-day period beginning on the date

1 that the plan is submitted under this para-
2 graph, unless the Administrator, during the 90-
3 day period, provides the State apprenticeship
4 agency, in writing—

5 “(i) an explanation for why the State
6 plan is inconsistent with the requirements
7 of this Act; and

8 “(ii) an opportunity for an appeal of
9 such determination to an Administrative
10 Law Judge for the Department of Labor
11 not later than 30 days after receipt of the
12 notice of denial from the Administrator.

13 “(C) MODIFICATIONS.—

14 “(i) MODIFICATIONS.—At the end of
15 the first 2-year period of any 4-year State
16 plan, the State may submit modifications
17 to the State plan to reflect changes in
18 labor market and economic conditions or
19 other factors affecting the implementation
20 of the State plan.

21 “(ii) APPROVAL.—A modified State
22 plan submitted for review under clause (i)
23 shall be subject to the approval require-
24 ments described in subparagraph (B).

1 “(3) TECHNICAL ASSISTANCE.—Each State
2 Plan shall describe how the State apprenticeship
3 agency will provide technical assistance for—

4 “(A) potential sponsors, employers, labor
5 organizations, joint labor-management organi-
6 zations, qualified intermediaries, apprentices,
7 education and training providers, credentialing
8 bodies, eligible entities, industry associations, or
9 any potential program participant in the na-
10 tional apprenticeship system in the State for
11 the purposes of recruitment, retention, program
12 development, expansion, or implementation, in-
13 cluding supporting remote or virtual learning or
14 training, as necessary;

15 “(B) sponsors of programs registered in
16 the State, including sponsors that are not meet-
17 ing performance goals under subtitle C, for pur-
18 poses of assisting sponsors in meeting or ex-
19 ceeding such goals; and

20 “(C) sponsors of programs registered in
21 that State for purposes of assisting such spon-
22 sors in achieving State goals in diversity and
23 equal opportunity in apprenticeships in accord-
24 ance with paragraph (5).

1 “(4) RECIPROCITY.—With respect to a program
2 recognized by a registration agency in another State
3 or that meets the national program standards of ap-
4 prenticeship, each State plan shall describe how the
5 State apprenticeship agency shall grant reciprocity
6 to such program by recognizing such program in the
7 State of such agency for purposes of this Act by not
8 later than 30 days after receipt of an application for
9 such recognition from a program sponsor, as long as
10 the program seeking such reciprocity—

11 “(A) meets the wage and hour provisions
12 of the State granting such reciprocity; and

13 “(B) in the case of a program that is de-
14 termined by the Secretary to be in a high-haz-
15 ard occupation, meets the numerical ratio re-
16 quirements of the State granting such reci-
17 procity if such requirements are more protective
18 with regard to health, safety, and supervision
19 than the numerical ratio requirements the pro-
20 gram is meeting as of the date of such applica-
21 tion.

22 “(5) PROMOTING DIVERSITY IN THE NATIONAL
23 APPRENTICESHIP SYSTEM.—Each State plan shall
24 include a plan for how the State apprenticeship
25 agency will—

1 “(A) promote diversity in occupations suit-
2 able for apprenticeship offered throughout the
3 State, and a description of how such agency will
4 promote the addition of such occupations in
5 high-skill, high-wage, or in-demand industry
6 sectors and occupations, and in nontraditional
7 apprenticeship occupations; and

8 “(B) promote diversity and equal oppor-
9 tunity in programs under the national appren-
10 ticeship system by uniformly adopting and im-
11 plementing the requirements of subparagraphs
12 (B) and (C) of section 111(b)(7).

13 “(6) COMPLAINTS.—

14 “(A) IN GENERAL.—Subject to subpara-
15 graph (B), each State plan shall include a de-
16 scription of the system for the State apprentice-
17 ship agency to receive and resolve complaints
18 submitted by program participants, the pro-
19 gram participant’s authorized representative,
20 sponsors, employers, or nonprofit compliance
21 organizations, such as complaints concerning
22 equal employment opportunity or discrimina-
23 tion, violations of the apprenticeship agreement,
24 or violations of requirements under this Act.

1 “(B) COLLECTIVE BARGAINING AGREE-
2 MENTS.—Any controversy arising under an ap-
3 prenticeship agreement which is covered by a
4 collective bargaining agreement shall not be
5 subject to the system described in subparagraph
6 (A), except that complaints concerning discrimi-
7 nation or any matters described in subpara-
8 graph (5)(B) shall be subject to such system.

9 “(7) STATE APPRENTICESHIP HUBS.—Each
10 State plan shall describe how the State will support,
11 in a manner that takes into consideration geographic
12 diversity, the creation and implementation of ap-
13 prenticeship hubs throughout the State that shall
14 work with industry and sector partnerships to ex-
15 pand programs under the national apprenticeship
16 system, and occupations suitable for apprenticeship,
17 in the State.

18 “(8) STATE APPRENTICESHIP PERFORMANCE
19 OUTCOMES.—Each State plan shall—

20 “(A) in coordination with the Adminis-
21 trator, establish annual State performance goals
22 for the programs registered by the State ap-
23 prenticeship agency for the indicators de-
24 scribed—

1 “(i) in subparagraph (A) of section
2 131(b)(1); and

3 “(ii) in subparagraph (B)(ii) of sec-
4 tion 131(b)(1); and

5 “(B) describe how the State apprenticeship
6 agency will collect performance data from pro-
7 grams registered by the agency; and

8 “(C) annually report on the outcomes of
9 each such program in relation to the State es-
10 tablished goals under subparagraph (A).

11 “(9) USES OF FUNDS.—Each State plan shall
12 include a description of the uses described in sub-
13 section (d) of the allotment received by the State ap-
14 prenticeship agency under subsection (f).

15 “(10) ALIGNMENT OF WORKFORCE ACTIVI-
16 TIES.—Each State plan shall include a summary of
17 State-supported workforce development activities (in-
18 cluding education and training) in the State, includ-
19 ing—

20 “(A) a summary of the apprenticeship pro-
21 grams on the list of eligible providers of train-
22 ing services under section 122(d) of the Work-
23 force Innovation and Opportunity Act (29
24 U.S.C. 3152(d));

1 “(B) the degree to which the programs
2 under the national apprenticeship system in the
3 State are aligned with and address the skill
4 needs of the employers in the State identified
5 by the State workforce development board; and

6 “(C) a description of how apprenticeship
7 programs will receive expedited consideration to
8 be included on the list of eligible providers of
9 training services under section 122(d) of the
10 Workforce Innovation and Opportunity Act (29
11 U.S.C. 3152(d)).

12 “(11) STATE STRATEGIC VISION.—Each State
13 plan shall include a summary of the State’s strategic
14 vision and set of goals for preparing an educated
15 and skilled workforce and for meeting the skilled
16 workforce needs of employers, including in existing
17 and emerging in-demand industry sectors and occu-
18 pations as identified by the State, and how the pro-
19 grams registered by the State apprenticeship agency
20 in the State will help to meet such goals.

21 “(12) STRATEGY FOR ANY JOINT PLANNING,
22 ALIGNMENT, COORDINATION, AND LEVERAGING OF
23 FUNDS.—Each State plan shall provide a description
24 of the State apprenticeship agency’s strategy for

1 joint planning, alignment, coordination, and
2 leveraging of funds—

3 “(A) with the State’s workforce develop-
4 ment system, to achieve the strategic vision and
5 goals described in paragraph (11), including the
6 core programs defined in section 3 of the Work-
7 force Innovation and Opportunity Act (29
8 U.S.C. 3102) and the elements related to sys-
9 tem alignment under section 102(b)(2)(B) of
10 such Act (29 U.S.C. 3112(b)(2)(B));

11 “(B) for programs under the national ap-
12 prenticeship system in the State with other
13 Federal education programs, including pro-
14 grams under—

15 “(i) the Elementary and Secondary
16 Education Act of 1965;

17 “(ii) the Individuals with Disabilities
18 Education Act;

19 “(iii) the Carl D. Perkins Career and
20 Technical Education Act of 2006; and

21 “(iv) the Higher Education Act of
22 1965; and

23 “(C) to provide information about access
24 to available State assistance or assistance under

1 related Federal programs, including such assist-
2 ance under—

3 “(i) section 6(d) of the Food and Nu-
4 trition Act of 2008;

5 “(ii) subsection (e)(1) of section 3672
6 of title 38, United States Code;

7 “(iii) section 231 of the Second
8 Chance Act of 2007 (34 U.S.C. 60541);
9 and

10 “(iv) the State Temporary Assistance
11 for Needy Families programs under part A
12 of title IV of the Social Security Act.

13 “(13) STATE APPRENTICESHIP COUNCIL.—
14 Each State plan shall provide for a description of
15 the composition, roles, and responsibility of the
16 State apprenticeship council, and how the Council
17 will comply with the requirements of subsection
18 (b)(3).

19 “(d) STATE APPRENTICESHIP AGENCY FUNDING.—
20 A State apprenticeship agency shall use funds received
21 under clauses (i) and (ii) of subsection (f)(1)(A) according
22 to the following requirements:

23 “(1) PROGRAM ADMINISTRATION.—The State
24 apprenticeship agency shall use such funds to sup-
25 port the administration of programs under the na-

1 tional apprenticeship system across the State, in-
2 cluding for—

3 “(A) staff and resources;

4 “(B) oversight and evaluation as required
5 under this Act;

6 “(C) technical assistance to program spon-
7 sors, program participants, employers, labor or-
8 ganizations, joint labor-management organiza-
9 tions, education and training providers, and
10 qualified intermediaries;

11 “(D) pre-apprenticeship, youth, and ap-
12 prenticeship program recruitment and develop-
13 ment, including for—

14 “(i) engaging potential providers of
15 such programs such as employers, qualified
16 intermediaries, related instruction pro-
17 viders, and potential program participants;

18 “(ii) publicizing apprenticeship oppor-
19 tunities and benefits; and

20 “(iii) engaging State workforce and
21 education systems for collaboration and
22 alignment across systems;

23 “(E) supporting the enrollment and ap-
24 prenticeship certification requirements to allow
25 veterans and other individuals eligible for the

1 educational assistance programs under chapters
2 30 through 36 of title 38, United States Code,
3 and any related educational assistance pro-
4 grams under laws administered by the Sec-
5 retary of Veterans Affairs, to use such assist-
6 ance for the apprenticeship program, including
7 the requirement of designating a certifying offi-
8 cial; and

9 “(F) supporting the retention and comple-
10 tion of program participants in such programs,
11 such as by assisting with the costs—

12 “(i) related to enrolling in such pro-
13 grams; or

14 “(ii) of assessments related to obtain-
15 ing a recognized postsecondary credential.

16 “(2) EDUCATIONAL ALIGNMENT.—The State
17 apprenticeship agency shall use not less than 10 per-
18 cent of such funds to engage with the State edu-
19 cation system to provide technical assistance and
20 best practices regarding—

21 “(A) alignment of youth apprenticeship
22 programs with the secondary education pro-
23 grams in the State, including support for career
24 exploration, career pathways, education and ca-
25 reer planning, and engagement with youth ap-

1 prenticeship programs for teachers, career guid-
2 ance and academic counselors, school leaders,
3 administrators, and specialized instructional
4 support personnel and paraprofessionals;

5 “(B) alignment of related instruction pro-
6 vided under the national apprenticeship system
7 in the State with academic credit granting post-
8 secondary programs (including developing ca-
9 reer pathways, articulation agreements, and
10 prior learning assessments); and

11 “(C) the joint planning, alignment, coordi-
12 nation, and leveraging of funds described in
13 subparagraphs (B) and (C) of subsection
14 (c)(12).

15 “(3) WORKFORCE ALIGNMENT.—The State ap-
16 prenticeship agency shall use not less than 10 per-
17 cent of such funds to engage with the State work-
18 force development system to provide technical assist-
19 ance and best practices regarding—

20 “(A) alignment with the State’s workforce
21 activities and strategic vision in accordance
22 with paragraphs (10), (11), and subparagraphs
23 (A) and (C) of paragraph (12) of subsection
24 (c);

1 “(B) guidance for training staff of the
2 workforce development system, including the vo-
3 cational rehabilitation agencies, within the
4 State on the value of programs under the na-
5 tional apprenticeship system as a work-based
6 learning option for participants, including par-
7 ticipants of programs authorized under the
8 Workforce Innovation and Opportunity Act (29
9 U.S.C. 3101 et seq.) such as Job Corps under
10 subtitle C of title I of such Act and YouthBuild
11 under section 171 of such Act;

12 “(C) providing a list of programs under
13 the national apprenticeship system that are of-
14 fered in the State, including in the State’s high-
15 skill, high-wage, or in-demand industry sectors
16 or occupations;

17 “(D) alignment of funding received and re-
18 porting required under this Act, including rel-
19 evant placement, retention, and earnings infor-
20 mation, with the Workforce Innovation and Op-
21 portunity Act (29 U.S.C. 3101 et seq.), and
22 technical assistance in how individual training
23 accounts under section 134(c)(3) of such Act
24 could be used to pay for the costs of enrolling

1 and participating in programs under the na-
2 tional apprenticeship system;

3 “(E) partnerships with State or local work-
4 force development boards, State workforce
5 agencies, and one-stop centers and one-stop op-
6 erators that assist program participants in ac-
7 cessing supportive services to support—

8 “(i) the recruitment, retention, and
9 completion of programs under the national
10 apprenticeship system, including the re-
11 cruitment of nontraditional populations
12 and dislocated workers;

13 “(ii) transitions from youth appren-
14 ticeships and pre-apprenticeships to ap-
15 prenticeship programs; and

16 “(iii) the placement into employment
17 or further education upon program comple-
18 tion; and

19 “(F) expanding the list of eligible providers
20 of training services under section 122(d) of the
21 Workforce Innovation and Opportunity Act to
22 include programs under the national apprentice-
23 ship system in the State (29 U.S.C. 3152(d)).

24 “(4) LEADERSHIP ACTIVITIES.—

1 “(A) IN GENERAL.—A State apprentice-
2 ship agency may reserve not more than 15 per-
3 cent of the funds received under subsection (f)
4 in support of State apprenticeship initiatives
5 described in this paragraph.

6 “(B) DIVERSITY.—Not less than 5 percent
7 of the amount reserved under subparagraph (A)
8 shall be used by the State apprenticeship agen-
9 cy for supporting and expanding diversity in oc-
10 cupations suitable for apprenticeship under the
11 national apprenticeship system in the State and
12 program participant populations in the State.

13 “(C) INCENTIVES FOR EMPLOYERS.—A
14 State apprenticeship agency may use funds re-
15 served under subparagraph (A) to incentivize
16 employers to participate in programs under the
17 national apprenticeship system, such as costs
18 related to program development, staffing for
19 mentors and supervisors, related instruction, or
20 the creation of industry or sector partnerships
21 to support employer participation.

22 “(D) STATE-SPECIFIC INITIATIVES.—A
23 State apprenticeship agency may use funds re-
24 served under subparagraph (A) for State-spe-
25 cific initiatives, such as the development or ex-

1 pansion of youth apprenticeship programs or
2 apprenticeship programs in high-skill, high-
3 wage, or in-demand industry sectors and occu-
4 pations.

5 “(5) STATE MATCH FOR FEDERAL INVEST-
6 MENT.—

7 “(A) IN GENERAL.—Except in the case of
8 exceptional circumstances, as determined by the
9 Administrator, in order to receive a full allot-
10 ment under subsection (f), a State apprentice-
11 ship agency shall use matching funds from non-
12 Federal resources to carry out the activities of
13 the agency under this Act in an amount not
14 less than 25 percent of such allotment.

15 “(B) TRANSITION PERIOD.—The require-
16 ment under this paragraph shall take effect
17 with respect to a State apprenticeship agency
18 on the date that is 1 day after the date on
19 which the transition period for such agency
20 under subsection (a)(3)(C)(ii) ends.

21 “(e) DERECOGNITION OF STATE APPRENTICESHIP
22 AGENCIES.—

23 “(1) IN GENERAL.—The Secretary may with-
24 draw recognition of a State apprenticeship agency
25 before the end of the agency’s 4-year recognition pe-

1 riod under subsection (a)(2)(B) if the Secretary de-
2 termines, after notice and an opportunity for a hear-
3 ing, that the State apprenticeship agency has failed
4 for one of the reasons described in paragraph (2),
5 and has not been in compliance with the perform-
6 ance improvement plan under paragraph (3) to rem-
7 edy such failure.

8 “(2) DERECOGNITION CRITERIA.—The recogni-
9 tion of a State apprenticeship agency under this sec-
10 tion may be withdrawn under paragraph (1) in a
11 case in which the State apprenticeship agency fails
12 to—

13 “(A) adopt or properly enforce a State
14 plan;

15 “(B) properly carry out its role as the sole
16 registration agency in the State;

17 “(C) submit a report under section
18 131(b)(1)(B) for any program year;

19 “(D) meet the State levels of performance
20 as described in subsection (c)(8)(A) or dem-
21 onstrate improvements in performance for 3
22 consecutive program years; or

23 “(E) otherwise fulfill or operate in compli-
24 ance with the requirements of this Act.

25 “(3) DERECOGNITION PROCESS.—

1 “(A) IN GENERAL.—If a State apprentice-
2 ship agency fails for any of the reasons de-
3 scribed in paragraph (2), the Secretary shall
4 provide technical assistance to such agency for
5 corrective action to remedy such failure, includ-
6 ing assistance in the development of a perform-
7 ance improvement plan.

8 “(B) REDUCTION OF FUNDS.—Except in
9 the case of exceptional circumstances as deter-
10 mined by the Administrator, in a case in which
11 such a State apprenticeship agency continues
12 such failure after the provision of the technical
13 assistance under subparagraph (A)—

14 “(i) the percentage of the funds to be
15 allotted to the State apprenticeship agency
16 under subsection (f) for each fiscal year
17 following the fiscal year in which such fail-
18 ure has been identified shall be reduced by
19 5 percentage points; and

20 “(ii) the Administrator shall provide
21 notice to the State apprenticeship agency
22 that the agency’s recognition under this
23 section may be withdrawn if the agency
24 fails to remedy the failure.

1 “(C) TERMINATION OF PROCEEDINGS.—If
2 the Administrator determines that the State ap-
3 prenticeship agency’s corrective action under
4 subparagraph (A) has addressed the agency’s
5 failure identified under paragraph (2), the Ad-
6 ministrator shall—

7 “(i) restore the agency’s full funding
8 allocation under this title for the next full
9 fiscal year; and

10 “(ii) notify the State apprenticeship
11 agency that the agency’s recognition will
12 not be withdrawn under this section for
13 the reason for which the agency’s funding
14 under this title was most recently reduced.

15 “(D) OPPORTUNITY FOR HEARING.—

16 “(i) IN GENERAL.—In a case in which
17 a State apprenticeship agency fails to rem-
18 edy a failure identified under paragraph
19 (2), the Administrator shall—

20 “(I) notify, in writing, the State
21 apprenticeship agency of the failure of
22 the State apprenticeship agency, in-
23 cluding a description of such failure
24 and an explanation that the agency’s
25 recognition under this section may be

1 withdrawn as a result of such failure;
2 and

3 “(II) offer the State apprentice-
4 ship agency an opportunity to request
5 a hearing not later than 30 days after
6 the date of such notice.

7 “(ii) REFERRAL TO OFFICE OF AD-
8 MINISTRATIVE LAW JUDGES.—In a case in
9 which the State apprenticeship agency re-
10 quests a hearing under clause (i)(II), the
11 Administrator shall refer the matter to the
12 Office of Administrative Law Judges for a
13 recommended decision by the Administra-
14 tive Review Board for final agency action.

15 “(4) REQUIREMENTS REGARDING WITHDRAWAL
16 OF RECOGNITION.—

17 “(A) OFFICE OF APPRENTICESHIP.—

18 “(i) PRIOR TO ORDER.—Prior to the
19 withdrawal of the recognition of a State
20 apprenticeship agency under this section,
21 the Administrator shall—

22 “(I) provide to the State appren-
23 ticeship agency an order withdrawing
24 recognition of such agency under this
25 section; and

1 “(II) establish a State Office of
2 Apprenticeship; and

3 “(ii) AFTER ORDER.—Not later than
4 30 days after the date of such order, pro-
5 vide notification of the withdrawal to the
6 sponsors of the programs under the na-
7 tional apprenticeship system in such State
8 that were registered with the State appren-
9 ticeship agency to enable each such spon-
10 sor to be registered with the Administrator
11 (acting through the State Office of Ap-
12 prenticeship established under clause
13 (i)(II)).

14 “(B) STATE APPRENTICESHIP AGENCY RE-
15 QUIREMENTS.—A State agency whose recogni-
16 tion as a State apprenticeship agency under
17 this section has been withdrawn under para-
18 graph (3) shall—

19 “(i) provide to the Administrator pro-
20 gram standards, apprenticeship agree-
21 ments, completion records, cancellation and
22 suspension records, performance metrics,
23 and any other documents relating to the
24 State’s programs under the national ap-
25 prenticeship system in the State;

1 “(ii) cooperate fully during the transi-
2 tion period beginning on the date of the
3 order withdrawing such recognition and
4 ending on the date on which the Adminis-
5 trator establishes a State Office of Appren-
6 ticeship in the State; and

7 “(iii) return any unused funds re-
8 ceived under this Act.

9 “(5) REINSTATEMENT OF RECOGNITION.—A
10 State apprenticeship agency that has had its rec-
11 ognition withdrawn under this section may have
12 such recognition reinstated upon presentation of
13 adequate evidence that the State apprenticeship
14 agency has—

15 “(A) submitted an application under sub-
16 section (a)(2); and

17 “(B) demonstrated the ability to operate in
18 compliance with the requirements of this Act.

19 “(f) RESERVATION AND STATE ALLOTMENTS.—

20 “(1) STATE ALLOTMENTS.—

21 “(A) IN GENERAL.—Of the amount appro-
22 priated under subsection (g) for a fiscal year—

23 “(i) 33 $\frac{1}{3}$ percent shall be equally dis-
24 tributed among each State Office of Ap-

1 prenticeship, outlying area, and eligible
2 State; and

3 “(ii) 66 $\frac{2}{3}$ percent shall be allotted to
4 eligible States on the basis described in
5 subparagraph (B).

6 “(B) FORMULA.—

7 “(i) IN GENERAL.—Of the amount
8 available under subparagraph (A)(ii)—

9 “(I) 25 percent shall be allotted
10 on the basis of the relative share of
11 program participants in each eligible
12 State, as determined on the basis of
13 the most recent satisfactory data
14 available from the Administrator,
15 compared to the total number of pro-
16 gram participants in all eligible
17 States, as determined on such basis;

18 “(II) 25 percent shall be allotted
19 on the basis of the relative share of
20 program participants who have com-
21 pleted a program under the national
22 apprenticeship system in each eligible
23 State during the most recent 5-year
24 period, as determined on the basis of
25 the most recent satisfactory data

1 available from the Administrator,
2 compared to the total 5-year average
3 of program participants who have
4 completed a program in all eligible
5 States, as determined on such basis;
6 and

7 “(III) 50 percent shall be allotted
8 on the basis described in clause (ii).

9 “(ii) ALLOTMENTS BASED ON BLS
10 AND ACS DATA.—Of the amount available
11 under clause (i)(III)—

12 “(I) $33\frac{1}{3}$ percent shall be allot-
13 ted on the basis of the relative share
14 of individuals in the civilian labor
15 force in each eligible State, compared
16 to the total number of individuals in
17 the civilian labor force in all eligible
18 States;

19 “(II) $33\frac{1}{3}$ percent shall be allot-
20 ted on the basis of the relative share
21 of individuals living below the poverty
22 line in each eligible State, compared
23 to the total number of individuals liv-
24 ing below the poverty line in all eligi-
25 ble States; and

1 “(III) 33 $\frac{1}{3}$ percent shall be allot-
2 ted on the basis of the relative num-
3 ber of unemployed individuals in each
4 eligible State, compared to the total
5 number of unemployed individuals in
6 all eligible States.

7 “(2) DEFINITIONS.—In this subsection—

8 “(A) ELIGIBLE STATE.—The term ‘eligible
9 State’ means a State (as defined in section 2)
10 that has a State apprenticeship agency.

11 “(B) POVERTY LINE.—The term ‘poverty
12 line’ has the meaning given such term in sec-
13 tion 3 of the Workforce Innovation and Oppor-
14 tunity Act (29 U.S.C. 3102).

15 “(C) UNEMPLOYED INDIVIDUAL.—The
16 term ‘unemployed individual’ has the meaning
17 given such term in section 3 of the Workforce
18 Innovation and Opportunity Act (29 U.S.C.
19 3102).

20 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this sec-
22 tion—

23 “(1) \$75,000,000 for fiscal year 2023;

24 “(2) \$85,000,000 for fiscal year 2024;

25 “(3) \$95,000,000 for fiscal year 2025;

1 “(4) \$105,000,000 for fiscal year 2026; and

2 “(5) \$115,000,000 for fiscal year 2027.

3 **“SEC. 114. INTERAGENCY AGREEMENT WITH DEPARTMENT**
4 **OF EDUCATION.**

5 “(a) IN GENERAL.—Not later than 1 year after the
6 effective date of the National Apprenticeship Act of 2022,
7 in order to cooperate with the Secretary of Education and
8 promote awareness and adoption of apprenticeship pro-
9 grams, the Secretary (acting through the Administrator)
10 shall—

11 “(1) enter into an interagency agreement with
12 the Secretary of Education to promote and support
13 integration and alignment of programs under the
14 national apprenticeship system with secondary, post-
15 secondary, and adult education, through the activi-
16 ties described in this section; and

17 “(2) submit to the Committee on Education
18 and Labor of the House of Representatives and the
19 Committee on Health, Education, Labor, and Pen-
20 sions of Senate, such agreement and any modifica-
21 tions to such agreement.

22 “(b) ALIGNMENT FOR YOUTH APPRENTICESHIPS.—
23 In order to promote alignment between youth apprentice-
24 ship programs and high school graduation requirements,

1 the interagency agreement under subsection (a) shall de-
2 scribe how the Secretaries will work to provide—

3 “(1) information and resources to—

4 “(A) parents and students to promote a
5 better understanding of programs under the na-
6 tional apprenticeship system and their value in
7 secondary and postsecondary education and ca-
8 reer pathways by not later than middle school,
9 and that are in user-friendly formats and lan-
10 guages that are easily accessible, as determined
11 by the Secretaries; and

12 “(B) school leaders (working with aca-
13 demic counselors, teachers, and faculty) about
14 the value of such programs and information on
15 how to effectively align youth apprenticeship
16 programs with secondary and career and tech-
17 nical education programs; and

18 “(2) technical assistance on how to—

19 “(A) align related instruction and skills
20 and competencies for occupations suitable for
21 apprenticeship to high school graduation re-
22 quirements;

23 “(B) offer related instruction through dual
24 and concurrent enrollment programs and other
25 accelerated learning programs, as described in

1 section 4104(b)(3)(A)(i)(IV) of the Elementary
2 and Secondary Education Act of 1965 (20
3 U.S.C. 7114(b)(3)(A)(i)(IV));

4 “(C) facilitate transitions for youth ap-
5 prentices who have completed their youth ap-
6 prenticeships into further education, including
7 an associate, baccalaureate, or advanced degree,
8 and related apprenticeship opportunities; and

9 “(D) align activities carried out under this
10 Act with eligible funding from, and planning
11 processes for, the Carl D. Perkins Career and
12 Technical Education Act of 2006 (20 U.S.C.
13 2301 et seq.), the Elementary and Secondary
14 Education Act of 1965 (20 U.S.C. 6301 et
15 seq.), the Individuals with Disabilities Edu-
16 cation Act (20 U.S.C. 1400 et seq.), the Reha-
17 bilitation Act of 1973, and the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1001 et seq.).

19 “(c) APPRENTICESHIP COLLEGE CONSORTIUM.—In
20 order to support the establishment of a college consortium
21 of postsecondary educational institutions, including minor-
22 ity serving institutions, related instruction providers,
23 sponsors, qualified intermediaries, employers, labor orga-
24 nizations, and joint labor-management organizations for
25 the purposes of promoting stronger connections between

1 programs under the national apprenticeship system and
2 participating 2- and 4-year postsecondary educational in-
3 stitutions, the interagency agreement under subsection (a)
4 shall include a description of how the Secretaries will—

5 “(1) support data sharing systems that align
6 education records and records of programs under
7 the national apprenticeship system regarding wheth-
8 er program participants who receive financial aid
9 under title IV of the Higher Education Act of 1965
10 enroll in, or complete, postsecondary coursework
11 while participating in a program under such system;

12 “(2) provide guidance on how to align eligible
13 funding from, planning processes for, and the re-
14 quirements of the Carl D. Perkins Career and Tech-
15 nical Education Act of 2006 (20 U.S.C. 2301 et
16 seq.), the Rehabilitation Act of 1973, and the High-
17 er Education Act of 1965 (20 U.S.C. 1001 et seq.)
18 with this Act;

19 “(3) require all participants of the apprentice-
20 ship college consortium to enter into agreements
21 to—

22 “(A) have an articulation agreement with a
23 participating sponsor of an apprenticeship pro-
24 gram, which may include a 2- or 4-year postsec-
25 ondary educational institution;

1 “(B) create or expand the awarding and
2 articulation of academic credit for related in-
3 struction completed and credentials awarded to
4 program participants as part of a program
5 under the national apprenticeship system; and

6 “(C) support the creation or expansion of
7 electronic transcripts for apprenticeship pro-
8 grams and all academic content, including re-
9 lated instruction and on-the-job training;

10 “(4) provide technical assistance on eligible
11 uses of financial aid, including the Federal work
12 study program under part C of title IV of the High-
13 er Education Act of 1965 (20 U.S.C. 1087–51 et
14 seq.), for related instruction for programs under the
15 national apprenticeship system;

16 “(5) provide to consortium participants or po-
17 tential participants information regarding—

18 “(A) a list of apprenticeship programs in
19 related occupations offered in the State or
20 available under the Office of Apprenticeship
21 that may become part of the consortium;

22 “(B) information on how to develop an ap-
23 prenticeship program;

24 “(C) information on Federal, State, and
25 local financial resources available to assist with

1 the establishment and implementation of ap-
2 prenticeship programs; and

3 “(D) information on related qualified inter-
4 mediaries or industry or sector partnerships
5 supporting apprenticeship programs, as applica-
6 ble; and

7 “(6) support information regarding the appren-
8 ticeship consortium being made available on a pub-
9 licly accessible website, including—

10 “(A) a list of participating members of the
11 consortium, apprenticeship programs provided,
12 credentials awarded with each program, and
13 available occupations suitable for apprentice-
14 ship; and

15 “(B) models of articulation agreements,
16 prior learning assessments, and competency-
17 based curriculum for related instruction for il-
18 lustrative purposes.

19 “(d) BEST PRACTICE DEVELOPMENT AND SHAR-
20 ING.—

21 “(1) DISSEMINATION.—Such interagency agree-
22 ment shall require that the Secretaries disseminate
23 information on the value of programs under the na-
24 tional apprenticeship system, including relevant
25 placement, retention, and earnings information,

1 labor market data from the local area, and sector
2 forecasts to determine high-skill, high-wage, or in-
3 demand industry sectors or occupations of such pro-
4 grams, to local education and training providers,
5 labor organizations, or joint labor-management orga-
6 nizations (including those representing teachers).

7 “(2) CLEARINGHOUSE.—Such agreement shall
8 require the Secretaries to create a clearinghouse of
9 best practices—

10 “(A) for improving performance and in-
11 creasing alignment of education and programs
12 under the national apprenticeship system, in-
13 cluding career pathways; and

14 “(B) publicly disseminate information and
15 resources on—

16 “(i) replicable related instruction and
17 on-the-job learning; and

18 “(ii) how to build an understanding of
19 apprenticeship opportunities available to
20 students.

21 “(e) DATA SHARING AGREEMENT.—The Secretaries
22 shall disseminate best practices for the alignment of edu-
23 cation records and records of programs under the national
24 apprenticeship system, including information on program
25 participants who enroll in, complete, and receive academic

1 credit for postsecondary coursework while participating in
2 such a program.

3 “(f) SECRETARIES DEFINED.—In this section, the
4 term ‘Secretaries’ means the Secretary of Labor and the
5 Secretary of Education.

6 **“Subtitle B—Process and Stand-**
7 **ards for the National Appren-**
8 **ticeship System**

9 **“SEC. 121. OCCUPATIONS SUITABLE FOR APPRENTICESHIP.**

10 “(a) IN GENERAL.—For an occupation to be consid-
11 ered suitable for apprenticeship under this Act, a person
12 seeking approval for such occupation to be an occupation
13 suitable for apprenticeship shall submit to the Adminis-
14 trator, an application that demonstrates demand from
15 multiple employers in such occupation for a program
16 under the national apprenticeship system in such occupa-
17 tion that will prepare individuals for the full range of skills
18 and competencies needed for such occupation by describ-
19 ing how the occupation will—

20 “(1) meet the national occupational standards
21 under section 111(b)(5)(C); or

22 “(2) involve the progressive attainment of skills,
23 competencies, and knowledge that are—

1 “(A) clearly identified and commonly rec-
2 cognized throughout the relevant industry or oc-
3 cupation;

4 “(B) customarily learned or enhanced in a
5 practical way through a structured, systematic
6 program of on-the-job supervised learning and
7 related instruction to supplement such learning;
8 and

9 “(C) offered through a time-based, com-
10 petency-based, or hybrid model as described in
11 section 122(b)(1)(E).

12 “(b) ASSESSMENT.—In assessing whether an applica-
13 tion submitted under subsection (a) meets the require-
14 ments of paragraph (1) or (2) of such subsection, a reg-
15 istration agency shall—

16 “(1) conduct a comprehensive assessment of the
17 skills, techniques, and competencies required by the
18 occupation, which assesses whether such skills, tech-
19 niques, and competencies—

20 “(A) are specialized and acquired optimally
21 through a structured, systematic training pro-
22 gram involving close on-the-job supervision and
23 mentoring by subject-matter experts;

24 “(B) require at least 2,000 hours of on-
25 the-job learning and mentoring, or whether an

1 alternative amount of time is appropriate for
2 the occupation; and

3 “(C) are acquired optimally through a sup-
4 plementary educational or instructional compo-
5 nent conveying theoretical and conceptual
6 knowledge relevant to the occupation; and

7 “(2) determine whether the occupation is an oc-
8 cupation that is commonly recognized throughout an
9 industry or sector.

10 **“SEC. 122. QUALITY STANDARDS OF PROGRAMS UNDER**
11 **THE NATIONAL APPRENTICESHIP SYSTEM.**

12 “(a) IN GENERAL.—The Secretary, acting through
13 the Administrator, shall formulate and promote the fur-
14 therance of quality standards necessary to safeguard the
15 welfare of apprentices, pre-apprentices, and youth appren-
16 tices.

17 “(b) APPRENTICESHIP PROGRAM STANDARDS.—In
18 addition to the standards described in subsection (e), an
19 apprenticeship program shall meet the following stand-
20 ards:

21 “(1) The program has an organized and clearly
22 written plan, developed by the sponsor, that in-
23 cludes, at a minimum, the following information:

1 “(A) The employment and training to be
2 received by each apprentice participating in the
3 program, including—

4 “(i) an outline of the work processes
5 or the plan in which the apprentice will re-
6 ceive supervised work experience, on-the-
7 job training, and on-the-job learning;

8 “(ii) the allocation of the approximate
9 amount of time that will be spent in each
10 major work process by the apprentice;

11 “(iii) a description of the mentoring
12 that will be provided to the apprentice; and

13 “(iv) a description or timeline explain-
14 ing the periodic reviews and evaluations of
15 the apprentice’s performance on the job
16 and in related instruction.

17 “(B) A process for maintaining appro-
18 priate progress records, including the reviews
19 and evaluations described in subparagraph
20 (A)(iv).

21 “(C) A description of the organized related
22 instruction the apprentice will receive in tech-
23 nical subjects related to the occupation,
24 which—

1 “(i) for time-based or hybrid appren-
2 ticeship programs as described in para-
3 graph (E), shall include not less than 144
4 hours for each year of apprenticeship, un-
5 less an alternative requirement is put forth
6 by the employer and sponsor that reflects
7 industry standards and is accepted by the
8 registration agency;

9 “(ii) may be accomplished through
10 classroom instruction, occupational or in-
11 dustry courses, instruction provided
12 through electronic media, or other instruc-
13 tion approved by the registration agency;

14 “(iii) shall be provided by one or more
15 qualified instructors that—

16 “(I)(aa) meet technical instructor
17 requirements of the applicable edu-
18 cation agency in the State of registra-
19 tion; or

20 “(bb) are subject matter experts,
21 defined for purposes of this subpara-
22 graph as individuals recognized within
23 an industry as having expertise in a
24 specific occupation; and

1 “(II) have training in teaching
2 techniques and learning styles, or will
3 obtain such training before providing
4 the related technical instruction;

5 “(iv) where appropriate and to the ex-
6 tent practicable, shall be aligned to a ca-
7 reer pathway; and

8 “(v) where appropriate and to the ex-
9 tent practicable, incorporate the principles
10 of universal design for learning under sec-
11 tion 103 of the Higher Education Act of
12 1965 (20 U.S.C. 1003).

13 “(D) A progressively increasing, clearly de-
14 fined schedule of wages to be paid to the ap-
15 prentice that is—

16 “(i) consistent with measurable skill
17 gains; and

18 “(ii) ensures the entry wage is not
19 less than the greater of—

20 “(I) the minimum wage required
21 under section 6(a) of the Fair Labor
22 Standards Act of 1938 (29 U.S.C.
23 206(a)); or

24 “(II) the applicable wage re-
25 quired by other applicable Federal or

1 State laws (including regulations) or
2 collective bargaining agreements.

3 “(E) The term of the apprenticeship pro-
4 gram, which may be measured using—

5 “(i) a time-based model, which re-
6 quires the completion of the industry
7 standard for on-the-job learning hours,
8 which in no case shall be less than a cumu-
9 lative 2,000 hours, unless an alternative
10 requirement is put forth by the employer
11 and sponsor from a nontraditional appren-
12 ticeship occupation as of the date of the
13 enactment of the National Apprenticeship
14 Act of 2022 that reflects industry stand-
15 ards and the relative hazards of the occu-
16 pation, and is accepted by the Secretary
17 and registration agency;

18 “(ii) a competency-based model, which
19 requires the attainment of competency in
20 the occupation; or

21 “(iii) a hybrid model, which blends the
22 time-based and competency-based ap-
23 proaches.

24 “(F) The methods used to measure an ap-
25 prentice’s skills and competencies, which may

1 include an initial diagnostic assessment or as-
2 sessment of credentials that verify an individ-
3 ual’s foundational knowledge and skills that
4 would be needed to succeed in an apprentice-
5 ship program, and which shall include—

6 “(i) in the case of a time-based ap-
7 prenticeship described in subparagraph
8 (E)(i), the individual apprentice’s comple-
9 tion of the required hours of on-the-job
10 learning as described in a work process
11 schedule;

12 “(ii) in the case of a competency-
13 based model described in subparagraph
14 (E)(ii), the individual apprentice’s success-
15 ful demonstration of acquired skills and
16 knowledge through appropriate means of
17 testing and evaluation for such com-
18 petencies, and by requiring apprentices to
19 complete a paid on-the-job learning compo-
20 nent of the apprenticeship; or

21 “(iii) in the case of a hybrid appren-
22 ticeship described in subparagraph (E)(iii),
23 a combination of a specified minimum
24 number of hours of on-the-job learning and
25 the successful demonstration of com-

1 petency, as described in subparagraph
2 (E)(i) and a work process schedule.

3 “(2) The program equally grants advanced
4 standing or credit to all individuals applying for the
5 apprenticeship with demonstrated competency or ac-
6 quired experience, training, or skills, and provides
7 commensurate wages for any progression in standing
8 or credit so granted, including for veterans’ service-
9 acquired skills and experiences.

10 “(3) The program has minimum qualifications
11 for individuals desiring to enter the apprenticeship
12 program, with an eligible starting age for an appren-
13 tice of not less than 16 years.

14 “(4) In the case of a program that chooses to
15 issue an interim credential, the program—

16 “(A) clearly identifies each interim creden-
17 tial;

18 “(B) only issues an interim credential for
19 recognized components of an occupation suit-
20 able for apprenticeship and demonstrates how
21 each interim credential specifically links to the
22 knowledge, skills, and abilities associated with
23 such components; and

24 “(C) establishes the process for assessing
25 an individual apprentice’s demonstration of

1 competency and measurable skill gains associ-
2 ated with the particular interim credential.

3 “(c) PRE-APPRENTICESHIP PROGRAM STAND-
4 ARDS.—In addition to the standards described in sub-
5 section (e), a pre-apprenticeship program shall meet the
6 following standards:

7 “(1) The program is designed to assist individ-
8 uals who do not meet minimum qualifications for an
9 apprenticeship program as described in subsection
10 (b) and prepare them to enter and succeed in such
11 an apprenticeship programs, including by providing
12 the skills and competency attainment needed to
13 enter the apprenticeship program.

14 “(2) The program—

15 “(A) is carried out by a sponsor that has
16 a written agreement with at least one sponsor
17 of an apprenticeship program;

18 “(B) demonstrates the existence of an ac-
19 tive, advisory partnership with an industry or
20 sector partnership to inform the training and
21 education services necessary for a pre-appren-
22 ticeship program;

23 “(C) demonstrates evidence of sufficient
24 demand in an apprenticeship program at the
25 completion of a pre-apprenticeship program to

1 support a transition from a pre-apprenticeship
2 to an apprenticeship; and

3 “(D) demonstrates partnerships with quali-
4 fied intermediaries, community-based organiza-
5 tions, labor organizations, or joint labor-man-
6 agement organizations.

7 “(3) The program includes a written plan devel-
8 oped by the sponsor of the pre-apprenticeship pro-
9 gram that is developed in consultation with the
10 sponsor of the apprenticeship program described in
11 paragraph (2)(A), that—

12 “(A) provides for work-based learning, and
13 paid work-based learning to the extent prac-
14 ticable, in which an industry or sector partner-
15 ship and a related instruction provider collabo-
16 rate to provide training that will introduce par-
17 ticipants to the skills, competencies, and mate-
18 rials used in one or more occupations suitable
19 for apprenticeship;

20 “(B) is based on and aligned with national,
21 State, regional, or local industry standards for
22 high-skill, high-wage, or in-demand industry
23 sectors and occupations, and the requirements
24 of the related apprenticeship program;

1 “(C) to the extent appropriate and prac-
2 ticable, meets the related instruction require-
3 ments as described in clauses (ii) through (iv)
4 of subsection (b)(1)(C) that includes enabling
5 an individual to attain a secondary school di-
6 ploma or its recognized equivalent that enables
7 a pre-apprentice to enter into an apprenticeship
8 program; and

9 “(D) includes mentoring, career exposure,
10 career planning, and career awareness activi-
11 ties.

12 “(d) YOUTH APPRENTICESHIP PROGRAM STAND-
13 ARDS.—In addition to the standards described in sub-
14 section (e), a youth apprenticeship program shall meet the
15 following standards:

16 “(1) The program is designed for youth appren-
17 tices who at the start of the program are enrolled
18 in high school.

19 “(2) The program includes each of the following
20 core elements:

21 “(A) The employment and training to be
22 received by each youth apprentice participating
23 in the program, including—

24 “(i) an outline of the work processes
25 or the plan in which the youth apprentice

1 will receive supervised work experience and
2 on-the-job training or in an experiential
3 setting;

4 “(ii) the allocation of the approximate
5 amount of time that will be spent in each
6 major work process by the youth appren-
7 tice;

8 “(iii) a description of the mentoring
9 that will be provided to the youth appren-
10 tice; and

11 “(iv) a description or timeline explain-
12 ing the periodic reviews and evaluations of
13 the youth apprentice’s performance on the
14 job and in related instruction.

15 “(B) A process for maintaining appro-
16 priate progress records, including the reviews
17 and evaluations described in subparagraph
18 (A)(iv).

19 “(C) Related classroom-based instruction,
20 which may be fulfilled through dual or concur-
21 rent enrollment, and—

22 “(i) is, to the extent practicable,
23 aligned with high school diploma require-
24 ments and career clusters; and

1 “(ii) meets the additional require-
2 ments as described in subsection (b)(1)(C).

3 “(D) A progressively increasing, clearly de-
4 fined schedule of wages to be paid to the youth
5 apprentice.

6 “(E) The term of the youth apprenticeship
7 program, as described in subsection (b)(1)(E).

8 “(F) For a competency-based or hybrid
9 youth apprenticeship program, the methods
10 used to measure skill acquisition for a youth
11 apprentice, including ongoing assessment
12 against established skill and competency stand-
13 ards as described in subsection (b)(1)(F).

14 “(G) Prepares the youth apprentice for
15 placement in further education, employment, or
16 an apprenticeship program.

17 “(3) The program equally grants advanced
18 standing or credit to all individuals applying for the
19 youth apprenticeship with demonstrated competency
20 or acquired experience, training, or skills.

21 “(4) In the case of a youth apprenticeship pro-
22 gram that chooses to issue an interim credential, the
23 program meets the requirements of subsection
24 (b)(4).

1 “(e) GENERAL REQUIREMENTS.—Each program
2 under the national apprenticeship system shall meet the
3 following standards:

4 “(1) The program—

5 “(A) has adequate and safe equipment, en-
6 vironments, and facilities for training and su-
7 pervision;

8 “(B) provides safety training on-the-job
9 and in related instruction as applicable by the
10 occupation suitable for apprenticeship; and

11 “(C) provides adequate training for men-
12 tors and qualified instructors on providing a
13 safe work and training environment.

14 “(2) The program records and maintains all
15 records concerning the program as may be required
16 by the Secretary, the registration agency of the pro-
17 gram, or any other applicable law, including records
18 required under title 38, United States Code, in order
19 for veterans and other individuals eligible for edu-
20 cational assistance under such title to use such as-
21 sistance for enrollment in the program.

22 “(3) The program provides—

23 “(A) all individuals with an equal oppor-
24 tunity to participate in the program as de-

1 scribed in subparagraphs (B) and (C) of section
2 111(b)(7); and

3 “(B) materials that meet, at a minimum,
4 conformance to Level AA of the Web Content
5 Accessibility Guidelines 2.0 of the Web Accessi-
6 bility Initiative (or any successor guidelines).

7 “(4) The program awards a certificate of com-
8 pletion in recognition of successful completion of the
9 program, evidenced by an appropriate certificate
10 issued by the registration agency, and in the case of
11 apprenticeships and youth apprenticeships, prepares
12 a program participant to obtain a recognized post-
13 secondary credential.

14 “(5) The program provides that an individual
15 who is to become a program participant under the
16 program enters into a written apprenticeship agree-
17 ment described in section 123 with the sponsor of
18 the program.

19 “(6) The numeric ratio of program participants
20 to supervisors (such as journeyworkers, mentors, or
21 on-the-job learning instructors, as applicable) for the
22 occupation suitable for apprenticeship, which are
23 based on evidence-based and evidence-informed best
24 practices for supervision, training, safety, and con-
25 tinuity of employment, throughout the work proc-

1 esses of the program, job site, department, or plant,
2 appropriate for the degree of hazard in different oc-
3 cupations, and—

4 “(A) are consistent with provisions in col-
5 lective bargaining agreements, as applicable, ex-
6 cept if such ratios are expressly prohibited by
7 the collective bargaining agreements;

8 “(B) provide that such a ratio does not
9 contravene the application of other Federal or
10 State laws that may establish more protective
11 standards with respect to the establishment of
12 ratios of apprentices to journeyworkers, includ-
13 ing any rules or orders promulgated under the
14 Fair Labor Standards Act of 1938 with respect
15 to the employment, training, and supervision of
16 16- and 17-year old youth apprentices in cer-
17 tain hazardous occupations.

18 **“SEC. 123. APPRENTICESHIP AGREEMENTS.**

19 “(a) IN GENERAL.—To ensure the standards de-
20 scribed in section 122 are applied to programs under the
21 national apprenticeship system, the Administrator shall
22 require a sponsor to develop an apprenticeship agreement
23 that shall—

24 “(1) be the same for each program participant;

1 “(2) contain the names and signatures of the
2 program participant and the sponsor;

3 “(3) meet the requirements of subsection (b);
4 and

5 “(4) be submitted to the registration agency in
6 accordance with section 124 by the program spon-
7 sor.

8 “(b) STANDARDS.—Each agreement under sub-
9 section (a) shall contain, explicitly or by reference, pro-
10 gram standards under section 122, including—

11 “(1) in the case of an apprenticeship pro-
12 gram—

13 “(A) that is time-based, a statement of the
14 number of hours to be spent by the program
15 participant in on-the-job learning and on-the-
16 job training in order to complete the program;

17 “(B) that is competency-based, a descrip-
18 tion of the skill sets to be attained by comple-
19 tion of the program, including the on-the-job
20 learning and work components; or

21 “(C) that is a hybrid model, the minimum
22 number of hours to be spent by the program
23 participant in on-the-job learning and work
24 components and in related instruction, and a

1 description of the skill sets and competencies to
2 be attained by completion of the program;

3 “(2) the number of hours and form of related
4 instruction, including how related instruction will be
5 compensated (whether through academic credit,
6 wages, or both), the costs the program participant
7 will incur for participating in the program (such as
8 for equipment, related instruction, or assessment or
9 licensure fees), and the recognized postsecondary
10 credentials the program participants will be eligible
11 to receive upon program completion;

12 “(3) a schedule of the work processes in the oc-
13 cupation or industry divisions in which the program
14 participant is to be trained and the approximate
15 time to be spent at each process;

16 “(4) for apprenticeships or youth apprentice-
17 ships, the graduated wage scale to be paid to the ap-
18 prentices, benefits offered to the apprentices, and
19 how the wages and benefits compare to State, local,
20 or regional wages in the related occupation; and

21 “(5) demonstration of commitment to and com-
22 pliance with subparagraphs (B) and (C) of section
23 111(b)(7).

24 “(c) COLLECTIVE BARGAINING.—Nothing in an ap-
25 prenticeship agreement or this Act shall operate to invali-

1 date an applicable provision in a collective bargaining
2 agreement between employers and employees establishing
3 higher standards for programs under the national appren-
4 ticeship system.

5 **“SEC. 124. REGISTRATION OF PROGRAMS UNDER THE NA-**
6 **TIONAL APPRENTICESHIP SYSTEM.**

7 “(a) PROGRAM REGISTRATION APPLICATION.—In
8 order to bring together employers and labor for the formu-
9 lation of programs under the national apprenticeship sys-
10 tem, the Administrator shall provide for the registration
11 of programs in which a sponsor applying to register a pro-
12 gram under the national apprenticeship system shall re-
13 quest registration of such program from a registration
14 agency by submitting the information required by the reg-
15 istration agency, including—

16 “(1) information demonstrating that each of
17 the requirements of section 122 will be met for the
18 program;

19 “(2) a copy of the apprenticeship agreement de-
20 scribed in section 123 used by the sponsor;

21 “(3) a written assurance that, if the program is
22 registered under this Act, the sponsor will—

23 “(A) administer the program in accordance
24 with the requirements of this Act and comply

1 with the requirements of the apprenticeship
2 agreement for each apprentice; and

3 “(B) enroll at least 1 program participant;
4 and

5 “(4) methods the program sponsor will use to
6 report performance data describing outcomes associ-
7 ated with the program as required by the registra-
8 tion agency—

9 “(A) on an annual basis for any program
10 sponsor with fewer than 5 program partici-
11 pants; or

12 “(B) on a quarterly basis for any program
13 sponsor with 5 or more program participants.

14 “(b) RECOGNITION AND REGISTRATION PROCESS.—

15 “(1) REVIEW AND APPROVAL PROCESS.—

16 “(A) PROVISIONAL APPROVAL REVIEW.—

17 An application submitted under subsection (a)
18 that the registration agency determines meets
19 the requirements described in such subsection
20 shall be registered for a provisional 1-year pe-
21 riod beginning not later than 30 days after
22 such application is submitted. During such pe-
23 riod, the registration agency shall accept and
24 record the apprenticeship agreement as evidence

1 of the program’s compliance and registration to
2 operate such program.

3 “(B) FULL APPROVAL OR EXTENDED PRO-
4 VISIONAL APPROVAL.—By the end of a provi-
5 sional registration period for a program, the
6 registration agency providing provisional ap-
7 proval under subparagraph (A) shall review the
8 program for quality and for compliance with the
9 applicable standards under this subtitle and all
10 other applicable program requirements under
11 this Act, and—

12 “(i) if a registration agency con-
13 ducting a provisional review determines
14 that the program complies with the stand-
15 ards and requirements under this Act, the
16 registration agency shall fully approve the
17 registration of the program; or

18 “(ii) if a registration agency con-
19 ducting a provisional review determines
20 that the program is not conforming to the
21 requirements or standards under this Act,
22 the registration agency may continue the
23 provisional registration of the program
24 through the first full training cycle for pro-
25 gram participants, and conduct an addi-

1 tional provisional review at the conclusion
2 of the training cycle.

3 “(C) FAILURE TO MEET REQUIRE-
4 MENTS.—If, after an initial provisional review
5 under subparagraph (A), a registration agency
6 conducting such provisional review determines
7 that the program is not in operation or does not
8 conform to the requirements under this Act, the
9 registration agency shall recommend technical
10 assistance and corrective action for the pro-
11 gram, or deregistration, in accordance with pro-
12 cedures established under subsections (b) and
13 (c) of section 131.

14 “(2) CERTIFICATE OF REGISTRATION.—

15 “(A) IN GENERAL.—A registration agency
16 that registers a program under paragraph (1)
17 shall—

18 “(i) provide the sponsor of the pro-
19 gram with a certificate of registration or
20 other written evidence of registration; and

21 “(ii) provide a copy of the certificate
22 of registration to the Secretary of Veterans
23 Affairs or the applicable State veterans
24 agency for the purpose of aligning the reg-
25 istration process with the process for ap-

1 proving such program for eligible veterans’
2 use of supplemental educational assistance
3 benefits.

4 “(B) REGISTRATION NAME.—A program
5 shall be registered in the name of the sponsor,
6 or if a sponsor enters into a partnership with
7 an employer who registers the program, in the
8 name of the employer.

9 “(3) PROGRAM PARTICIPANT REGISTRATION.—
10 A sponsor providing a program that is registered in
11 accordance with paragraph (2) shall provide to an
12 individual seeking to be a program participant the
13 opportunity to apply through the sponsor, and
14 shall—

15 “(A) enter into a written individual ap-
16 prenticeship agreement described in section 123
17 with each such individual before the commence-
18 ment of the program; and

19 “(B) individually register each program
20 participant with the registration agency by fil-
21 ing a copy of the individual apprenticeship
22 agreement with the registration agency or as
23 otherwise required by the registration agency,
24 and sharing a copy with the Administrator as

1 appropriate, as described under section
2 123(a)(4).

3 “(4) TRANSITION PROCESS FOR PREVIOUSLY
4 APPROVED PROGRAMS.—With respect to a program
5 that was registered under this Act as of the day be-
6 fore the date of enactment of the National Appren-
7 ticeship Act of 2022, the registration agency shall
8 take such steps as necessary to—

9 “(A) in the case of a program that meets
10 of the requirements of this Act, maintain the
11 status of the sponsor of the program as of the
12 date before such date of enactment as the spon-
13 sor of such program under this Act; and

14 “(B) in the case of a program that does
15 not meet the requirements of this Act, provide
16 technical assistance to the sponsor of such pro-
17 gram to ensure that the sponsor is in compli-
18 ance with this Act not later than 3 years after
19 the date of enactment of the National Appren-
20 ticeship Act of 2022.

21 “(c) MODIFICATIONS OR CHANGES TO YOUTH AP-
22 PRENTICESHIP, PRE-APPRENTICESHIP, OR APPRENTICE-
23 SHIP PROGRAMS.—

24 “(1) SPONSOR PROPOSAL.—Any sponsor that
25 wishes to modify a program, including the program’s

1 method of meeting the standards required under this
2 Act, shall submit the proposal for such change or
3 modification to the registration agency for the pro-
4 gram.

5 “(2) REGISTRATION AGENCY REQUIREMENTS.—

6 “(A) IN GENERAL.—The registration agen-
7 cy shall determine whether to approve the pro-
8 posal and notify the sponsor of the determina-
9 tion by not later than 60 days after receipt of
10 the proposal.

11 “(B) APPROVAL OF PROPOSAL.—If the
12 proposal is approved, the registration agency
13 shall amend the record of the program to reflect
14 the modification or change, and provide the
15 sponsor or program administrator with an ac-
16 knowledgment of the amended program, by not
17 later than 30 days after the date of approval.

18 “(C) DISAPPROVAL OF PROPOSAL.—If the
19 proposal is not approved, the registration agen-
20 cy shall—

21 “(i) notify the sponsor of the reasons
22 for the disapproval and provide the sponsor
23 with technical assistance to maintain the
24 program as originally registered;

1 “(ii) provide the sponsor with the op-
2 portunity to submit a revised modification
3 proposal, including providing appropriate
4 technical assistance to modify the proposal
5 in order to meet the requirements of this
6 Act; and

7 “(iii) in a case in which the sponsor
8 submits a revised modification proposal,
9 not later than 60 days after receipt of such
10 proposal—

11 “(I) approve the proposal; or

12 “(II) disapprove the proposal and
13 provide the sponsor with technical as-
14 sistance to maintain the program as
15 originally registered.

16 “(D) LIST OF DISAPPROVED PROGRAMS.—

17 The registration agency shall maintain a list of
18 programs that were disapproved which includes
19 the reasons for each such disapproval and pro-
20 vide such list to the Administrator at least an-
21 nually.

1 **“Subtitle C—Evaluations and**
2 **Research**

3 **“SEC. 131. PROGRAM EVALUATIONS.**

4 “(a) PURPOSE.—The purpose of this section is to
5 provide program performance transparency across the
6 programs under the national apprenticeship system, assess
7 the effectiveness of States in achieving positive outcomes
8 for program participants served by those programs, and
9 establish performance accountability measures related to
10 program completion and key indicators of performance
11 under the Workforce Innovation and Opportunity Act (29
12 U.S.C. 3101 et seq.).

13 “(b) REVIEWS BY REGISTRATION AGENCIES.—

14 “(1) PERFORMANCE REVIEWS.—

15 “(A) IN GENERAL.—A registration agency
16 shall—

17 “(i) annually collect performance data
18 for each program registered under section
19 124 by such agency to determine—

20 “(I) the performance of the pro-
21 gram with respect to the indicators of
22 performance under section
23 116(b)(2)(A)(i) of the Workforce In-
24 novation and Opportunity Act (29
25 U.S.C. 3141(b)(2)(A)(i) or in the case

1 of a youth apprenticeship program,
2 section 116(b)(2)(A)(ii) of such Act
3 (29 U.S.C. 3141(b)(2)(A)(ii)), as ap-
4 plied to programs under the national
5 apprenticeship system; and

6 “(II) the completion rates of the
7 program;

8 “(ii) provide technical assistance for
9 the collection of the information under
10 clause (i) of this subparagraph and sub-
11 paragraph (B), as necessary;

12 “(iii) comply with the report require-
13 ments under subparagraph (B); and

14 “(iv) provide data collected under
15 clause (i) of this subparagraph and sub-
16 paragraph (B), disaggregated in accord-
17 ance with clause (ii) of subparagraph (B),
18 to the independent entity conducting the
19 evaluations on behalf of the Secretary
20 under section 132.

21 “(B) REPORTS.—

22 “(i) IN GENERAL.—The registration
23 agency for a State shall annually prepare
24 and submit to the Administrator a State
25 performance report that is disaggregated

1 in accordance with clause (ii), and includes
2 the following information with respect to
3 each program registered under section 124
4 by such agency:

5 “(I) Information specifying the
6 levels of performance described in
7 subparagraph (A), as compared to
8 goals set in section 113(c)(8)(A)(i).

9 “(II) The percentage of program
10 participants by race, sex ethnicity
11 and, to the extent practicable, by indi-
12 viduals with disabilities, as compared
13 to such percentages within the work-
14 ing age population who are in the geo-
15 graphical area from which the sponsor
16 usually seeks or reasonably could seek
17 program participants and who meet
18 the minimum eligibility requirements
19 for entry into in the program.

20 “(III) The percentage of program
21 participants served by each of the pro-
22 grams that obtained unsubsidized em-
23 ployment in a field related to the oc-
24 cupation suitable for apprenticeship.

1 “(IV) The average time to com-
2 pletion for the program as compared
3 to the description in the agreement
4 under paragraphs (1) and (2) of sec-
5 tion 123(b).

6 “(V) The average cost per partic-
7 ipant during the most recent program
8 year and the 3 preceding program
9 years.

10 “(VI) The percentage of program
11 participants who received supportive
12 services.

13 “(VII) Information on the State’s
14 activities required under section
15 113(c), including the State’s uses of
16 funds.

17 “(ii) DISAGGREGATION.—The per-
18 formance data described in subclauses (I)
19 through (VI) of clause (i) shall be
20 disaggregated—

21 “(I) by the program type (ap-
22 prenticeship, youth apprenticeship, or
23 pre-apprenticeship program) involved;
24 and

1 “(II) by race, ethnicity, sex, age,
2 veteran status, and membership in a
3 population specified in section 3(24)
4 of the Workforce Innovation and Op-
5 portunity Act (29 U.S.C. 3102(24)).

6 “(C) REPORTS TO CONGRESS.—Not later
7 than 60 days after receiving a report under
8 subparagraph (B), the Secretary shall transmit
9 to the Committee on Education and Labor of
10 the House of Representatives and the Com-
11 mittee on Health, Education, Labor, and Pen-
12 sions of the Senate.

13 “(D) PUBLICATION.—The Administrator
14 shall annually make available on a publicly ac-
15 cessible website each report received under sub-
16 paragraph (B) not later than 30 days after re-
17 ceipt of such report.

18 “(2) COMPREHENSIVE PROGRAM REVIEWS.—

19 “(A) IN GENERAL.—A registration agency
20 shall periodically review each program reg-
21 istered under section 124 by such agency for
22 quality assurance and compliance with the re-
23 quirements of this Act.

24 “(B) TIMING OF REVIEWS.—A review de-
25 scribed in subparagraph (A) shall occur—

1 “(i) at the end of the first full train-
2 ing cycle of program participants under
3 the program; and

4 “(ii) beginning after the review de-
5 scribed in clause (i) at least once every 5
6 years.

7 “(C) REVIEW.—The review shall be a com-
8 prehensive review regarding all aspects of the
9 program performance, including—

10 “(i) determining whether the registra-
11 tion agency is receiving notification from
12 the sponsor of a program regarding indi-
13 viduals who are registered as new youth
14 apprentices, pre-apprentices, or apprentices
15 under the program, or who successfully
16 complete the program, as required under
17 this Act;

18 “(ii) determining whether the sponsor
19 of the program is complying with the re-
20 quirements of this Act;

21 “(iii) evaluating the performance of
22 the sponsor with respect to, at a minimum,
23 the indicators described in paragraph
24 (1)(A)(i), with the performance data

1 disaggregated as described in paragraph
2 (1)(B)(viii); and

3 “*(iv)* ensuring the sponsor’s compli-
4 ance with the requirement to provide equal
5 opportunity in recruitment, training, and
6 employment as described in subparagraphs
7 (B) and (C) of section 111(b)(7).

8 “(D) REPORTS.—On completion of a re-
9 view under this paragraph, the registration
10 agency shall prepare and submit to the Admin-
11 istrator a report containing the results of the
12 review.

13 “(c) SUBSEQUENT ACTION.—

14 “(1) TECHNICAL ASSISTANCE.—The registra-
15 tion agency shall provide technical assistance to the
16 sponsor and identify areas that require technical as-
17 sistance, including—

18 “(A) to support the sponsor in creating a
19 plan to meet the State goals described in sec-
20 tion 113(c)(8)(A)(ii), as applicable; and

21 “(B) assistance in the development of a
22 performance improvement plan if the registra-
23 tion agency determines, pursuant to any review
24 under subsection (b), that the youth apprentice-

1 ship, pre-apprenticeship, or apprenticeship pro-
2 gram—

3 “(i) is not in operation;

4 “(ii) is not in compliance with the re-
5 quirements of this Act; or

6 “(iii) is achieving levels of perform-
7 ance on any indicators described in sub-
8 section (b)(1)(A)(i) that are lower than the
9 State goals for any program year.

10 “(2) CORRECTIVE ACTION AND
11 DEREGISTRATION OF AN APPRENTICESHIP PRO-
12 GRAM.—The registration agency may take corrective
13 action, and if warranted, deregister a youth appren-
14 ticeship, pre-apprenticeship, or apprenticeship pro-
15 gram, after making a determination that the pro-
16 gram demonstrates persistent and significant failure
17 to perform successfully, which occurs when—

18 “(A) the sponsor of the program consist-
19 ently fails to register at least 1 program partici-
20 pant;

21 “(B) the program shows a pattern of poor
22 results on the indicators described in subsection
23 (b)(1)(A)(i) over a period of 3 years, given the
24 characteristics of program participants and eco-

1 nomic conditions in the area served, or are
2 lower than the national or State average;

3 “(C) the program shows no indication of
4 improvement in the areas identified by the reg-
5 istration agency and in the performance im-
6 provement plan under paragraph (1); or

7 “(D) the sponsor has not administered the
8 program in accordance with the program’s reg-
9 istration, as applicable, or with the require-
10 ments of this Act.

11 “(3) NOTIFICATION AND HEARING.—If the reg-
12 istration agency makes a determination described in
13 paragraph (2), the registration agency shall notify
14 the Secretary and the sponsor of the determination
15 in writing, and permit the sponsor to request a hear-
16 ing by the Office of Administrative Law Judges. The
17 registration agency shall transmit to the Secretary a
18 report containing all pertinent facts and cir-
19 cumstances concerning the determination, including
20 findings and a recommendation for deregistration,
21 and copies of all relevant documents and records. If
22 the sponsor does not request the hearing not later
23 than 15 days after receiving such notification, the
24 registration agency shall deregister the program

1 after the period for requesting such a hearing has
2 expired.

3 “(4) NOTIFICATION AND TREATMENT OF AP-
4 PRENTICES.—Not later than 15 days after the reg-
5 istration agency deregisters a program, the sponsor
6 or program administrator shall notify program par-
7 ticipant—

8 “(A) of such deregistration and the effec-
9 tive date;

10 “(B) that such deregistration automatically
11 deprives the program participant of individual
12 registration as part of such youth apprentice-
13 ship, pre-apprenticeship, or apprenticeship pro-
14 gram, including the ability to receive a certifi-
15 cate of completion from the registration agency;

16 “(C) that the deregistration of the pro-
17 gram removes the program participant from eli-
18 gibility for any Federal financial or other assist-
19 ance, or rights, privileges, or exemptions under
20 Federal law, that—

21 “(i) relates to an apprentice; and

22 “(ii) requires the registration agency’s
23 approval; and

24 “(D) that all youth apprentices, pre-ap-
25 prentices, or apprentices are referred to the

1 registration agency for information about po-
2 tential transfers to other programs under the
3 national apprenticeship system.

4 **“SEC. 132. NATIONAL APPRENTICESHIP SYSTEM RE-**
5 **SEARCH.**

6 “(a) RESEARCH.—The Secretary shall conduct,
7 through an independent entity, research for the purpose
8 of improving the management and effectiveness of the pro-
9 grams and activities carried out under this Act and to as-
10 sist in the evaluation of the programs as described in sec-
11 tion 131.

12 “(b) TECHNIQUES.—The research conducted under
13 this section shall utilize appropriate methodology and re-
14 search designs.

15 “(c) CONTENTS.—Such research shall address—

16 “(1) the general effectiveness of such programs
17 and activities in relation to their cost, including the
18 extent to which the programs and activities—

19 “(A) improve the skill and employment
20 competencies of participants in comparison to
21 comparably-situated individuals who did not
22 participate in such programs and activities;

23 “(B) to the extent feasible, increase the
24 levels of total employment, of attainment of rec-
25 ognized postsecondary credentials, and of meas-

1 urable skills, above the levels that would have
2 existed in the absence of such programs and ac-
3 tivities;

4 “(C) respond to the needs reflected in
5 labor market data in the local area and align
6 with high-skill, high-wage, or in-demand indus-
7 tries or occupations;

8 “(D) demonstrate a return on investment
9 of Federal, State, local, sponsor, employer, and
10 other funding for programs under the national
11 apprenticeship system, capturing the full level
12 of investment in, and impact of, such programs
13 under the national apprenticeship system; and

14 “(E) regularly assess the impact of ap-
15 prenticeship programs under the national ap-
16 prentice system in effectively increasing the
17 participation of women, minorities, individuals
18 with disabilities, long term unemployed, individ-
19 uals impacted by the criminal and juvenile jus-
20 tice system, foster and former foster youth, and
21 individuals with barriers to employment;

22 “(2) the impact of the National Apprenticeship
23 Act of 2022 on the general effectiveness of programs
24 under the national apprenticeship system, including
25 the implementation of policies such as dual or con-

1 current enrollment programs, advanced standing, or
2 national occupational standards;

3 “(3) best practices in increasing participation of
4 nontraditional apprenticeship populations and indi-
5 viduals with barriers to employment, including indi-
6 viduals with disabilities, in programs under the na-
7 tional apprenticeship system; and

8 “(4) opportunities to scale up effective models
9 under the national apprenticeship system.

10 “(d) REPORTS.—

11 “(1) INDEPENDENT ENTITY.—The independent
12 entity carrying out the research shall prepare and
13 submit to the Secretary—

14 “(A) an interim report containing findings
15 from the research; and

16 “(B) a final report containing the results
17 of the research, including policy recommenda-
18 tions.

19 “(2) REPORTS TO CONGRESS.—Not later than
20 60 days after receipt of the interim report and final
21 report described in subparagraphs (A) and (B) of
22 paragraph (1), respectively, the Secretary shall sub-
23 mit each report to the Committee on Education and
24 Labor of the House of Representatives and the Com-

1 mittee on Health, Education, Labor, and Pensions
2 of the Senate.

3 “(e) PUBLIC ACCESS.—The Secretary shall make the
4 interim and final reports available on a publicly accessible
5 website not later than 60 days after the receipt of the in-
6 terim and final report.

7 “(f) DEMONSTRATION AUTHORITY.—

8 “(1) IN GENERAL.—The Secretary may initiate
9 and carry out demonstration projects that—

10 “(A) are limited in size and scope;

11 “(B) have a duration of no more than 3
12 years; and

13 “(C) are carried out in nontraditional ap-
14 prenticeship occupations, such as advanced
15 manufacturing or information technology.

16 “(2) NATIONAL ADVISORY COMMITTEE RE-
17 VIEW.—Prior to initiating a demonstration project,
18 the Secretary shall—

19 “(A) request the advice of the National
20 Advisory Committee regarding such demonstra-
21 tion project, and consider such recommendation
22 in making a determination whether to initiate
23 and carry out such project; and

24 “(B) not less than 15 days prior to the an-
25 nouncement of such demonstration project, in-

1 form the Committee on Education and Labor of
2 the House of Representatives and the Com-
3 mittee on Health, Education, Labor, and Pen-
4 sions of the Senate that the Secretary will be
5 initiating such demonstration project.

6 “(3) LIMITATION ON FUNDING.—In initiating
7 and carrying out demonstration projects under sub-
8 section (a), the Secretary may not use more than
9 \$2,000,000 annually, and shall not exceed \$500,000
10 per demonstration project.

11 **“Subtitle D—General Provisions**

12 **“SEC. 141. AUTHORIZATION OF APPROPRIATIONS.**

13 “(a) OFFICE OF APPRENTICESHIP.—There are au-
14 thorized to be appropriated to carry out sections 111, 112,
15 131, and 132—

16 “(1) \$50,000,000 for fiscal year 2023;

17 “(2) \$60,000,000 for fiscal year 2024;

18 “(3) \$70,000,000 for fiscal year 2025;

19 “(4) \$80,000,000 for fiscal year 2026; and

20 “(5) \$90,000,000 for fiscal year 2027.

21 “(b) INTERAGENCY AGREEMENT.—There are author-
22 ized to be appropriated to carry out section 114—

23 “(1) \$10,000,000 for fiscal year 2023;

24 “(2) \$12,000,000 for fiscal year 2024;

25 “(3) \$14,000,000 for fiscal year 2025;

1 “(4) \$16,000,000 for fiscal year 2026; and

2 “(5) \$18,000,000 for fiscal year 2027.

3 **“TITLE II—MODERNIZING THE**
4 **NATIONAL APPRENTICESHIP**
5 **SYSTEM FOR THE 21ST CEN-**
6 **TURY GRANTS**

7 **“SEC. 201. GRANT REQUIREMENTS.**

8 “(a) AUTHORITY.—

9 “(1) IN GENERAL.—The Administrator shall
10 award grants, contracts, or cooperative agreements
11 to eligible entities on a competitive basis for the fol-
12 lowing purposes:

13 “(A) CREATION AND EXPANSION ACTIVI-
14 TIES.—To expand the offerings of programs
15 under the national apprenticeship system—

16 “(i) to create new apprenticeship pro-
17 grams in a nontraditional apprenticeship
18 occupation, such as for programs dem-
19 onstrating demand in advanced manufac-
20 turing (including semiconductor and auto-
21 motive manufacturing), cybersecurity and
22 information technology, computer science,
23 clean energy (including renewable energy,
24 environmental protection, and conserva-
25 tion), transportation (including electric ve-

1 hicle infrastructure), health care, media
2 and entertainment, or education (including
3 early childhood education);

4 “(ii) to expand existing apprenticeship
5 programs demonstrating labor market de-
6 mand;

7 “(iii) to create new or expand existing
8 pre-apprenticeship programs; or

9 “(iv) to create new or expand existing
10 youth apprenticeship programs.

11 “(B) ENCOURAGING EMPLOYER PARTICI-
12 PATION.—To encourage employer participation
13 in programs under the national apprenticeship
14 system—

15 “(i) that target individuals with bar-
16 riers to employment in youth apprentice-
17 ship, pre-apprenticeship, or apprenticeship
18 programs, prioritizing nontraditional ap-
19 prenticeship populations such as women,
20 minorities, English language learners,
21 long-term unemployed, individuals with a
22 disability, individuals with substance abuse
23 issues, veterans, military spouses, individ-
24 uals experiencing homelessness, individuals
25 impacted by the criminal or juvenile justice

1 system (such as individuals currently or re-
2 cently incarcerated), and foster and former
3 foster youth;

4 “(ii) that are in high-need social serv-
5 ice-related industries, sectors, or occupa-
6 tions, such as direct care workers and
7 early childhood, elementary school, and
8 secondary school educators;

9 “(iii) among small- and medium-sized
10 employers; or

11 “(iv) that target individuals recently
12 employed in carbon-intensive industries, in-
13 cluding the production, transportation, or
14 distribution of fossil fuels and the genera-
15 tion of electricity from fossil fuels.

16 “(C) INTERMEDIARY GRANTS.—To estab-
17 lish or expand sector-based partnerships for the
18 delivery of programs under the national appren-
19 ticeship system to significant scale through—

20 “(i) national industry qualified inter-
21 mediaries in key sectors, including manu-
22 facturing, information technology, cyber
23 security, health care, insurance and fi-
24 nance, energy, hospitality, retail, construc-
25 tion, transportation, and other sectors

1 identified by the Administrator and the
2 Advisory Committee as targeted for expansion
3 under the national apprenticeship system;
4

5 “(ii) national equity qualified intermediaries
6 serving nontraditional apprenticeship
7 populations, women, minorities, individuals
8 with disabilities, and individuals impacted
9 by the criminal or juvenile justice
10 system; or

11 “(iii) local or regional qualified intermediaries
12 serving programs under the national
13 apprenticeship system.

14 “(D) EDUCATIONAL ALIGNMENT.—To
15 strengthen alignment between programs under
16 the national apprenticeship system and education
17 and training providers with secondary,
18 postsecondary, and adult education systems,
19 including degree and credential requirements.

20 “(2) DURATION.—

21 “(A) IN GENERAL.—The Administrator
22 shall award grants, contracts, or cooperative
23 agreements under this subsection for a period
24 of not more than 3 years.

1 “(B) EXTENSION.—The eligible entity may
2 apply for, and the Administrator may grant, an
3 extension of the grant period for not more than
4 1 additional 2-year period, if the grant recipient
5 demonstrates to the Administrator that the re-
6 cipient—

7 “(i) has effectively implemented a
8 project to achieve its stated purpose as de-
9 scribed in subsections (e) and (f);

10 “(ii) has complied with the assurances
11 as described in subsection (e)(9); and

12 “(iii) has improved applicable out-
13 comes, as demonstrated through indicators
14 referred to in section 203(a)(2).

15 “(b) FUNDING REQUIREMENTS.—

16 “(1) MATCHING FUNDS REQUIRED.—The Ad-
17 ministrator shall require, as a condition of receipt of
18 funds under this section, an eligible entity to match
19 funds awarded under this section in an amount not
20 less than 25 percent of the funds awarded to such
21 recipient under this section. Such eligible entity may
22 make the matching funds available directly or
23 through donations from non-Federal, public, or pri-
24 vate organizations, in cash or in kind, fairly evalu-
25 ated.

1 “(2) WAIVER.—The Administrator may waive
2 the requirement under paragraph (1) if the entity
3 demonstrates that exceptional circumstances prevent
4 the entity from meeting the requirement, such as
5 demonstrating that the entity serves a high propor-
6 tion of individuals with barriers to employment, or
7 due to exceptional or uncontrollable circumstances,
8 such as a natural disaster or a precipitous and un-
9 foreseen decline in the financial resources of the eli-
10 gible entity.

11 “(c) PRIORITY AND DISTRIBUTION.—

12 “(1) PRIORITY.—In awarding grants, contracts,
13 or cooperative agreements under this section, the
14 Administrator shall give priority to an eligible enti-
15 ty—

16 “(A) proposing to serve a high number or
17 high percentage of participants who are from
18 nontraditional apprenticeship populations; and

19 “(B) providing opportunities in high-wage,
20 high-skill, or in-demand sectors and occupa-
21 tions.

22 “(2) GEOGRAPHIC DISTRIBUTION.—In awarding
23 grants, contracts, or cooperative agreements under
24 this subsection, the Administrator shall, to the ex-
25 tent practicable, ensure a geographically diverse dis-

1 tribution of such awards, including a geographically
2 diverse distribution among regions of the country
3 and among urban, suburban, and rural areas.

4 “(d) ELIGIBLE ENTITY.—To be eligible to apply for
5 grants, contracts, or cooperative agreements under this
6 title, an eligible entity shall—

7 “(1) demonstrate a partnership with two or
8 more of the following—

9 “(A) a State or local workforce develop-
10 ment board or State or local workforce agency;

11 “(B) an education and training provider,
12 or a consortium thereof;

13 “(C) a State apprenticeship agency;

14 “(D) an Indian Tribe or Tribal organiza-
15 tion;

16 “(E) an industry or sector partnership, a
17 group of employers, a trade association, or a
18 professional association that sponsors or par-
19 ticipates in a program under the national ap-
20 prenticeship system;

21 “(F) a Governor;

22 “(G) a labor organization or joint labor-
23 management organization;

1 “(H) community-based organizations that
2 assist program participants in accessing sup-
3 portive services; or

4 “(I) a qualified intermediary; and

5 “(2) to the extent practicable—

6 “(A) be part of an industry or sector part-
7 nership; and

8 “(B) partner with a labor or joint labor-
9 management organization.

10 “(e) GENERAL APPLICATION REQUIREMENTS.—An
11 eligible entity applying for a grant under this section shall
12 submit to the Administrator a description of each of the
13 following:

14 “(1) Each purpose under subsection (a) for
15 which the applicant intends to use such grant.

16 “(2) Each entity with which the eligible entity
17 is partnered or engaged under subsection (d) and
18 the role of each such entity in carrying out activities
19 funded under this subsection.

20 “(3) The ability of the applicant, directly or
21 through partners—

22 “(A) to enroll, instruct, advance, and grad-
23 uate program participants served by the grant
24 activities, and enable the participants to gain
25 employment after program completion;

1 “(B) to support (including by providing
2 technical assistance) program sponsors and em-
3 ployers (especially small- and medium-sized
4 businesses) in the creation of, recruitment for,
5 and execution of programs under the national
6 apprenticeship system; and

7 “(C) to provide opportunities to rural com-
8 munities, as applicable.

9 “(4) A labor market analysis with respect to
10 the geographic area of service that demonstrates—

11 “(A) the need to create or expand the pro-
12 gram; and

13 “(B) a plan to align the activities sup-
14 ported by the grant with the labor market
15 needs of high-skill, high-wage, or in-demand in-
16 dustry sectors or occupations.

17 “(5) A plan—

18 “(A) to comply with requirements for an
19 evaluation and report under section 203;

20 “(B) as appropriate, to coordinate activi-
21 ties assisted under the grant with activities car-
22 ried out under the Carl D. Perkins Career and
23 Technical Education Act of 2006 (20 U.S.C.
24 2301 et seq.), the Elementary and Secondary
25 Education Act of 1965 (20 U.S.C. 6301 et

1 seq.), the Higher Education Act of 1965 (20
2 U.S.C. 1001 et seq.), the Workforce Innovation
3 and Opportunity Act (29 U.S.C. 3101 et seq.),
4 and any related Federal programs and if appro-
5 priate, how funds provided under these pro-
6 grams will be leveraged in support of the pro-
7 grams supported by this grant;

8 “(C) to use funds awarded under this sec-
9 tion in support of the programs supported by
10 this grant, as described in section 202;

11 “(D) to continue the program after the
12 grant period ends;

13 “(E) to recruit and retain program partici-
14 pants for pre-apprenticeship, youth apprentice-
15 ship, and apprenticeship programs, including
16 from nontraditional apprenticeship populations,
17 such as women, minorities, individuals with dis-
18 abilities, individuals impacted by the criminal or
19 juvenile justice system, and individuals with
20 barriers to employment;

21 “(F) to ensure program participants are
22 able to access supportive services, as applicable;
23 and

24 “(G) to comply with the equal opportunity
25 requirements for diversity described in subpara-

1 graphs (B) and (C) of section 111(b)(7) and
2 section 113(c)(5), as applicable.

3 “(6) For any grants, contracts, or cooperative
4 agreements expanding existing programs under the
5 national apprenticeship system, a description of—

6 “(A) a plan to coordinate the activities car-
7 ried out under the grant with the existing pro-
8 gram; and

9 “(B) the effectiveness of the program, in-
10 cluding demonstrations of programmatic com-
11 ponents such as program costs to employers
12 and to program participants, completion and
13 placement rates, credential attainment, diversity
14 in populations served, the effectiveness of the
15 program in increasing participant’s wages and
16 benefits, or services provided to employers and
17 program participants.

18 “(7) A description of potential program partici-
19 pants and strategies to support the recruitment, re-
20 tention, and completion of such participants, includ-
21 ing nontraditional apprenticeship populations and in-
22 dividuals with barriers to employment, to the extent
23 practicable.

1 “(8) A description of strategies to recruit and
2 support employers involved in programs under the
3 national apprenticeship system.

4 “(9) An assurance that the eligible entity will—

5 “(A) provide information to the Adminis-
6 trator, as requested, for any such evaluations as
7 the Administrator may carry out;

8 “(B) make program performance data col-
9 lected under section 131 available (in accord-
10 ance with applicable data privacy laws, includ-
11 ing section 444 of the General Education Provi-
12 sions Act (20 U.S.C. 1232g) and section 4 of
13 this Act) to independent evaluators to enable
14 the evaluators to prepare the evaluations and
15 research reports described in section 203(a)(1);
16 and

17 “(C) coordinate grant activities with a
18 State Apprenticeship Agency, if such agency ex-
19 ists in the State where the eligible entity is ap-
20 plying for a grant or carrying out activities.

21 “(f) ADDITIONAL APPLICATION REQUIREMENTS.—

22 The Administrator shall require an eligible entity applying
23 for a grant under this title to include as part of their ap-
24 plication in subsection (e) the following information, as
25 applicable:

1 “(1) CREATION AND EXPANSION ACTIVITIES.—

2 “(A) NEW APPRENTICESHIP PROGRAMS.—

3 An eligible entity applying to create new ap-
4 prenticeship programs and carry out activities
5 in accordance with subsection (a)(1)(A)(i) shall
6 include as part of their application a description
7 of—

8 “(i) any plans for further expansion
9 upon development of the program; and

10 “(ii) employers, and to the extent
11 practicable, labor organizations or joint
12 labor-management organizations, engaged
13 in the program creation and implementa-
14 tion.

15 “(B) EXPANDING APPRENTICESHIP PRO-
16 GRAMS.—An eligible entity applying to expand
17 existing apprenticeship programs and carry out
18 activities in accordance with subsection
19 (a)(1)(A)(ii) shall include as part of their appli-
20 cation a description of employers engaged in the
21 program expansion.

22 “(C) CREATING OR EXPANDING PRE-AP-
23 PRENTICESHIP PROGRAMS.—An eligible entity
24 applying to create or expand pre-apprenticeship
25 programs and carry out activities in accordance

1 with subsection (a)(1)(A)(iii) shall include as
2 part of their application a description of—

3 “(i) a partnership between the eligible
4 entity and at least one apprenticeship pro-
5 gram; and

6 “(ii) existing partnerships with em-
7 ployers acting in either an advisory capac-
8 ity or actively participating in the pre-ap-
9 prenticeship program.

10 “(D) CREATING OR EXPANDING YOUTH
11 APPRENTICESHIP PROGRAMS.—An eligible enti-
12 ty applying to create or expand youth appren-
13 ticeship programs and carry out activities in ac-
14 cordance with subsection (a)(1)(A)(iv) shall in-
15 clude as part of their application a description
16 of—

17 “(i) an existing partnership with at
18 least one high school offering related in-
19 struction for the youth apprenticeship pro-
20 gram, with existing integration into the
21 academic content of the high school di-
22 ploma requirements, or with demonstrated
23 plans for integration of related instruction
24 into the high school curriculum; and

1 “(ii) existing partnerships with em-
2 ployers acting in either an advisory capac-
3 ity or actively participating in the youth
4 apprenticeship program.

5 “(2) ENCOURAGING EMPLOYER PARTICIPA-
6 TION.—

7 “(A) INDIVIDUALS WITH BARRIERS TO EM-
8 PLOYMENT.—An eligible entity applying to tar-
9 get individuals with barriers to employment for
10 apprenticeship, youth apprenticeship, or pre-ap-
11 prenticeship programs and carry out activities
12 in accordance with subsection (a)(1)(B)(i) shall
13 include as part of their application a description
14 of—

15 “(i) specific strategies to target both
16 individuals with barriers to employment
17 and employers for participation in the pro-
18 gram; and

19 “(ii) partnerships with organizations
20 that assist program participants in access-
21 ing supportive services to support recruit-
22 ment, retention, and completion of the pro-
23 gram by program participants.

24 “(B) HIGH-NEED SOCIAL SERVICE-RE-
25 LATED INDUSTRIES.—An eligible entity apply-

1 ing to offer pre-apprenticeship, youth appren-
2 ticeship, or apprenticeship programs in high-
3 need social service-related industries, sectors, or
4 occupations and carry out activities in accord-
5 ance with subsection (a)(1)(B)(ii) shall include
6 as part of their application a description of
7 wages and benefits offered to program partici-
8 pants.

9 “(C) INDIVIDUALS CURRENTLY OR RE-
10 CENTLY INCARCERATED.—An eligible entity ap-
11 plying to target individuals currently or recently
12 incarcerated and establish or carry out pre-ap-
13 prenticeship programs and apprenticeship pro-
14 grams in accordance with subsection
15 (a)(1)(B)(iii) shall include as part of their ap-
16 plication a description of—

17 “(i) a plan to assist the program par-
18 ticipants in obtaining the documentation
19 and work authorization necessary to par-
20 ticipate in such program;

21 “(ii) partnerships with organizations
22 that will assist program participants in ac-
23 cessing activities to improve financial lit-
24 eracy and supportive services;

1 “(iii) how the assessments used to
2 support the placement of potential pro-
3 gram participants into a program accu-
4 rately reflect the participants’ skills and
5 competencies;

6 “(iv) a plan to provide information
7 about resources to program participants to
8 address mental health or substance abuse
9 issues;

10 “(v) partnerships with organizations
11 that support—

12 “(I) the transition from incarcer-
13 ation to re-entry, such as assistance
14 with housing, transportation, child
15 care, and legal services; and

16 “(II) successful completion of an
17 apprenticeship or pre-apprenticeship
18 program;

19 “(vi) wages and benefits offered to
20 program participants that are commensu-
21 rate with wages for similar work in the
22 State or local area, as allowable; and

23 “(vii) alignment and necessary sup-
24 ports to comply with and receive the bene-
25 fits of the Federal Bonding Program and

1 the Prison Industry Enhancement Certifi-
2 cation Program for employers participating
3 in apprenticeship programs.

4 “(D) SMALL- AND MEDIUM-SIZED EMPLOY-
5 ERS.—An eligible entity applying to engage
6 small- and medium-sized employers and carry
7 out activities in accordance with subsection
8 (a)(1)(B)(iv) shall include as part of their ap-
9 plication a description of demonstrated success
10 in engaging small- and medium-sized employers
11 and the ability to recruit new employers to par-
12 ticipate in related partnerships or programs, in-
13 cluding small businesses owned or controlled by
14 women, minorities, or veterans.

15 “(E) INDIVIDUALS RECENTLY EMPLOYED
16 IN CARBON-INTENSIVE INDUSTRIES.—An eligi-
17 ble entity applying to target individuals recently
18 employed in carbon-intensive industries and es-
19 tablish or carry out pre-apprenticeship pro-
20 grams and apprenticeship programs in accord-
21 ance with subsection (a)(1)(B)(v) shall include
22 as part of their application a description of—

23 “(i) specific strategies to target indi-
24 viduals recently employed in carbon-inten-

1 sive industries for participation in the pro-
2 gram;

3 “(ii) a plan to assist the program par-
4 ticipants in applying the skills utilized in
5 carbon-intensive industries to employment
6 opportunities in other sectors; and

7 “(iii) wages and benefits offered to
8 program participants that are commensu-
9 rate with wages for similar work.

10 “(3) INTERMEDIARY GRANTS.—

11 “(A) SUPPORTING NATIONAL INDUSTRY
12 AND EQUITY INTERMEDIARIES.—An eligible en-
13 tity applying to carry out activities in accord-
14 ance with subsection (a)(1)(C)(i) shall include
15 as part of their application a description of the
16 ability of such entity to convene a diverse group
17 of industry specific stakeholders for the pur-
18 poses of developing or expanding programs, in-
19 cluding employers, workforce development orga-
20 nizations, industry associations, labor groups
21 (including joint labor-management organiza-
22 tions), small businesses owned or controlled by
23 women, minorities, or veterans, and education
24 and training providers at a national level or
25 with national reach.

1 “(B) SERVING PROGRAMS IN A LOCAL OR
2 REGIONAL SETTING.—An eligible entity apply-
3 ing to carry out activities in accordance with
4 subsection (a)(1)(C)(ii) shall include as part of
5 their application a description of how such enti-
6 ty will—

7 “(i) engage employers, especially
8 small- and medium-sized businesses, in the
9 formation or ongoing development of in-
10 dustry or sector partnerships and pro-
11 grams in the national apprenticeship sys-
12 tem;

13 “(ii) identify the industry or sector
14 partnerships that will be served, and dem-
15 onstrate alignment to high-skill, high-wage,
16 or in-demand industry sectors or occupa-
17 tions;

18 “(iii) leverage additional resources, in-
19 cluding funding provided by Federal and
20 non-Federal resources; and

21 “(iv) provide services to program
22 sponsors and program participants.

23 “(4) EDUCATIONAL ALIGNMENT.—An eligible
24 entity applying to carry out activities in accordance

1 with subsection (a)(1)(D) shall include as part of
2 their application a description of—

3 “(A) a demonstration of a partnership
4 with—

5 “(i)(I) no less than three sponsors or
6 employers; or

7 “(II) an industry or sector partner-
8 ship; and

9 “(ii) at least 1 of the following—

10 “(I) an educational service agen-
11 cy;

12 “(II) a high school;

13 “(III) a local educational agency;

14 “(IV) State educational agency;

15 “(V) an Indian Tribe, Tribal or-
16 ganization, Tribal educational agency,
17 Tribally controlled college or univer-
18 sity, or Tribally controlled postsec-
19 ondary career and technical institu-
20 tion, as applicable;

21 “(VI) a postsecondary edu-
22 cational institution;

23 “(VII) a Job Corps center (as de-
24 fined in section 142 of the Workforce

1 Innovation and Opportunity Act (29
2 U.S.C. 3192)); or

3 “(VIII) a State higher education
4 agency; and

5 “(B) a commitment to establishing or ex-
6 panding the alignment of the related instruction
7 to—

8 “(i) the requirements for a high
9 school diploma, which may be fulfilled
10 through a dual or concurrent enrollment
11 program; or

12 “(ii) the requirements for a recognized
13 postsecondary credential, including the de-
14 gree requirements for an associate’s or
15 bachelor’s degree.

16 **“SEC. 202. USES OF FUNDS.**

17 “(a) GENERAL ACTIVITIES.—An eligible entity apply-
18 ing for any grant activity under section 201(a)(1)—

19 “(1) shall use at least 5 percent of the grant
20 funds to provide direct financial assistance to ap-
21 prentices, pre-apprentices, or youth apprentices
22 through emergency grants to support their financial
23 needs to enter, remain enrolled in, and complete
24 such program, such as support for the related costs
25 of supplies and equipment, assessment or licensure

1 fees, courses, transportation, child care, internet ac-
2 cess, and housing; and

3 “(2) may use funds for any of the following ac-
4 tivities:

5 “(A) To establish or expand partnerships
6 with organizations that provide program partici-
7 pants access to financial planning, mentoring,
8 and supportive services that are necessary to
9 enable an individual to participate in and com-
10 plete a program under the national apprentice-
11 ship system.

12 “(B) To conduct outreach and recruitment
13 activities, including assessments of potential
14 participants for, and enrollment of participants
15 in, a program under the national apprenticeship
16 system.

17 “(C) To conduct outreach, engagement, re-
18 cruitment, and coordination of activities with
19 employers, industry associations, labor and joint
20 labor-management organizations, qualified
21 intermediaries, education and training pro-
22 viders, State or local workforce agencies, poten-
23 tial sponsors, community-based organizations,
24 communities with high numbers or percentages
25 of nontraditional apprenticeship populations,

1 small- and medium-sized businesses, or rural
2 communities to establish or expand industry or
3 sector partnerships and opportunities under the
4 national apprenticeship system.

5 “(D) To carry out grant requirements, in-
6 cluding program evaluation and reporting re-
7 quirements.

8 “(E) To conduct any activities as described
9 in the application that would advance the pur-
10 poses of the grant.

11 “(F) To support the transition to virtual
12 or remote learning or training, as necessary and
13 as approved by the registration agency.

14 “(b) ADDITIONAL USES OF FUNDS.—

15 “(1) CREATION OR EXPANSION ACTIVITIES.—

16 “(A) APPRENTICESHIP PROGRAM CRE-
17 ATION.—An eligible entity that receives funds
18 under section 201(a)(1)(A)(i) shall use such
19 funding to create and implement an apprentice-
20 ship program, which may include—

21 “(i) creating and providing training
22 and related instruction based on employer
23 engagement;

24 “(ii) applying apprenticeship frame-
25 works as described in section 111(b)(5)(C)

1 to the State or local labor market and em-
2 ployer needs;

3 “(iii) aligning the new program with
4 existing apprenticeship programs; or

5 “(iv) appropriate equipment, tech-
6 nology, and instructional materials aligned
7 with new program needs, including ma-
8 chinery, testing equipment, tools, imple-
9 ments, hardware and software, and other
10 new and emerging instructional materials.

11 “(B) APPRENTICESHIP PROGRAM EXPAN-
12 SION.—An eligible entity that receives funds
13 under section 201(a)(1)(A)(ii) shall use such
14 funds to expand an existing apprenticeship pro-
15 gram, which may include—

16 “(i) expanding and enhancing related
17 instruction;

18 “(ii) conducting outreach to and en-
19 gagement with employers for the purposes
20 of program expansion, including creation
21 of new or expansion of existing industry or
22 sector partnerships;

23 “(iii) preparing additional instructors
24 or mentors needed for program expansion;

1 “(iv) building awareness of appren-
2 ticeship program opportunities for State or
3 local workforce development, education,
4 and economic development entities; and

5 “(v) providing commensurate wages to
6 wages for on-the-job training for program
7 participants during related instruction, as
8 applicable.

9 “(C) PRE-APPRENTICESHIP PROGRAMS.—
10 An eligible entity that receives funds under sec-
11 tion 201(a)(1)(A)(iii) shall use such funds to
12 create a new pre-apprenticeship program or ex-
13 pand an existing pre-apprenticeship program,
14 which may include—

15 “(i) coordinating pre-apprenticeship
16 program activities with an apprenticeship
17 program in a high-skill, high-wage, or in-
18 demand industry sector or occupation, in-
19 cluding the creation or expansion of work-
20 based learning opportunities, and articula-
21 tion agreements for those who successfully
22 complete a pre-apprenticeship to earn aca-
23 demic credit and enroll in an apprentice-
24 ship program;

1 “(ii) creating, expanding, or inte-
2 grating related instruction and work-based
3 learning, which may include training in the
4 workplace and supporting partnerships to
5 create opportunities for pre-apprentices to
6 earn credit at a postsecondary educational
7 institution for skills and competencies ac-
8 quired during the pre-apprenticeship pro-
9 gram;

10 “(iii) providing participants with ca-
11 reer exploration and career planning activi-
12 ties and with exploration of postsecondary
13 opportunities including apprenticeship pro-
14 grams;

15 “(iv) with respect to participants
16 without a high school diploma or a gen-
17 erally recognized equivalent, paying the
18 costs affiliated with acquiring such equiva-
19 lent, and the costs of any related assess-
20 ments of potential pre-apprentices or active
21 pre-apprentices, including those that would
22 verify the attainment of foundational
23 knowledge and skills necessary to succeed
24 in an apprenticeship program;

1 “(v) development or expansion of
2 partnerships with organizations that assist
3 program participants in accessing sup-
4 portive services, which may include the 12-
5 month period after the conclusion of a pre-
6 apprenticeship program;

7 “(vi) providing commensurate wages
8 to the linked apprenticeship program for
9 pre-apprentices as they participate in and
10 complete the pre-apprenticeship program,
11 as appropriate;

12 “(vii) paying the cost of related in-
13 struction or assessment or licensure fees
14 associated with the pre-apprenticeship pro-
15 gram, as appropriate;

16 “(viii) providing stipends to pre-ap-
17 prentices enrolled in a pre-apprenticeship
18 program to cover costs such as housing,
19 transportation, childcare or out of pocket
20 expenses resulting from the pre-apprentice-
21 ship program such as assessments and fees
22 for industry recognized credentials or driv-
23 ers licenses during the time of enrollment;
24 or

1 “(ix) creating or expanding industry
2 or sector partnerships to support the pre-
3 apprenticeship program and to provide ad-
4 ditional opportunities to the pre-appren-
5 tices.

6 “(D) YOUTH APPRENTICESHIP PRO-
7 GRAMS.—An eligible entity that receives funds
8 under section 201(a)(1)(A)(iv) shall use such
9 funds to create a new youth apprenticeship pro-
10 gram or expand an existing youth apprentice-
11 ship program, which may include—

12 “(i) paying for the costs associated
13 with curriculum development and align-
14 ment of that curriculum with recognized
15 postsecondary credentials including indus-
16 try recognized credentials, high school
17 graduation requirements, and related in-
18 struction, including curriculum develop-
19 ment for dual or concurrent enrollment;

20 “(ii) providing employers, and to the
21 extent practicable, labor organizations and
22 joint labor-management organizations,
23 technical assistance to support the partici-
24 pation of youth apprentices under the age
25 of 18;

1 “(iii) integrating work-based and aca-
2 demic learning, which may include training
3 in the workplace;

4 “(iv) providing career exploration and
5 career planning activities, including explo-
6 ration of postsecondary opportunities such
7 as apprenticeship programs;

8 “(v) providing technical assistance to
9 support the participation of small- and me-
10 dium-sized businesses in youth apprentice-
11 ship programs;

12 “(vi) developing or expanding partner-
13 ships with organizations that assist pro-
14 gram participants in accessing supportive
15 services, which may include the 12-month
16 period after the conclusion of such a youth
17 apprenticeship program; or

18 “(vii) providing teachers, career guid-
19 ance and academic counselors, school lead-
20 ers, administrators, specialized instruc-
21 tional support personnel, and paraprofes-
22 sionals with professional development op-
23 portunities to build an understanding of
24 apprenticeship opportunities available to

1 students, including experiential opportuni-
2 ties like externships.

3 “(2) INCENTIVE FUNDS.—

4 “(A) BARRIERS TO EMPLOYMENT.—An eli-
5 gible entity that receives funds under section
6 201(a)(1)(B)(i) shall use such funds to encour-
7 age employer participation in programs under
8 the national apprenticeship system that target
9 individuals with barriers to employment, which
10 may include—

11 “(i) providing financial assistance to
12 employers to support costs related to the
13 programs, such as training incumbent
14 workers for participation as mentors or
15 employees supervising the on-the-job learn-
16 ing;

17 “(ii) supporting the cost of related in-
18 struction, assessment or licensure fees, or
19 wages for program participants during re-
20 lated instruction; and

21 “(iii) establishing or expanding part-
22 nerships with organizations that assist pro-
23 gram participants in accessing supportive
24 services to support recruitment, retention,
25 and completion, including providing sup-

1 plies and equipment necessary to begin a
2 program under the national apprenticeship
3 system.

4 “(B) HIGH-NEED SOCIAL SERVICE-RE-
5 LATED INDUSTRIES.—An eligible entity that re-
6 ceives funds under section 201(a)(1)(B)(ii)
7 shall use such funds to incentivize employer
8 participation in programs under the national
9 apprenticeship system in high need social serv-
10 ice-related industries, sectors, or occupations,
11 which may include—

12 “(i) providing financial assistance to
13 employers to support costs related to the
14 program, such as training incumbent work-
15 ers as mentors, or employees providing on-
16 the-job training;

17 “(ii) supporting the cost of related in-
18 struction, assessment or licensure fees, or
19 wages for program participants during re-
20 lated instruction;

21 “(iii) establishing or expanding part-
22 nerships with organizations that assist pro-
23 gram participants in accessing supportive
24 services to support recruitment, retention,
25 and completion, including providing sup-

1 plies and equipment necessary to begin a
2 program under the national apprenticeship
3 system; or

4 “(iv) aligning such program with ca-
5 reer pathways and opportunities for ad-
6 vancement along such career pathways.

7 “(C) INDIVIDUALS IMPACTED BY THE JUS-
8 TICE SYSTEM.—An eligible entity that receives
9 funds under section 201(a)(1)(B)(iii) shall use
10 such funds to incentivize employer participation
11 in programs under the national apprenticeship
12 system that target individuals impacted by the
13 criminal or juvenile justice system, which may
14 include—

15 “(i) providing financial assistance to
16 employers to support costs related to the
17 program, such as training incumbent work-
18 ers as mentors or employees supervising
19 the on-the-job learning; or

20 “(ii) supporting the cost of related in-
21 struction, assessment or licensure fees, or
22 wages for program participants during re-
23 lated instruction.

24 “(D) IN-DEMAND INDUSTRY SECTOR OR
25 OCCUPATION GRANTS FOR SMALL- AND ME-

1 DIUM-SIZED BUSINESSES.— An eligible entity
2 that receives funds under section
3 201(a)(1)(B)(iv) shall use such funds to en-
4 courage participation of small- and medium-
5 sized businesses in programs under the national
6 apprenticeship system, which may include—

7 “(i) providing financial assistance to
8 employers to support costs related to the
9 program, such as training incumbent work-
10 ers as mentors or employees supervising
11 the on-the-job learning;

12 “(ii) supporting the cost of related in-
13 struction, assessment or licensure fees, or
14 wages for program participants during re-
15 lated instruction;

16 “(iii) providing technical assistance to
17 small- and medium-sized businesses on the
18 program registration process and
19 leveraging other available funds to support
20 carrying out programs supported by this
21 grant; or

22 “(iv) establishing or expanding part-
23 nerships to support program development
24 or expansion, including establishing or ex-
25 panding industry or sector partnerships to

1 ensure inclusion of small- and medium-
2 sized businesses.

3 “(3) INTERMEDIARY GRANTS.—

4 “(A) NATIONAL INDUSTRY AND EQUITY
5 INTERMEDIARIES.—An eligible entity that re-
6 ceives funds under section 201(a)(1)(C)(i) shall
7 use such funds to carry out activities at a na-
8 tional and regional level to support the pro-
9 motion and expansion of industry or equity
10 intermediaries, which may include—

11 “(i) creating partnerships and
12 leveraging collaborations with employers,
13 workforce development organizations, in-
14 dustry associations, labor organizations,
15 and education and training providers to
16 help multiple employers make education
17 and training more affordable and accel-
18 erate the expansion of programs under the
19 national apprenticeship system nationwide;

20 “(ii) assisting employers in expanding
21 programs, starting new programs, and
22 working together to create a pipeline of
23 skilled workers;

24 “(iii) increasing the participation and
25 completion of nontraditional apprenticeship

1 populations in programs under the national
2 apprenticeship system, which may in-
3 clude—

4 “(I) supporting the development,
5 implementation, and scaling of plans
6 and practices; and

7 “(II) identifying, developing, and
8 disseminating effective program tools
9 and strategies;

10 “(iv) providing national activities to
11 increase awareness and access to pro-
12 grams, including strategic marketing and
13 outreach, technology improvements, and
14 innovations that make it easier for employ-
15 ers to start programs and for individuals
16 to connect with program opportunities;

17 “(v) developing and disseminating
18 training or related instruction associated
19 with the program or for curriculum im-
20 provements that align with the require-
21 ments of the program and learning assess-
22 ments; or

23 “(vi) providing industry employees or
24 potential employees with a clear under-
25 standing of future career paths and the

1 skills needed to succeed, along with cost ef-
2 fective ways of acquiring those skills
3 through youth apprenticeship, pre-appren-
4 ticeship, or apprenticeship programs.

5 “(B) LOCAL INTERMEDIARIES.—An eligi-
6 ble entity that receives funds under section
7 201(a)(1)(C)(ii) may use such funds to carry
8 out activities at a local or regional level to sup-
9 port the promotion and expansion of programs
10 under the national apprenticeship system, which
11 may include—

12 “(i) providing training or related in-
13 struction associated with the programs or
14 for curriculum improvements that align
15 with the requirements of the programs and
16 learning assessments;

17 “(ii) engaging with local education
18 and training providers to support related
19 instruction aligned with the needs of high-
20 skill, high-wage, or in-demand industry
21 sectors and occupations, and to the extent
22 practicable, support the provision of aca-
23 demic credit for related instruction;

24 “(iii) providing services, including
25 business engagement, classroom instruc-

1 tion, and development of partnerships with
2 organizations that assist program partici-
3 pants in accessing supportive services
4 (which may include the 12-month period
5 after the conclusion of the other activities
6 in the youth apprenticeship and pre-ap-
7 prenticeship programs involved);

8 “(iv) providing technical assistance on
9 the registration process for a sponsor of a
10 youth apprenticeship, pre-apprenticeship,
11 or apprenticeship program;

12 “(v) connecting businesses, labor or-
13 ganizations, or joint labor-management or-
14 ganizations with education and training
15 providers to develop related instruction to
16 complement the on-the-job learning portion
17 of a youth apprenticeship, pre-apprentice-
18 ship, or apprenticeship program;

19 “(vi) providing training to employees
20 to serve as on-the-job trainers or mentors
21 to program participants; and

22 “(vii) providing career exposure, ca-
23 reer planning, and career awareness activi-
24 ties.

1 “(4) EDUCATIONAL ALIGNMENT GRANTS.—An
2 eligible entity that receives funds under section
3 201(a)(1)(D) shall use such funds to strengthen
4 alignment between programs under the national ap-
5 prenticeship system and education and training pro-
6 viders with secondary and postsecondary education
7 systems, including degree and credential require-
8 ments, which may include—

9 “(A) creating and aligning the related in-
10 struction to requirements for a high school di-
11 ploma or an associate’s or bachelor’s degree, in-
12 cluding through—

13 “(i) dual enrollment and credit articu-
14 lation for youth apprenticeship programs;

15 “(ii) articulation agreements; or

16 “(iii) credit transfer agreements;

17 “(B) creating or expanding career path-
18 ways aligned with pre-apprenticeship, youth ap-
19 prenticeship, or apprenticeship programs;

20 “(C) providing professional development
21 for teachers, career guidance and academic
22 counselors, school leaders, administrators, spe-
23 cialized instructional support personnel, and
24 paraprofessionals to build an understanding of
25 opportunities in the national apprenticeship sys-

1 tem available to students and to incorporate
2 such opportunities into academic content and
3 offerings;

4 “(D) offering prior learning assessments,
5 which may include credit for prior learning to
6 grant advanced standing in a program under
7 the national apprenticeship system and credit
8 towards an associate’s or bachelor’s degree;

9 “(E) maintaining a connection between a
10 pre-apprenticeship or youth apprenticeship pro-
11 gram and an apprenticeship program; and

12 “(F) providing training for instructors or
13 mentors.

14 **“SEC. 203. GRANT EVALUATIONS.**

15 “(a) RECIPIENT REPORTS.—Each recipient of a
16 grant under this section shall—

17 “(1) provide for an independent evaluation of
18 the activities carried out under this title during the
19 grant period;

20 “(2) provide for an annual report and for a
21 final report at the conclusion of the grant period,
22 which include—

23 “(A) a description of how the funds re-
24 ceived through the grant were used and how the

1 uses of funds aligned with the description in the
2 application specified in section 201(e)(5)(C);

3 “(B) in the case of an eligible entity that
4 is required to report data under section
5 131(b)(1), the data collected under such section
6 on a quarterly basis;

7 “(C) the total number of active program
8 participants served by each of the grant pro-
9 grams;

10 “(D) the total number that obtained un-
11 subsidized employment in a field related to the
12 occupation suitable for apprenticeship;

13 “(E) the total number of program partici-
14 pants that completed the program in which they
15 were enrolled;

16 “(F) the average time to completion for
17 each program as compared to the program
18 standards description under paragraphs (1) and
19 (2) of section 123(b);

20 “(G) the average cost per participant dur-
21 ing the most recent program year and the 3
22 preceding program years;

23 “(H) the percentage of participants who
24 received support services; and

1 “(I) the disaggregation of performance
2 data described in subparagraphs (A) through
3 (H)—

4 “(i) by the program type (apprentice-
5 ship, youth apprenticeship, or pre-appren-
6 ticeship program) involved; and

7 “(ii) by race, ethnicity, sex, age, and
8 membership in a population specified in
9 section 3(24) of the Workforce Innovation
10 and Opportunity Act (29 U.S.C.
11 3102(24)); and

12 “(3) submit each report under paragraph (2)—

13 “(A) to the registration agency; and

14 “(B) to the Administrator.

15 “(b) ADMINISTRATOR EVALUATIONS.—

16 “(1) IN GENERAL.—The Administrator shall
17 prepare—

18 “(A) not later than 36 months after the
19 date of enactment of the National Apprentice-
20 ship Act of 2022, an interim evaluation on the
21 activities carried out under grants, contracts, or
22 cooperative agreements awarded under this sec-
23 tion; and

24 “(B) not later than 60 months after the
25 date of enactment of the National Apprentice-

1 ship Act of 2022, a final evaluation containing
2 the results of the grant activities.

3 “(2) CONTENTS.—Such evaluations shall ad-
4 dress, for the activities carried out under each grant
5 awarded under this section, the general effectiveness
6 of the activities in relation to their cost, including
7 the extent to which the activities—

8 “(A) improve the participation in, reten-
9 tion in, and completion of youth apprenticeship,
10 pre-apprenticeship, and apprenticeship pro-
11 grams by nontraditional apprenticeship popu-
12 lations;

13 “(B) to the extent feasible, increase the
14 levels of total employment, of attainment of rec-
15 ognized postsecondary credentials, and of meas-
16 urable skills, above the levels that would have
17 existed in the absence of such activities;

18 “(C) respond to the needs reflected in
19 State, regional, or local labor market data;

20 “(D) align with high-skill, high-wage, or
21 in-demand industries or occupations; and

22 “(E) reach a wide variety of industry sec-
23 tors and occupations;

24 “(3) REPORTS TO CONGRESS.—Not later than
25 60 days after the completion of the interim evalua-

1 tion and the final evaluation described in this sec-
2 tion, the Administrator shall submit to the Com-
3 mittee on Education and Labor of the House of
4 Representatives and the Committee on Health, Edu-
5 cation, Labor, and Pensions of the Senate a report
6 summarizing the findings of the interim evaluations
7 and a report summarizing the final evaluations.

8 “(4) PUBLIC ACCESS.—The Administrator shall
9 make the interim and final reports available on a
10 publicly accessible website not later than 60 days
11 after the completion of the interim report and the
12 final report.

13 **“SEC. 204. AUTHORIZATION OF APPROPRIATIONS FOR**
14 **GRANTS.**

15 “There are authorized to be appropriated to carry out
16 this title:

17 “(1) \$400,000,000 for fiscal year 2023;

18 “(2) \$500,000,000 for fiscal year 2024;

19 “(3) \$600,000,000 for fiscal year 2025;

20 “(4) \$700,000,000 for fiscal year 2026; and

21 “(5) \$800,000,000 for fiscal year 2027.”.

22 **SEC. 90104. CONFORMING AMENDMENTS.**

23 (a) AMERICAN COMPETITIVENESS AND WORKFORCE
24 IMPROVEMENT ACT OF 1998.—Section 414(c) of the

1 American Competitiveness and Workforce Improvement
2 Act of 1998 (29 U.S.C. 2916a) is repealed.

3 (b) IMMIGRATION AND NATIONALITY ACT.—Section
4 286(s)(2) of the Immigration and Nationality Act (8
5 U.S.C. 1356(s)(2)) is amended—

6 (1) in the heading, by striking “FOR JOB
7 TRAINING” and inserting “FOR PROGRAMS UNDER
8 THE NATIONAL APPRENTICESHIP SYSTEM”; and

9 (2) by striking “for demonstration programs
10 and projects described in section 414(c) of the
11 American Competitiveness and Workforce Improve-
12 ment Act of 1998” and inserting “to carry out title
13 II of the National Apprenticeship Act”.

14 **TITLE II—ELEMENTARY AND**
15 **SECONDARY EDUCATION**

16 **SEC. 90201. POSTSECONDARY STEM PATHWAYS GRANTS.**

17 (a) PURPOSE.—The purpose of this section is to sup-
18 port equitable access to postsecondary STEM pathways
19 to increase the number of students exposed to high-quality
20 STEM advanced coursework, support students in reducing
21 college costs, improve postsecondary credit transfers, and
22 increase postsecondary completion.

23 (b) DEFINITIONS.—In this section:

24 (1) ADVANCED COURSEWORK.—The term “ad-
25 vanced coursework” means coursework designed for

1 students to earn postsecondary credit upon its suc-
2 cessful completion while still in high school, includ-
3 ing coursework or assessments associated with Ad-
4 vanced Placement, International Baccalaureate, a
5 dual or concurrent enrollment program, or an early
6 college high school program.

7 (2) ELIGIBLE ENTITY.—The term “eligible enti-
8 ty” means a partnership that—

9 (A) shall include—

10 (i) the State educational agency;

11 (ii) one or more local educational
12 agencies, including charter schools oper-
13 ating as a local educational agency, located
14 in the State, which may include an edu-
15 cational service agency; and

16 (iii) either—

17 (I) the State public higher edu-
18 cation system inclusive of all 2-year
19 and 4-year public institutions of high-
20 er education in the State; or

21 (II) a consortium of the State’s
22 public higher education institutions or
23 systems that, together, is inclusive of
24 all 2-year and 4-year public institu-

1 tions of higher education in the State;
2 and

3 (B) may include 1 or more businesses, as-
4 sociations, or nonprofit organizations rep-
5 resenting businesses, an industry or sector part-
6 nership, private nonprofit institutions of higher
7 education, nonprofit organizations, a State
8 workforce agency, or a State board.

9 (3) ESEA DEFINITIONS.—The terms “dual or
10 concurrent enrollment program”, “early college high
11 school”, “educational service agency” “elementary
12 school”, “English learner”, “evidence-based”, “high
13 school”, “institution of higher education”, “local
14 educational agency”, “middle grades”, “other staff”,
15 “professional development”, “regular high school di-
16 ploma”, “Secretary”, “State educational agency”,
17 and “technology” have the meanings given the terms
18 in section 8101 of the Elementary and Secondary
19 Education Act of 1965 (20 U.S.C. 7801).

20 (4) FIRST-GENERATION COLLEGE STUDENT.—
21 The term “first-generation college student” has the
22 meaning given the term in section 402A(h) of the
23 Higher Education Act of 1965 (20 U.S.C. 1070a-
24 11(h)).

1 (5) GOVERNOR.—The term “Governor” means
2 the chief executive officer of a State.

3 (6) OUTLYING AREA.—The term “outlying
4 area” has the meaning given the term in section
5 8101(36)(A) of the Elementary and Secondary Edu-
6 cation of 1965 (20 U.S.C. 7801(36)(A)).

7 (7) HISTORICALLY BLACK COLLEGE OR UNI-
8 VERSITY.—The term “historically Black college or
9 university” has the meaning given the term “part B
10 institution” in section 322 of the Higher Education
11 Act of 1965 (20 U.S.C. 1061).

12 (8) MINORITY-SERVING INSTITUTION.—The
13 term “minority-serving institution” a means a His-
14 panic-serving institution, Alaska Native-serving in-
15 stitution and Native Hawaiian-serving institution,
16 Predominantly Black Institution, Asian American
17 and Native American Pacific Islander-serving insti-
18 tution, or Native American-serving nontribal institu-
19 tion, as defined in section 371 of the Higher Edu-
20 cation Act of 1965 (20 U.S.C. 1067q(a)).

21 (9) PERKINS DEFINITIONS.—The terms “career
22 and technical education” and “work-based learning”
23 have the meanings given the terms in section 3 of
24 the Carl D. Perkins Career and Technical Education
25 Act of 2006 (20 U.S.C. 2302).

1 (10) POSTSECONDARY STEM PATHWAY.—The
2 term “postsecondary STEM pathway” means a se-
3 quence of courses focused on STEM education, in-
4 cluding advanced coursework approved by the eligi-
5 ble entity taken at any point during high school,
6 that—

7 (A) when taken together, provide at least
8 12 credit hours or the equivalent coursework to-
9 ward an associate degree or baccalaureate de-
10 gree, or, in the case of postsecondary credit in
11 career and technical education earned through
12 such sequence of courses, credit toward a recog-
13 nized postsecondary credential for a high-skill,
14 high-wage, or in-demand industry sector or oc-
15 cupation;

16 (B) if completed successfully, results in
17 credit that—

18 (i) counts as credit toward the State’s
19 regular high school diploma; and

20 (ii) is a part of the statewide articula-
21 tion agreement described in subsection
22 (d)(2)(B); and

23 (C) may include work-based learning in a
24 STEM field aligned with the academic

1 coursework offered in a postsecondary STEM
2 pathway.

3 (11) STATE.—The term “State” means each of
4 the 50 States, the District of Columbia, and Puerto
5 Rico.

6 (12) STEM EDUCATION.—The term “STEM
7 education” has the meaning given the term in sec-
8 tion 2 of the STEM Education Act of 2015 (42
9 U.S.C. 6621 note).

10 (13) STUDENTS FROM A FAMILY WITH A LOW
11 INCOME.—The term “students from a family with a
12 low income” means any students who are identified
13 by any of the measures described in section
14 1113(a)(5) of the Elementary and Secondary Edu-
15 cation Act (20 U.S.C. 6313(a)(5)).

16 (14) SUBGROUP OF STUDENTS.—The term
17 “subgroup of students” means—

18 (A) each subgroup of students described in
19 subclauses (I) through (IV) of section
20 1111(b)(2)(B)(xi) of the Elementary and Sec-
21 ondary Education Act of 1965 (20 U.S.C.
22 6311(b)(2)(B)(xi));

23 (B) homeless children and youths, as de-
24 fined in section 725 of the McKinney-Vento
25 Homeless Assistance Act (42 U.S.C. 11434a);

1 (C) students who are in foster care or are
2 aging out of the foster care system; and

3 (D) first-generation college students.

4 (15) TRIBAL COLLEGE OR UNIVERSITY.—The
5 term “Tribal College or University” has the meaning
6 given that term in section 316 of the Higher Edu-
7 cation Act of 1965 (20 U.S.C. 1059c).

8 (16) WIOA DEFINITIONS.—The terms “in-de-
9 mand industry sector or occupation”, “industry or
10 sector partnership,” “local board”, “recognized post-
11 secondary credential”, and “State board” have the
12 meanings given the terms in section 3 of the Work-
13 force Innovation and Opportunity Act (29 U.S.C.
14 3102).

15 (c) AUTHORIZATION OF GRANTS.—

16 (1) IN GENERAL.—From the amounts appro-
17 priated under subsection (j) and not reserved under
18 paragraph (2), the Secretary shall award grants, on
19 a competitive basis, to eligible entities to enable
20 those eligible entities to implement activities de-
21 scribed under subsection (e).

22 (2) RESERVATIONS.—From the total amount
23 appropriated under subsection (j) for a fiscal year,
24 the Secretary shall reserve—

1 (A) 1 percent for the Bureau of Indian
2 Education to improve access to postsecondary
3 STEM pathways;

4 (B) 1 percent for allotments for payments
5 to the outlying areas, to be distributed among
6 those outlying areas on the basis of their rel-
7 ative need, as determined by the Secretary, to
8 improve access to postsecondary STEM path-
9 ways;

10 (C) 2 percent to conduct the evaluation de-
11 scribed under subsection (g); and

12 (D) 2 percent for technical assistance and
13 dissemination, which may include—

14 (i) providing, directly or through
15 grants, contracts, or cooperative agree-
16 ments, technical assistance on using evi-
17 dence-based practices to improve the out-
18 comes of activities funded under this sec-
19 tion; and

20 (ii) disseminating information on evi-
21 dence-based practices that are successful in
22 improving the quality of activities funded
23 under this section.

1 (3) DURATION.—A grant awarded under this
2 section shall be for a period of not more than 5
3 years.

4 (4) RENEWAL.—The Secretary may renew a
5 grant awarded under this section for 1 additional 2-
6 year period for programs that meet the goals speci-
7 fied in subsection (d)(4)(B).

8 (5) DIVERSITY OF PROJECTS.—In awarding
9 grants under this section, the Secretary shall ensure
10 that, to the extent practicable, grants are distributed
11 among eligible entities that will serve geographically
12 diverse areas, including urban, suburban, and rural
13 areas.

14 (6) SUFFICIENT SIZE AND SCOPE.—Each grant
15 awarded under this section shall be of sufficient size
16 and scope to allow the eligible entity to carry out the
17 purposes of this section.

18 (7) PRIORITIES.—In awarding grants under
19 this section, the Secretary shall give priority to ap-
20 plications that—

21 (A) prioritize evidence-based strategies to
22 increase the access of all subgroups of students
23 served by the eligible entity to postsecondary
24 STEM pathways; and

1 (B) are submitted by eligible entities that
2 include local educational agencies who are in
3 the highest quartile of local educational agen-
4 cies, in a ranking of all qualified local edu-
5 cational agencies in the State, ranked in de-
6 scending order by the number or percentage of
7 children in each agency counted under section
8 1124(c) of the Elementary and Secondary Edu-
9 cation Act of 1965 (20 U.S.C. 6333(c)).

10 (d) ELIGIBLE ENTITY APPLICATION.—In order to re-
11 ceive a grant under subsection (c)(1), the eligible entity
12 shall submit an application to the Secretary, at such time,
13 and in such manner as the Secretary may reasonably re-
14 quire. Such application shall include—

15 (1) signatures from the Governor, chief State
16 school officer, and the State higher education execu-
17 tive officer (or, in the case of a State without such
18 an officer, a representative of an entity described in
19 subsection (b)(2)(A)(iii) within such eligible entity)
20 verifying that the eligible entity shall meet the re-
21 quirements described in paragraph (2) within the
22 specified timeframe;

23 (2) a description of how the eligible entity will,
24 not later than 2 years after the date of the initial
25 receipt of funds under this section—

1 (A) ensure STEM postsecondary pathways
2 are aligned with entrance requirements for
3 credit-bearing coursework at the State's public
4 institutions of higher education; and

5 (B) develop or expand a formal, universal
6 statewide articulation agreement among all pub-
7 lic institutions of higher education or systems
8 in the State—

9 (i) to guarantee that—

10 (I) all advanced coursework suc-
11 cessfully completed as part of a post-
12 secondary STEM pathway results in
13 credit that—

14 (aa) counts as credit for a
15 regular high school diploma;

16 (bb) is fully acceptable in
17 transfer and is credited toward
18 meeting related degree or certifi-
19 cate requirements by all public
20 institutions of higher education
21 in the State; and

22 (II) if a student earns an asso-
23 ciate degree (including an associate
24 degree in applied science) as part of a
25 postsecondary STEM pathway, such

1 associate degree, awarded by a par-
2 ticipating institution of higher edu-
3 cation in the State, shall be fully ac-
4 ceptable in transfer and credited as
5 the first 2 years of a related bacca-
6 laureate program at a public institu-
7 tion of higher education in such State
8 and, as applicable, other institutions
9 of higher education participating in an
10 articulation agreement described in
11 subparagraph (C); and

12 (ii) to facilitate the seamless transfer
13 of credit earned in the postsecondary
14 STEM pathway, and at the discretion of
15 the eligible entity, any other advanced
16 coursework made available in the State,
17 among such institutions of higher edu-
18 cation, including between 2-year and 4-
19 year public institutions of higher education
20 and other institutions of higher education
21 participating in an articulation agreement
22 described in subparagraph (C), by using
23 methods such as—

24 (I) common course numbering;

1 (II) a general education core cur-
2 rriculum; and

3 (III) management systems re-
4 garding course equivalency, transfer
5 of credit, and articulation; and

6 (C) in the case of one or more public insti-
7 tutions of higher education in another State, or
8 one or more private, nonprofit institutions of
9 higher education (including public institutions
10 in another State and private, nonprofit institu-
11 tions that are historically Black colleges and
12 universities, Tribal Colleges and Universities,
13 and minority-serving institutions), which seek
14 to participate in a postsecondary STEM path-
15 way supported by the eligible entity, enable
16 such institutions to participate in such postsec-
17 ondary STEM pathway by developing one or
18 more separate articulation agreements with
19 such institutions that are aligned with the re-
20 quirements of the articulation agreement de-
21 scribed in subparagraph (B);

22 (3) a description of how the eligible entity will
23 disseminate information at a minimum to all sub-
24 groups of students in the middle grades and high
25 school served by the eligible entity, including their

1 families, about the opportunity to participate in a
2 postsecondary STEM pathway and the benefits of
3 participation;

4 (4) a description of how the eligible entity will
5 implement postsecondary STEM pathways in all
6 local educational agencies participating in the eligi-
7 ble entity, including—

8 (A) the timeline and plan to provide, by
9 the end of the grant period, a substantial num-
10 ber of students in the local educational agencies
11 within the eligible entity the opportunity to par-
12 ticipate in a postsecondary STEM pathway; and

13 (B) annual goals for participation in ad-
14 vanced coursework and postsecondary STEM
15 pathways among all subgroups of students such
16 that, if the goals are met—

17 (i) significant progress will be made
18 toward increasing equity in access to and
19 participation in advanced coursework and
20 postsecondary STEM pathways for sub-
21 groups of students across the local edu-
22 cational agencies within the eligible entity;
23 and

24 (ii) the demographics of students par-
25 ticipating in advanced coursework and

1 postsecondary STEM pathways will be
2 similar to the demographics of total stu-
3 dent enrollment in the State the eligible
4 entity is located in by the end of the grant
5 period;

6 (5) a description of how the eligible entity has,
7 or will, ensure that postsecondary STEM pathways
8 are aligned with recognized postsecondary creden-
9 tials in high-skill, high-wage, or in-demand indus-
10 tries or occupations and provide students, where ap-
11 propriate, with opportunities for work-based learn-
12 ing;

13 (6) a description of how the eligible entity con-
14 sulted with stakeholders in development of its appli-
15 cation and how the eligible entity will continue to en-
16 gage, collaborate, and solicit feedback with stake-
17 holders to improve implementation of the application
18 requirements described in this subsection and uses
19 of funds described in subsection (e), including—

20 (A) the State board of education (if the
21 State has a State board of education);

22 (B) the State higher education governing
23 or coordinating entity (if the State has such an
24 entity);

1 (C) the State board and relevant local
2 boards;

3 (D) the State agency responsible for the
4 administration of career and technical edu-
5 cation in the State or for the supervision of the
6 administration of career and technical edu-
7 cation in the State (if the State has such an en-
8 tity);

9 (E) institutions of higher education in the
10 State;

11 (F) local educational agencies, including
12 those located in rural areas and with the high-
13 est enrollments of students from low income
14 families, as described in subsection (c)(7)(B);

15 (G) representatives of Indian Tribes lo-
16 cated in the State;

17 (H) charter school leaders (if the State has
18 charter schools);

19 (I) civil rights organizations in the State;

20 (J) business leaders or their representa-
21 tives in the State;

22 (K) teachers, principals, and other school
23 leaders; and

24 (L) parents and students;

1 (7) an assurance that the eligible entity will
2 provide postsecondary STEM pathways at no cost to
3 students and their families, including that students
4 and their parents shall not be required to pay the
5 cost of tuition, fees (including examination fees asso-
6 ciated with Advanced Placement, International Bac-
7 calaureate, and similar examinations), books, and
8 supplies necessary to successfully complete postsec-
9 ondary STEM pathways;

10 (8) an assurance that not less than half of
11 grant funds received by the eligible entity will be
12 used to support all subgroups of students in access-
13 ing and completing postsecondary STEM pathways;

14 (9) an assurance that the State will comply
15 with the supplement, not supplant requirement de-
16 scribed under subsection (h); and

17 (10) a description of how the eligible entity will
18 sustain the activities assisted under the grant after
19 the end of the grant period.

20 (e) USES OF FUNDS.—

21 (1) REQUIRED USES.—An eligible entity receiv-
22 ing a grant under this section shall use grant funds
23 to carry out the following:

24 (A) Activities to implement the alignment
25 requirements pursuant to subsection (d)(2) for

1 a period of time not to exceed the first 2 fiscal
2 years for which the grant is provided.

3 (B) Supporting the development and im-
4 plementation of postsecondary STEM pathways
5 consistent with the timeline, plan, and goals
6 specified in subsection (d)(4) in order to in-
7 crease the number of students accessing and
8 completing postsecondary STEM pathways in
9 the State, which may include—

10 (i) expanding advanced coursework of-
11 fered to students served by the eligible en-
12 tity to increase the availability of postsec-
13 ondary STEM pathways;

14 (ii) covering tuition, fees (including
15 examination fees associated with Advanced
16 Placement, International Baccalaureate,
17 and similar examinations), books, and sup-
18 plies for students participating in postsec-
19 ondary STEM pathways, in accordance
20 with subsection (d)(7); and

21 (iii) covering transportation and tech-
22 nology infrastructure (including computers
23 devices and internet connectivity) costs
24 necessary for full participation in postsec-

1 ondary STEM pathways for students from
2 a family with a low income.

3 (C) Implementing programs and activities
4 to improve student preparation for, and partici-
5 pation in postsecondary STEM pathways, with
6 a priority for students enrolled in local edu-
7 cational agencies described in subsection
8 (e)(7)(B) and subgroups of students, which
9 may include—

10 (i) using data from evidence-based
11 early warning indicator systems;

12 (ii) providing supplemental advising or
13 counseling activities that are voluntary to
14 students, including information on choos-
15 ing postsecondary options, applying for fi-
16 nancial aid, completing applications to in-
17 stitutions of higher education, and career
18 counseling and advising, beginning as early
19 as the middle grades; and

20 (iii) other evidence-based activities to
21 support the successful implementation of
22 postsecondary STEM pathways and stu-
23 dents' transition from high school to post-
24 secondary education.

1 (D) Conducting outreach and commu-
2 nicating with subgroups of students, including
3 their families, to build awareness about the op-
4 portunity to participate in a postsecondary
5 STEM pathway and the benefits of participa-
6 tion.

7 (2) PERMITTED USES.—An eligible entity re-
8 ceiving a grant under this section may also use
9 grant funds to—

10 (A) provide professional development or re-
11 cruitment for educators employed by the local
12 educational agencies within the eligible entity
13 and for faculty who teach courses that are in-
14 cluded in a postsecondary STEM pathway, in-
15 cluding increasing the number of educators
16 qualified to teach dual or concurrent enrollment
17 programs in STEM courses, to improve access
18 and completion of such pathways, particularly
19 for subgroups of students; and

20 (B) carry out capacity-building efforts to
21 improve the coordination between the elemen-
22 tary and secondary education system and the
23 higher education system, including through
24 stakeholder engagement and monitoring.

1 (3) TRANSPORTATION CAP.—An eligible entity
2 may use not more than 10 percent of grant funds
3 to cover transportation costs authorized under para-
4 graph (1)(B)(iii).

5 (4) TECHNOLOGY INFRASTRUCTURE CAP.—An
6 eligible entity may use not more than 10 percent of
7 grant funds for purchasing technology as authorized
8 under paragraph (1)(B)(iii).

9 (f) REPORTING REQUIREMENTS.—

10 (1) ELIGIBLE ENTITY REPORTING.—Not later
11 than 1 year after receipt of a grant under this sec-
12 tion and every year until the grant period ends, the
13 eligible entity shall provide a report to the Secretary
14 that includes—

15 (A) information on the progress of the eli-
16 gible entity in establishing the policies and com-
17 pleting the required activities as specified in
18 subsection (d)(2);

19 (B) the number and percentage of local
20 educational agencies and institutions of higher
21 education in the State offering a postsecondary
22 STEM pathway, including changes year-over-
23 year, and the extent to which the eligible entity
24 was meeting its timeline, plan, and goals speci-
25 fied in subsection (d)(4);

1 (C) the eligible entity's progress in meeting
2 the goals established by the eligible entity for
3 the participation of subgroups of students in
4 postsecondary STEM pathways as specified in
5 subsection (d)(4);

6 (D) evidence demonstrating how the eligi-
7 ble entity certified each such pathway meets all
8 the requirements of this section;

9 (E) the number and percentage of students
10 in the State, including disaggregated by each
11 subgroup of students, who—

12 (i) participate in a postsecondary
13 STEM pathway; and

14 (ii) participate in a postsecondary
15 STEM pathway and—

16 (I) successfully complete a post-
17 secondary STEM pathway;

18 (II) enroll in an institution of
19 higher education and receive credit, in
20 accordance with the alignment re-
21 quirements described in subsection
22 (d)(2);

23 (III) receive credit toward a rec-
24 ognized postsecondary credential for a

1 high-skill, high-wage, or in-demand in-
2 dustry sector or occupation; and

3 (IV) earn a postsecondary cre-
4 dential; and

5 (2) SECRETARY'S REPORT.—Not later than 6
6 months after receiving the initial report described in
7 paragraph (1) and annually thereafter, the Secretary
8 shall submit a report to the Committee on Health,
9 Education, Labor, and Pensions of the Senate and
10 the Committee on Education and Labor of the
11 House of Representatives that includes a summary
12 of reports submitted by eligible entities and identi-
13 fies best practices related to improving access to
14 STEM education and postsecondary education, par-
15 ticularly for subgroups of students, through the im-
16 plementation of postsecondary STEM pathways.

17 (g) EVALUATION.—The Secretary, acting through the
18 Director of the Institute of Education Sciences, shall con-
19 duct an independent evaluation after the initial award of
20 grants under this section, of the policies and services pro-
21 vided under this section, including at a minimum, the im-
22 pact of such policies and services on outcomes for all stu-
23 dents, and particularly for subgroups of students, with re-
24 gard to each of the following:

1 (1) Enrollment in and completion of advanced
2 coursework during high school, including the number
3 of courses students take and the number of credits
4 students earn.

5 (2) Postsecondary enrollment, remediation,
6 first-year credit attainment, persistence, and comple-
7 tion, including the number of students who enrolled
8 in a STEM field, and the number of students who
9 received a credential in a STEM field.

10 (3) The rate at which credits earned through
11 postsecondary STEM pathways are recognized for
12 credit by public institutions of higher education in-
13 stitutions.

14 (4) Postsecondary degree attainment, including
15 completion of an associate degree, baccalaureate de-
16 gree, or recognized postsecondary credential, and the
17 time it takes students to earn a degree.

18 (5) Changes in access and rigor of STEM edu-
19 cation offered to students served by local educational
20 agencies in eligible entities.

21 (6) To the extent practicable, analysis of stu-
22 dent outcomes described in paragraphs (1) through
23 (5) by STEM field.

24 (h) SUPPLEMENT, NOT SUPPLANT.—Federal funds
25 provided under this section shall be used to supplement,

1 not supplant, other Federal, State, or local funds available
2 to carry out activities described in this section.

3 (i) DISAGGREGATION OF DATA.—Disaggregation of
4 data required under this section shall not be required
5 when the number of students in a subgroup is insufficient
6 to yield statistically reliable information or the results
7 would reveal personally identifiable information about an
8 individual student.

9 (j) AUTHORIZATION OF APPROPRIATIONS.—For the
10 purpose of carrying out this section, there are authorized
11 to be appropriated such sums as may be necessary for
12 each of fiscal years 2022 through 2026.

13 **SEC. 90202. IMPROVING ACCESS TO ELEMENTARY AND SEC-**
14 **ONDARY COMPUTER SCIENCE EDUCATION.**

15 (a) PURPOSE.—The purpose of this section is to im-
16 prove the United States’ global competitiveness by improv-
17 ing access to computer science education and computa-
18 tional thinking skills for students enrolled in elementary
19 schools and secondary schools operated by local edu-
20 cational agencies, particularly for students from groups
21 who are underrepresented in computer science fields.

22 (b) DEFINITIONS.—In this section:

23 (1) COMPUTATIONAL THINKING SKILLS.—The
24 term “computational thinking skills” means critical
25 thinking skills that include—

1 (A) knowledge of how problems and solu-
2 tions can be expressed in such a way that allow
3 them to be modeled or solved using a computer
4 or machine;

5 (B) the use of strategies related to problem
6 decomposition, pattern matching, abstractions,
7 modularity, and algorithm design; and

8 (C) that involve creative problem solving
9 skills and are applicable across a wide-range of
10 disciplines and careers.

11 (2) COMPUTER SCIENCE EDUCATION.—The
12 term “computer science education” means instruc-
13 tion or learning regarding the study of computers
14 and algorithmic processes and the study of com-
15 puting principles and theories, as defined by a State,
16 and may include instruction or learning on—

17 (A) computer programming or coding as a
18 tool to—

19 (i) create software, such as applica-
20 tions, games, and websites; and

21 (ii) process, manage, analyze, or ma-
22 nipulate data;

23 (B) development and management of com-
24 puter hardware related to sharing, processing,

1 representing, securing, and using digital infor-
2 mation; and

3 (C) computational thinking skills and
4 interdisciplinary problem-solving to equip stu-
5 dents with the skills and abilities necessary to
6 apply computational thinking in the digital
7 world.

8 (3) ESEA DEFINITIONS.—The terms “dual or
9 concurrent enrollment program”, “elementary
10 school”, “educational service agency”, “English
11 learner”, “evidence-based”, “local educational agen-
12 cy”, “middle grades”, “professional development”,
13 “secondary school”, “Secretary”, “State educational
14 agency”, and “technology” have the meanings given
15 the terms in section 8101 of the Elementary and
16 Secondary Education Act of 1965 (20 U.S.C. 7801).

17 (4) OUTLYING AREA.—The term “outlying
18 area” has the meaning given the term in section
19 8101(36)(A) of the Elementary and Secondary Edu-
20 cation of 1965 (20 U.S.C. 7801(36)(A)).

21 (5) STATE.—The term “State” means each of
22 the 50 States, the District of Columbia, and Puerto
23 Rico.

24 (6) SUBGROUP OF STUDENTS.—The term “sub-
25 groups of students” means—

1 (A) each subgroup of students described in
2 section 1111(b)(2)(B)(xi) of the Elementary
3 and Secondary Education Act of 1965 (20
4 U.S.C. 6311(b)(2)(B)(xi);

5 (B) homeless children and youth as defined
6 in section 725 of the McKinney-Vento Homeless
7 Assistance Act (42 U.S.C. 11434a); and

8 (C) children and youth in foster care.

9 (7) TECHNOLOGY INFRASTRUCTURE.—The
10 term “technology infrastructure” means computer
11 devices and internet connectivity.

12 (c) AUTHORIZATION OF GRANTS.—

13 (1) IN GENERAL.—From the amounts appro-
14 priated under subsection (l), after making the res-
15 ervations described in paragraph (2), the Secretary
16 shall award computer science education program
17 grants, on a competitive basis, to State educational
18 agencies (which may include consortia of State edu-
19 cational agencies) that have submitted applications
20 described in subsection (d) to increase access to
21 computer science education and increase the develop-
22 ment of computational thinking skills in elementary
23 and secondary education, particularly for subgroups
24 of students , in order to increase American competi-
25 tiveness, in accordance with this section.

1 (2) RESERVATIONS.—From the total amount
2 appropriated under subsection (l) for a fiscal year,
3 the Secretary shall reserve—

4 (A) 1 percent for the Bureau of Indian
5 Education for the purpose of this section;

6 (B) 1 percent for allotments for payments
7 to the outlying areas, to be distributed among
8 those outlying areas on the basis of their rel-
9 ative need, as determined by the Secretary, for
10 the purposes of this section;

11 (C) 2 percent for technical assistance and
12 administration; and

13 (D) 2 percent for evaluation, in accordance
14 with subsection (h).

15 (3) STATE GRANTS.—

16 (A) IN GENERAL.—A State educational
17 agency receiving a grant under paragraph (1)
18 shall use not less than 90 percent of the grant
19 funds to award competitive subgrants to local
20 educational agencies, including charter schools
21 operating as a local educational agency, and
22 educational service agencies.

23 (B) STATE RESERVATIONS.—A State edu-
24 cational agency receiving a grant under para-
25 graph (1) shall reserve not more than 10 per-

1 cent of the total grant amount received by the
2 State for State level activities described in sub-
3 section (f)(1), of which not more than 2 percent
4 of the total grant amount received by the State
5 shall be used to provide technical assistance or
6 for administrative purposes.

7 (C) SUFFICIENT SIZE AND SCOPE.—Grants
8 awarded by the Secretary under this section
9 shall be of sufficient size and scope to allow
10 State educational agencies to carry out the pur-
11 pose of this section.

12 (D) DURATION; RENEWAL.—A grant
13 awarded under this section shall be for a period
14 of not more than 5 years. The Secretary may
15 renew a grant awarded under this section for 1
16 additional 2-year period for programs that meet
17 the outcomes described in the data-driven plan
18 required under subsection (d)(1).

19 (4) COORDINATION.—The Secretary shall co-
20 ordinate with the Director of the National Science
21 Foundation to support the effective implementation
22 of the grant program under this section.

23 (d) STATE APPLICATION.—In order to receive a
24 grant under this section, a State educational agency shall
25 submit an application to the Secretary at such time and

1 in such manner as the Secretary may reasonably require,
2 which shall include the following:

3 (1) A description of the State educational agency's
4 plan to increase equitable access to computer
5 science education and improve the development of
6 computational thinking skills for all students, and
7 particularly for subgroups of students, including how
8 the State educational agency will—

9 (A) identify locations in the State, includ-
10 ing across and within local educational agencies
11 and across and within the schools served by
12 such agencies, in which there are gaps in access
13 to and enrollment in computer science
14 coursework for subgroups of students;

15 (B) use data collected under subparagraph
16 (A) to identify strategies for increasing access
17 to and enrollment in computer science
18 coursework for subgroups of students; and

19 (C) ensure that local educational agencies
20 and educational service agencies receiving a
21 subgrant under this section develop and imple-
22 ment strategies to meet such agency's goals de-
23 scribed in subsection (f)(2)(A), including
24 through the measurement and collection of local

1 data aligned with the State educational agen-
2 cy's plan.

3 (2) A description of the factors the State edu-
4 cational agency will take into account when review-
5 ing applications submitted by agencies under sub-
6 section (e) and making subgrants under this section,
7 including how such State educational agency shall—

8 (A) take into consideration the need among
9 agencies, including the number of students
10 served by such agencies who are from families
11 with low incomes, in accordance with paragraph
12 (3)(A)(i); and

13 (B) consider the agency's capacity and
14 commitment, including the agencies' previous
15 work to address achievement gaps, to—

16 (i) close equity gaps in access to and
17 enrollment in computer science education
18 coursework particularly for subgroups of
19 students; and

20 (ii) provide access to high-quality in-
21 struction to improve the development of
22 computational thinking skills in elementary
23 and secondary education, particularly for
24 students in elementary school and in the
25 middle grades.

1 (3) An assurance that the State educational
2 agency—

3 (A) shall give priority in subgrant awards
4 to local educational agencies that—

5 (i) are in the highest quartile of local
6 educational agencies, in a ranking of all
7 local educational agencies in the State,
8 ranked in descending order by the number
9 or percentage of children in each agency
10 counted under section 1124(e) of the Ele-
11 mentary and Secondary Education Act of
12 1965 (20 U.S.C. 6333(e)); or

13 (ii) will partner or collaborate with a
14 Historically Black College or University
15 (within the meaning of the term “part B
16 institution” under section 322 of the High-
17 er Education Act of 1965 (20 U.S.C.
18 1061)) or other institution described in
19 section 371(a) of the Higher Education
20 Act of 1965 (20 U.S.C. 1067q(a)), that is
21 located within the State, to carry out ac-
22 tivities under the subgrant, in accordance
23 with subsection (f)(2);

1 (B) will distribute subgrant awards among
2 geographically diverse areas, including urban,
3 suburban, and rural areas; and

4 (C) in operating the local competitive
5 subgrant process described in subsection
6 (c)(3)(A), shall conduct outreach to local edu-
7 cational agencies described in subparagraph
8 (A)(i) to make the agencies aware of the
9 subgrant availability under this section, and
10 provide technical assistance and support to such
11 agencies in submitting an application under
12 subsection (e).

13 (4) A description of the State educational agen-
14 cy's strategy to increase the number of educators
15 prepared to teach computer science education, in-
16 cluding by—

17 (A) recruiting educators or individuals with
18 backgrounds in computer science to teach com-
19 puter science, diversifying the computer science
20 educator pipeline, providing evidence-based pro-
21 fessional development for current educators, or
22 providing evidence-based training for current
23 educators seeking to transition from other con-
24 tent areas to computer science; and

1 (B) working with public institutions of
2 higher education in the State to examine the
3 State's policies regarding educator preparation
4 and licensure to support increased access and
5 enrollment for candidates enrolled in educator
6 preparation programs and current educators in
7 computer science education.

8 (5) A description of the policies and practices of
9 the State educational agency intended to support in-
10 creased access and enrollment in computer science
11 and support the development of computational
12 thinking skills for elementary school and secondary
13 school students, including—

14 (A) the State educational agency's efforts
15 to assist local educational agencies to—

16 (i) offer computer science education in
17 secondary schools, which may include Ad-
18 vanced Placement or International Baccalaureate
19 computer science courses, com-
20 puter science courses in dual or concurrent
21 enrollment programs, in-demand industry
22 credentials, or high-quality distance edu-
23 cation, particularly for subgroups of stu-
24 dents across the State as measured by the
25 data collected under paragraph (1)(A); and

1 (ii) support the development of oppor-
2 tunities for youth to access extracurricular
3 opportunities, career exploration and expo-
4 sure activities, career information and ad-
5 vising, and high-quality work-based learn-
6 ing opportunities (such as internships) to
7 increase exposure to computer science edu-
8 cation and career pathways, and support
9 the development of computational thinking
10 skills, particularly for subgroups of stu-
11 dents;

12 (B) how the State educational agency sup-
13 ports rigorous instruction in computer science
14 education and the development of computa-
15 tional thinking skills, particularly for students
16 enrolled in elementary school or in the middle
17 grades; and

18 (C) how the State educational agency's
19 plan described in paragraph (1) and grant
20 funds provided under subsection (c) will be used
21 to inform and change such policies and prac-
22 tices to increase access to instruction in com-
23 puter science education and the development of
24 computational thinking skills for all students,
25 and particularly for subgroups of students.

1 (e) SUBGRANT APPLICATIONS.—

2 (1) IN GENERAL.—In order to receive a
3 subgrant under this section, a local educational
4 agency (which may include a consortium of local
5 educational agencies) or an educational service agen-
6 cy shall submit an application to the State edu-
7 cational agency at such time, in such manner, and
8 including such information as the State educational
9 agency may reasonably require. At a minimum, such
10 application shall include the following:

11 (A) A description of how the local edu-
12 cational agency or educational service agency
13 will—

14 (i) develop and implement the plan
15 described in subsection (f)(2)(A); and

16 (ii) diversify and support its computer
17 science educators, including through re-
18 cruitment and retention activities, ana-
19 lyzing disparities among its educators by
20 race, ethnicity, sex, socioeconomic status,
21 age, disability status, and language ability,
22 and addressing such disparities, in align-
23 ment with the State educational agency's
24 strategy described in subsection (d)(4).

1 (B) A description of the existing computer
2 science education coursework offered in sec-
3 ondary schools operated by the local educational
4 agency or educational service agency, including
5 the number of students who enroll and complete
6 such courses disaggregated by each subgroup of
7 students.

8 (C) A description of how the local edu-
9 cational agency or educational service agency
10 will use subgrant funds to implement evidence-
11 based practices to improve the quality of in-
12 struction in computer science and the develop-
13 ment of computational thinking skills, includ-
14 ing—

15 (i) providing evidence-based profes-
16 sional development for educators who teach
17 computer science or are seeking to transi-
18 tion to teaching computer science; and

19 (ii) improving instruction in the devel-
20 opment of computational thinking skills for
21 students in elementary schools and sec-
22 ondary schools, particularly for students in
23 elementary schools and middle grades.

24 (D) A description regarding whether and
25 how the local educational agency or educational

1 service agency may partner or collaborate, to
2 carry out activities with the subgrant, in ac-
3 cordance with subsection (f)(2), with at least 1
4 of the following entities, to the extent prac-
5 ticable if such entities are located within the
6 State:

7 (i) A Historically Black College or
8 University (within the meaning of the term
9 “part B institution” under section 322 of
10 the Higher Education Act of 1965 (20
11 U.S.C. 1061)) or other institution de-
12 scribed in section 371(a) of the Higher
13 Education Act of 1965 (20 U.S.C.
14 1067q(a)).

15 (ii) A computer science industry, insti-
16 tution of higher education, nonprofit orga-
17 nization, library, community learning cen-
18 ter (as defined in section 4201(b) of the
19 Elementary and Secondary Education Act
20 of 1965 (20 U.S.C. 7171(b))), State work-
21 force agency, or the State workforce devel-
22 opment board established under section
23 101 of the Workforce Innovation and Op-
24 portunity Act (29 U.S.C. 3111).

1 (E) An assurance that the local edu-
2 cational agency or educational service agency
3 will meet the requirements under paragraph
4 (2).

5 (2) TARGETING OF FUNDS TO HIGH-NEEDS
6 SCHOOLS.—

7 (A) IN GENERAL.—A local educational
8 agency or educational service agency that re-
9 ceives a subgrant under this section shall use
10 not less than 50 percent of such funds to sup-
11 port elementary schools and secondary schools
12 that meet one of the following criteria:

13 (i) Using any of the measures of pov-
14 erty in section 1113(a)(5) of the Elemen-
15 tary and Secondary Education Act of 1965
16 (20 U.S.C. 6313(a)(5)), elementary schools
17 and secondary schools that have a higher
18 percentage of students from families with
19 low incomes than the average of the per-
20 centage of students from families with low
21 incomes across all elementary schools and
22 secondary schools served by the local edu-
23 cational agency or educational service
24 agency.

1 (ii) Using any of the measures of pov-
2 erty in section 1113(a)(5) of the Elemen-
3 tary and Secondary Education Act of 1965
4 (20 U.S.C. 6313(a)(5)), elementary schools
5 and secondary schools by grade-span
6 grouping that have a higher percentage of
7 students from families with low incomes
8 than the average of the percentage of stu-
9 dents from families with low incomes
10 across all elementary schools and sec-
11 ondary schools serving students in such
12 grade-span grouping in the local edu-
13 cational agency or educational service
14 agency.

15 (B) SECONDARY SCHOOLS.—In identifying
16 schools under subparagraph (A), percentages of
17 students from families with low incomes in sec-
18 ondary schools may be calculated using com-
19 parable data from the schools that feed into
20 such secondary school.

21 (f) USES OF FUNDS.—

22 (1) STATE USE OF FUNDS.—A State edu-
23 cational agency shall use amounts reserved under
24 subsection (c)(3)(B) for 1 or more of the following:

1 (A) Implementing the plan described in
2 subsection (d)(1), including through the provi-
3 sion of technical assistance, data collection and
4 analysis, and capacity building supports to all
5 local educational agencies within the State, to
6 expand access to rigorous computer science edu-
7 cation and increase the development of com-
8 putational thinking skills for elementary school
9 and secondary school students, particularly for
10 subgroups of students.

11 (B) Implementing the State educational
12 agency's strategy to support computer science
13 educators described in subsection (d)(4) by di-
14 versifying and increasing the number of edu-
15 cators adequately prepared to deliver rigorous
16 instruction in computer science, through re-
17 cruitment, evidence-based professional develop-
18 ment for educators, or evidence-based training
19 for current educators seeking to transition from
20 other subjects to computer science.

21 (C) Identifying and supporting the imple-
22 mentation and scaling of evidence-based in-
23 structional strategies in computer science edu-
24 cation and instruction on how to develop com-

1 computational thinking skills in students that are
2 supported by strong or moderate evidence.

3 (D) Supporting the development of oppor-
4 tunities for youth to access extracurricular op-
5 portunities, career exploration and exposure ac-
6 tivities, career information and advising, and
7 high-quality work-based learning opportunities
8 (such as internships), to develop computational
9 thinking skills and increase exposure to com-
10 puter science education and career pathways
11 particularly for subgroups of students.

12 (2) LOCAL EDUCATIONAL AGENCY'S USE OF
13 FUNDS.—A local educational agency or educational
14 service agency that receives a subgrant under this
15 section shall use funds for the following activities:

16 (A) Developing and implementing a plan
17 (in alignment with the State educational agen-
18 cy's plan described in subsection (d)(1)) that—

19 (i) regularly measures, analyzes, and
20 addresses gaps in access to and enrollment
21 in computer science education and in the
22 development of computational thinking
23 skills for subgroups of students;

1 (ii) establishes goals and specifies ac-
2 tivities supported by subgrant funds to
3 meet those goals by—

4 (I) increasing access to computer
5 science education coursework in ele-
6 mentary schools and secondary
7 schools that do not offer such courses;

8 (II) addressing challenges faced
9 by subgroups of students in enrolling
10 and succeeding in computer science
11 education coursework in elementary
12 schools and secondary schools that do
13 offer such courses; and

14 (III) providing high-quality in-
15 struction to support the development
16 of computational thinking skills for
17 students in elementary schools and
18 secondary schools, particularly for
19 students in elementary schools and
20 middle grades; and

21 (iii) prioritizes using subgrant funds
22 to support schools with significant enroll-
23 ments of students from families with low
24 incomes as described in subsection (e)(2).

1 (B) Carrying out 1 or more of the fol-
2 lowing:

3 (i) Expanding access to rigorous com-
4 puter science education and improve the
5 development of computational thinking
6 skills for all students especially subgroups
7 of students, including through—

8 (I) increasing access to computer
9 science education in elementary
10 schools and secondary schools, includ-
11 ing through expanded course offerings
12 such as Advanced Placement or Inter-
13 national Baccalaureate courses, dual
14 or concurrent enrollment programs,
15 in-demand industry recognized creden-
16 tials, or distance education; and

17 (II) improving the development
18 of computational thinking skills for
19 students in elementary schools and
20 secondary schools, particularly ele-
21 mentary schools and in the middle
22 grades, including through instruc-
23 tional materials technology infrastruc-
24 ture, and evidence-based professional
25 development, with the goal of more ef-

1 fectively preparing such students for
2 success in computer science education,
3 such as enrollment in computer
4 science education coursework in sec-
5 ondary school, receiving a postsec-
6 ondary degree or credential in com-
7 puter science, and attaining a career
8 in computer science or a related field.

9 (ii) Diversifying, supporting, and in-
10 creasing the number of educators ade-
11 quately prepared to deliver rigorous in-
12 struction in computer science education,
13 by—

14 (I) providing evidence-based pro-
15 fessional development for educators
16 who, at the time that the local edu-
17 cational agency receives the
18 subgrant—

19 (aa) teach computer science;

20 or

21 (bb) are seeking to transi-
22 tion to teaching computer
23 science;

24 (II) recruiting and retaining edu-
25 cators described in subclause (I); and

1 (III) analyzing disparities
2 amongst computer science educators
3 by race, ethnicity, sex, socioeconomic
4 status, age, disability status, and lan-
5 guage ability, and addressing such
6 disparities.

7 (iii) Implementing evidence-based
8 practices to improve the quality of instruc-
9 tion regarding computer science and the
10 development of computational thinking
11 skills.

12 (iv) Supporting student mastery of
13 the development of problem-solving skills
14 and other key prerequisites for computer
15 science education coursework, including al-
16 gebra and statistics, to promote success in
17 computer science education coursework.

18 (v) Establishing robust regional col-
19 laborations with relevant local entities to
20 improve work-based learning opportunities
21 and career exploration and exposure in
22 computer science, for elementary school
23 and secondary school students, that may
24 include collaborating with computer science
25 industry, institutions of higher education,

1 nonprofit organizations, community learn-
2 ing centers (as defined in section 4201(b)
3 of the Elementary and Secondary Edu-
4 cation Act of 1965 (20 U.S.C. 7171(b)), a
5 State workforce agency, or a State work-
6 force development board established under
7 section 101 of the Workforce Innovation
8 and Opportunity Act (29 U.S.C. 3111).

9 (vi) Supporting the development of
10 opportunities for youth to access extra-
11 curricular opportunities, career exploration
12 and exposure activities, career information
13 and advising, and high-quality work-based
14 learning opportunities (such as intern-
15 ships), to develop computational thinking
16 skills and increase exposure to computer
17 science education and career pathways.

18 (3) RESTRICTION.—A local educational agency
19 or educational service agency that receive a subgrant
20 under this section shall not use more than 15 per-
21 cent of subgrant funds for purchasing technology in-
22 frastructure as described in paragraph (2)(B)(i)(II).

23 (g) REPORTING REQUIREMENTS.—

24 (1) LOCAL REPORTING.—Each local educational
25 agency and educational service agency that receives

1 a subgrant under this section shall submit a report
2 to the State educational agency on an annual basis
3 that contains any information required by the State
4 educational agency and, at a minimum, the fol-
5 lowing:

6 (A) The number of students enrolled in
7 computer science education coursework in the
8 schools served by such local educational agency
9 or educational service agency, and an update on
10 the progress in addressing the equity gaps iden-
11 tified under subsection (f)(2)(A).

12 (B) A description of actions and changes
13 in policies and practice by the local educational
14 agency or educational service agency to improve
15 access and increase enrollment and success in
16 computer science education and increase the de-
17 velopment of computational thinking skills for
18 elementary school and secondary school stu-
19 dents, particularly for students in elementary
20 schools and middle grades.

21 (C) Data on the number and diversity of
22 educators providing instruction in computer
23 science education.

24 (2) STATE REPORTING.—Not later than 1 year
25 after the date of enactment of this section and annu-

1 ally thereafter, a State educational agency that re-
2 ceives a grant under this section shall provide a re-
3 port to the Secretary, including, at a minimum—

4 (A) a summary of the reports received by
5 the State educational agency under paragraph
6 (1);

7 (B) a description of changes in State poli-
8 cy to improve access and increase enrollment in
9 computer science education and the develop-
10 ment of computational thinking skills;

11 (C) an update of the State educational
12 agency's implementation of its plan described in
13 subsection (d)(1); and

14 (D) an update of the State educational
15 agency's implementation of its strategy to in-
16 crease the number and diversity of educators
17 prepared to teach computer science described in
18 subsection (d)(4).

19 (h) EVALUATION.—

20 (1) IN GENERAL.—The Secretary, acting
21 through the Director of the Institute of Education
22 Sciences, shall carry out an independent evaluation
23 to measure the effectiveness of the program funded
24 under this section.

1 (2) CONTENTS.—The evaluation under para-
2 graph (1) shall measure—

3 (A) the effectiveness of the program in ex-
4 panding access to computer science education
5 and the development of computational thinking
6 skills for all students, particularly for sub-
7 groups of students;

8 (B) the extent to which the program im-
9 proved the development of computational think-
10 ing skills for elementary schools and secondary
11 school students, particularly in elementary
12 schools and middle grades; and

13 (C) the effectiveness of the program in di-
14 versifying, supporting, and increasing the num-
15 ber of educators adequately prepared to deliver
16 rigorous instruction in computer science edu-
17 cation and how to develop computational think-
18 ing skills in students.

19 (i) RULE OF CONSTRUCTION.—The Secretary shall
20 comply with the requirements of section 8526A of the Ele-
21 mentary and Secondary Education Act of 1965 (20 U.S.C.
22 7906a) in carrying out activities under this section.

23 (j) SUPPLEMENT NOT SUPPLANT.—Federal funds
24 provided under this section shall be used to supplement,
25 and not supplant, other Federal, State, or local funds

1 available to carry out the activities described in this sec-
2 tion.

3 (k) DISAGGREGATION OF DATA.—Disaggregation of
4 data required under this section shall not be required
5 when the number of students in a subgroup is insufficient
6 to yield statistically reliable information or the results
7 would reveal personally identifiable information about an
8 individual student.

9 (l) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this section
11 such sums as may be necessary for each of fiscal years
12 2022 through 2026.

13 **TITLE III—HIGHER EDUCATION**

14 **SEC. 90301. REAUTHORIZATION OF INTERNATIONAL EDU- 15 CATION PROGRAMS UNDER TITLE VI OF THE 16 HIGHER EDUCATION ACT OF 1965.**

17 (a) GRADUATE AND UNDERGRADUATE LANGUAGE
18 AND AREA CENTERS AND PROGRAMS.—Section
19 602(b)(2)(B)(ii) of the Higher Education Act of 1965 (20
20 U.S.C. 1122(b)(2)(B)(ii)) is amended—

- 21 (1) in subclause (III), by striking “or”;
- 22 (2) in subclause (IV), by striking the period at
23 the end and inserting “; or”; and
- 24 (3) by adding at the end the following:

1 “(V) the beginning, intermediate, or
2 advanced study of a foreign language re-
3 lated to the area of specialization.”.

4 (b) INTERNATIONAL RESEARCH AND INNOVATION.—
5 Section 605 of the Higher Education Act of 1965 (20
6 U.S.C. 1125) is amended to read as follows:

7 **“SEC. 605. INTERNATIONAL RESEARCH AND INNOVATION.**

8 “(a) PURPOSE.—It is the purpose of this section to
9 support essential international and foreign language edu-
10 cation research and innovation projects with the goal of
11 assessing and strengthening international education ca-
12 pacity, coordination, delivery, and outcomes to meet na-
13 tional needs.

14 “(b) AUTHORITY.—

15 “(1) IN GENERAL.—From the amount provided
16 to carry out this section, the Secretary shall carry
17 out the following activities:

18 “(A) Conduct research and studies that
19 contribute to the purpose described in sub-
20 section (a) and include research to provide a
21 systematic understanding of the United States’
22 international and foreign language education
23 capacity, structures, and effectiveness in meet-
24 ing growing demands by education, government,

1 and the private sector (including business and
2 other professions).

3 “(B) Create innovative paradigms or en-
4 hance or scale up proven strategies and prac-
5 tices that address systemic challenges to devel-
6 oping and delivering international and foreign
7 language education resources and expertise
8 across educational disciplines and institutions,
9 and for employers and other stakeholders.

10 “(C) Develop and manage a national
11 standardized database that includes the
12 strengths, gaps, and trends in the international
13 and foreign language education capacity of the
14 United States, and document the outcomes of
15 programs funded under this title for every
16 grant cycle.

17 “(2) GRANTS OR CONTRACTS.—The Secretary
18 shall carry out activities to achieve the outcomes de-
19 scribed in paragraph (1)—

20 “(A) directly; or

21 “(B) through grants awarded under sub-
22 section (d) or (e).

23 “(c) ELIGIBLE ENTITIES DEFINED.—In this section,
24 the term ‘eligible entity’ means—

25 “(1) an institution of higher education;

1 “(2) a public or private nonprofit library;

2 “(3) a nonprofit educational organization;

3 “(4) an entity that—

4 “(A) received a grant under this title for
5 a preceding fiscal year and successfully met the
6 goals and requirements of the grant; or

7 “(B) as of the date of application for a
8 grant under this section, is receiving a grant
9 under this title and is demonstrating that the
10 entity is successfully meeting the goals and re-
11 quirements of such grant under this title; or

12 “(5) a partnership of two or more entities de-
13 scribed in paragraphs (1) through (4).

14 “(d) RESEARCH GRANTS.—

15 “(1) PROGRAM AUTHORIZED.—For any fiscal
16 year for which the Secretary carries out activities to
17 achieve the outcomes described in subsection (b)(1)
18 through research grants under this subsection, the
19 Secretary shall award such grants, on a competitive
20 basis, to eligible entities.

21 “(2) REQUIRED ACTIVITIES.—An eligible entity
22 that receives a grant under this subsection shall use
23 the grant funds to pay for the Federal share of the
24 costs of the systematic development, collection, anal-

1 ysis, publication, and dissemination of data, and
2 other information resources, in a manner that—

3 “(A) is easily understandable, made pub-
4 licly available, and contributes to achieving the
5 purpose of subsection (a); and

6 “(B) achieves at least 1 of the outcomes
7 described in subsection (b)(1)(A) or (C).

8 “(3) DISCRETIONARY ACTIVITIES.—An eligible
9 entity that receives a grant under this subsection
10 may use the grant to carry out any of the following
11 activities:

12 “(A) Assess and document international
13 and foreign language education capacity and
14 supply through studies or surveys that—

15 “(i) determine the number of foreign
16 language courses, programs, and enroll-
17 ments at all levels of education and in all
18 languages, including a determination of
19 gaps in those languages deemed critical to
20 the national interest;

21 “(ii) measure the number and types of
22 degrees or certificates awarded in area
23 studies, global studies, foreign language
24 studies, and international business and
25 professional studies, including identifica-

1 tion of gaps in those studies deemed crit-
2 ical to the national interest;

3 “(iii) measure the number of foreign
4 language or area or international studies
5 faculty, including international business
6 faculty, and to the extent practicable, ele-
7 mentary school and secondary school for-
8 eign language teachers; or

9 “(iv) measure the number of under-
10 graduate and graduate students engaging
11 in international education programs.

12 “(B) Assess the demands for, and out-
13 comes of, international and foreign language
14 education and their alignment, through studies,
15 surveys, and conferences to—

16 “(i) determine demands for increased
17 or improved instruction in foreign lan-
18 guage, area or global studies, or other
19 international fields, and the demand for
20 employees with such skills and knowledge
21 in the education, government, and private
22 sectors (including business and other pro-
23 fessions);

24 “(ii) assess the employment or utiliza-
25 tion of graduates of programs supported

1 under this title by educational, govern-
2 mental, and private sector organizations
3 (including business and other professions);
4 or

5 “(iii) assess standardized outcomes
6 and effectiveness and benchmarking of
7 programs supported under this title.

8 “(C) Develop and publish specialized mate-
9 rials for use in foreign language, area, global,
10 or other international studies, including in
11 international business or other professional edu-
12 cation or technical training, as appropriate.

13 “(D) Conduct studies or surveys that iden-
14 tify and document challenges in higher edu-
15 cation and elementary school and secondary
16 school systems in increasing the availability of
17 international and foreign language education to
18 students, including challenges in current evalua-
19 tion standards, entrance and graduation re-
20 quirements, program accreditation, student de-
21 gree requirements, or teacher and faculty legal
22 workplace barriers to education and research
23 abroad.

24 “(E) With respect to underrepresented in-
25 stitutions of higher education (including minor-

1 ity-serving institutions or community colleges),
2 carry out studies or surveys that identify and
3 document—

4 “(i) systemic challenges and changes
5 and incentives and partnerships needed to
6 comprehensively and sustainably inter-
7 nationalize educational programming; or

8 “(ii) short- and long-term outcomes of
9 successful internationalization strategies
10 and funding models.

11 “(F) Evaluate the extent to which pro-
12 grams assisted under this title reflect diverse
13 perspectives and a wide range of views and gen-
14 erate debate on world regions and international
15 affairs.

16 “(e) INNOVATION GRANTS.—

17 “(1) PROGRAM AUTHORIZED.—For any fiscal
18 year for which the Secretary carries out activities to
19 achieve the outcomes described in subsection (b)(1)
20 through innovation grants under this subsection, the
21 Secretary shall award such grants, on a competitive
22 basis, to eligible entities.

23 “(2) USES OF FUNDS.—An eligible entity that
24 receives an innovation grant under this subsection
25 shall use the grant funds to pay the Federal share

1 of projects consistent with the purpose described in
2 subsection (a) that establish and conduct innovative
3 strategies, or scale up proven strategies, and that
4 achieve at least 1 of the outcomes described in sub-
5 section (b)(1). Such projects may include one or
6 more of the following:

7 “(A) Innovative paradigms to improve
8 communication, sharing, and delivery of re-
9 sources that further the purpose described in
10 subsection (a), including the following:

11 “(i) Networking structures and sys-
12 tems to more effectively match graduates
13 with international and foreign language
14 education skills with employment needs.

15 “(ii) Sharing international specialist
16 expertise across institutions of higher edu-
17 cation or in the workforce to pursue spe-
18 cialization or learning opportunities not
19 available at any single institution of higher
20 education, such as shared courses for
21 studying less commonly taught languages,
22 world areas or regions, international busi-
23 ness or other professional areas, or special-
24 ized research topics of national strategic
25 interest.

1 “(iii) Producing, collecting, orga-
2 nizing, preserving, and widely dissemi-
3 nating international and foreign language
4 education expertise, resources, courses, and
5 other information through the use of elec-
6 tronic technologies and other techniques.

7 “(iv) Collaborative initiatives to iden-
8 tify, capture, and provide consistent access
9 to, and creation of, digital global library
10 resources that are beyond the capacity of
11 any single eligible entity receiving a grant
12 under this section or any single institution
13 of higher education, including the profes-
14 sional development of library staff.

15 “(v) Utilization of technology to cre-
16 ate open-source resources in international,
17 area, global, and foreign language studies
18 that are adaptable to multiple educational
19 settings and promote interdisciplinary
20 partnerships between technologists, cur-
21 riculum designers, international and for-
22 eign language education experts, language
23 teachers, and librarians.

24 “(B) Innovative curriculum, teaching, and
25 learning strategies, including the following:

1 “(i) New initiatives for collaborations
2 of disciplinary programs with foreign lan-
3 guage, area, global, and international stud-
4 ies, and education abroad programs that
5 address the internationalization of such
6 disciplinary studies with the purpose of
7 producing globally competent graduates.

8 “(ii) Innovative collaborations between
9 established centers of international and
10 foreign language education excellence and
11 underrepresented institutions and popu-
12 lations seeking to further their goals for
13 strengthening international, area, global,
14 and foreign language studies, including at
15 minority-serving institutions or community
16 colleges.

17 “(iii) Teaching and learning collabora-
18 tions among foreign language, area, global,
19 or other international studies with diaspora
20 communities, including heritage students.

21 “(iv) New approaches and methods to
22 teaching emerging global issues, cross-re-
23 gional interactions, and underrepresented
24 regions or countries, such as project- and
25 team-based learning.

1 “(C) Innovative assessment and outcome
2 tools and techniques that further the purpose
3 described in subsection (a), including the fol-
4 lowing:

5 “(i) International and foreign lan-
6 guage education assessment techniques
7 that are coupled with outcome-focused
8 learning modules, such as certificates or
9 badges, immersion learning, or e-portfolio
10 systems.

11 “(ii) Effective and easily accessible
12 methods of assessing professionally useful
13 levels of proficiency in foreign languages or
14 competencies in area, culture, and global
15 knowledge or other international fields in
16 programs under this title, which may in-
17 clude use of open access online and other
18 cost-effective tools for students and edu-
19 cators at all educational levels and in the
20 workplace.

21 “(f) APPLICATION.—Each eligible entity desiring a
22 grant under this section shall submit to the Secretary an
23 application at such time, in such manner, and containing
24 such information as the Secretary shall require, includ-
25 ing—

1 “(1) a description of each proposed project the
2 eligible entity plans to carry out under this section
3 and how such project meets the purpose described in
4 subsection (a);

5 “(2) if applicable, a demonstration of why the
6 entity needs a waiver or reduction of the matching
7 requirement under subsection (g); and

8 “(3) an assurance that each such proposed
9 project will be self-sustainable after the project is
10 completed.

11 “(g) MATCHING REQUIREMENT.—

12 “(1) IN GENERAL.—The Federal share of the
13 total cost for carrying out a project supported by a
14 grant under this section shall be not more than 50
15 percent.

16 “(2) NON-FEDERAL SHARE CONTRIBUTIONS.—
17 The non-Federal share of such cost shall be no less
18 than 50 percent and may be provided either in-kind
19 or in cash, from institutional and non-institutional
20 funds, including contributions from State or private
21 sector corporations, nonprofit entities, or founda-
22 tions.

23 “(3) SPECIAL RULE.—Notwithstanding para-
24 graphs (1) and (2), the Secretary may waive or re-

1 duce the non-Federal share required under para-
2 graph (2) for eligible entities that—

3 “(A) are minority-serving institutions or
4 are community colleges; or

5 “(B) have submitted a grant application as
6 required by subsection (f) that demonstrates a
7 need for such a waiver or reduction.

8 “(h) DATABASE AND REPORTING.—The Secretary
9 shall directly, or through grants or contracts with an eligi-
10 ble grant recipient—

11 “(1) establish, curate, maintain, and update at
12 least every grant cycle a web-based site which shall
13 showcase the results of this section and serve as a
14 user-friendly repository of the information, re-
15 sources, and best practices generated through activi-
16 ties conducted under this section; and

17 “(2) prepare, publish, and disseminate to Con-
18 gress and the public at least once every 2 years, a
19 report that summarizes key findings and policy
20 issues from the activities conducted under this sec-
21 tion, especially as such activities relate to inter-
22 national and foreign language education and out-
23 comes.”.

24 (c) DISCONTINUATION OF FOREIGN INFORMATION
25 ACCESS PROGRAM.—Part A of title VI of the Higher Edu-

1 cation Act of 1965 (20 U.S.C. 1121 et seq.) is further
2 amended—

3 (1) by striking sections 606 and 610; and

4 (2) redesignating sections 607, 608, and 609 as
5 sections 606, 607, and 608, respectively.

6 (d) FINDINGS AND PURPOSE FOR GLOBAL BUSINESS
7 AND PROFESSIONAL EDUCATION PROGRAMS.—Section
8 611 of the Higher Education Act of 1965 (20 U.S.C.
9 1130) is amended—

10 (1) in subsection (a)—

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

13 “(1) the future welfare of the United States will
14 depend substantially on increasing international and
15 global skills in business, educational, and other pro-
16 fessional communities and creating an awareness
17 among the American public of the internationaliza-
18 tion of our economy and numerous other profes-
19 sional areas important to the national interest in the
20 21st century;”;

21 (B) by amending paragraph (2) to read as
22 follows:

23 “(2) concerted efforts are necessary to engage
24 business and other professional or technical edu-
25 cation programs, language, area, and global study

1 programs, professional international affairs edu-
2 cation programs, public and private sector organiza-
3 tions, and United States business in a mutually pro-
4 ductive relationship which benefits the Nation's fu-
5 ture economic and security interests;”;

6 (C) in paragraph (3), by striking “and the
7 international” and inserting “and other profes-
8 sional fields and the international and global”;
9 and

10 (D) in paragraph (4)—

11 (i) by inserting “, as well as other
12 professional organizations,” after “depart-
13 ments of commerce”; and

14 (ii) by inserting “or other professions”
15 after “business”; and

16 (2) in subsection (b)—

17 (A) in paragraph (1)—

18 (i) by striking “and economic enter-
19 prise” and inserting “, economic enter-
20 prise, and security”; and

21 (ii) by inserting “and other profes-
22 sional” before “personnel”; and

23 (B) in paragraph (2), by striking “to pros-
24 per in an international” and inserting “and
25 other professional fields to prosper in a global”.

1 (e) PROFESSIONAL AND TECHNICAL EDUCATION FOR
2 GLOBAL COMPETITIVENESS.—Section 613 of the Higher
3 Education Act of 1965 (20 U.S.C. 1130a) is amended to
4 read as follows:

5 **“SEC. 613. PROFESSIONAL AND TECHNICAL EDUCATION**
6 **FOR GLOBAL COMPETITIVENESS.**

7 “(a) PURPOSE.—The purpose of this section is to
8 support innovative strategies that provide undergraduate
9 and graduate students with the global professional com-
10 petencies, perspectives, and skills needed to strengthen
11 and enrich global engagement and competitiveness in a
12 wide variety of professional and technical fields important
13 to the national interest in the 21st century.

14 “(b) PROGRAM AUTHORIZED.—The Secretary shall
15 make grants to, or enter into contracts with, eligible enti-
16 ties to pay the Federal share of the cost of programs de-
17 signed to—

18 “(1) establish an interdisciplinary global focus
19 in the undergraduate and graduate curricula of busi-
20 ness, science, technology, engineering, and other pro-
21 fessional or technical education programs to be de-
22 termined by the Secretary based on national needs;

23 “(2) produce graduates with proficiencies in
24 both the global aspects of their professional or tech-

1 nical education fields and international, cross-cultural,
2 tural, and foreign language skills; and

3 “(3) provide appropriate services to or partner-
4 ships with the corporate, government, and nonprofit
5 communities in order to expand knowledge and ca-
6 pacity for global engagement and competitiveness
7 and provide internship or employment opportunities
8 for students and graduates with international skills.

9 “(c) MANDATORY ACTIVITIES.—An eligible entity
10 that receives a grant or contract under this section shall
11 use the grant or contract to carry out the following:

12 “(1) With respect to undergraduate or graduate
13 professional and technical education curricula, incor-
14 porating—

15 “(A) foreign language programs that lead
16 to proficiency, including immersion opportuni-
17 ties;

18 “(B) international, area, or global studies
19 programs;

20 “(C) education, internships, or other inno-
21 vative or technological linkages abroad; and

22 “(D) global business, economic, and trade
23 studies, where appropriate.

24 “(2) Innovating and improving international,
25 global, and foreign language education curricula to

1 serve the needs of business and other professional
2 and nonprofit communities, including development of
3 new programs for nontraditional, mid-career, or
4 part-time students.

5 “(3) Establishing education or internship
6 abroad programs, domestic globally-focused intern-
7 ships, or other innovative approaches to enable un-
8 dergraduate or graduate students in professional or
9 technical education to develop foreign language skills
10 and knowledge of foreign cultures, societies, and
11 global dimensions of their professional fields.

12 “(4) Developing collaborations between institu-
13 tions of higher education and corporations or non-
14 profit organizations in order to strengthen engage-
15 ment and competitiveness in global business, trade,
16 or other global professional activities.

17 “(d) DISCRETIONARY ACTIVITIES.—An eligible entity
18 that receives a grant or contract under this section may
19 use the grant or contract to carry out the following:

20 “(1) Developing specialized teaching materials
21 and courses, including foreign language and area or
22 global studies materials, and innovative technological
23 delivery systems appropriate for professionally-ori-
24 ented students.

1 “(2) Establishing student fellowships or other
2 innovative support opportunities, including for
3 underrepresented populations, first generation col-
4 lege students (defined in section 402A), and heritage
5 learners, for education in global professional develop-
6 ment activities.

7 “(3) Developing opportunities or fellowships for
8 faculty or junior faculty of professional or technical
9 education (including the faculty of minority-serving
10 institutions or community colleges) to acquire or
11 strengthen international and global skills and per-
12 spectives.

13 “(4) Establishing international linkages or part-
14 nerships with institutions of higher education, cor-
15 porations, or organizations that contribute to the ob-
16 jectives of this section.

17 “(5) Establishing trade education programs
18 through agreements with regional, national, global,
19 bilateral, or multilateral trade centers, councils, or
20 associations.

21 “(e) APPLICATION.—Each eligible entity desiring a
22 grant or contract under this section shall submit an appli-
23 cation to the Secretary at such time, in such manner, and
24 including such information as the Secretary may reason-
25 ably require, including assurances that—

1 “(1) each proposed project have reasonable and
2 demonstrable plans for sustainability and
3 replicability upon completion of the project;

4 “(2) the institution of higher education will use
5 the assistance provided under this section to supple-
6 ment and not supplant other activities described in
7 subsection (b) that are conducted by the institution
8 of higher education as of the day before the date of
9 the grant or contract;

10 “(3) in the case of eligible entities that are con-
11 sortia of institutions of higher education, or partner-
12 ship described in subsection (g)(1)(C), a copy of
13 their partnership agreement that demonstrates com-
14 pliance with subsection (b) will be provided to the
15 Secretary;

16 “(4) the activities funded by the grant or con-
17 tract will reflect diverse perspectives and a wide
18 range of views of world regions and international af-
19 fairs where applicable; and

20 “(5) if applicable, a demonstration of why the
21 eligible entity needs a waiver or reduction of the
22 matching requirement under subsection (f).

23 “(f) MATCHING REQUIREMENT.—

24 “(1) IN GENERAL.—The Federal share of the
25 total cost for carrying out a program supported by

1 a grant under this section shall be not more than 50
2 percent.

3 “(2) NON-FEDERAL SHARE CONTRIBUTIONS.—

4 The non-Federal share of such cost shall be not less
5 than 50 percent and may be provided either in-kind
6 or in cash, from institutional and non-institutional
7 funds, including contributions from State and pri-
8 vate sector corporations, nonprofit entities, or foun-
9 dations.

10 “(3) SPECIAL RULE.—Notwithstanding para-
11 graphs (1) and (2), the Secretary may waive or re-
12 duce the non-Federal share required under para-
13 graph (2) for eligible entities that—

14 “(A) are minority-serving institutions or
15 are community colleges; or

16 “(B) have submitted a grant application as
17 required by subsection (e) that demonstrates a
18 need for such a waiver or reduction.

19 “(g) DEFINITIONS.—In this section:

20 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
21 tity’ means—

22 “(A) an institution of higher education;

23 “(B) a consortia of such institutions; or

24 “(C) a partnership between—

1 “(i) an institution of higher education
2 or a consortia of such institutions; and

3 “(ii) at least one corporate or non-
4 profit entity.

5 “(2) PROFESSIONAL AND TECHNICAL EDU-
6 CATION.—The term ‘professional and technical edu-
7 cation’ means a program at an institution of higher
8 education that offers undergraduate, graduate, or
9 post-graduate level education in a professional or
10 technical field that is determined by the Secretary as
11 meeting a national need for global or international
12 competency (which may include business, science,
13 technology, engineering, law, health, energy, environ-
14 ment, agriculture, transportation, or education).”.

15 (f) DISCONTINUATION OF CERTAIN AUTHORIZATIONS
16 OF APPROPRIATIONS.—Part B of title VI of the Higher
17 Education Act of 1965 (20 U.S.C. 1130 et seq.) is further
18 amended by striking section 614.

19 (g) REPEAL OF INSTITUTE FOR INTERNATIONAL
20 PUBLIC POLICY.—Title VI of the Higher Education Act
21 of 1965 (20 U.S.C. 1131 et seq.) is amended—

22 (1) by striking part C; and

23 (2) by redesignating part D as part C.

24 (h) DEFINITIONS.—Section 631(a) of the Higher
25 Education Act of 1965 (20 U.S.C. 1132(a)) is amended—

1 (1) by adding at the end the following:

2 “(11) the term ‘community college’ means—

3 “(A) a degree-granting public institution of
4 higher education (as defined in section 101 of
5 the Higher Education Act of 1965) at which—

6 “(i) the highest degree awarded is an
7 associate degree; or

8 “(ii) an associate degree is the most
9 frequently awarded degree;

10 “(B) a 2-year Tribal College or University
11 (as defined in section 316(b)(3) of the Higher
12 Education Act of 1965);

13 “(C) a degree-granting Tribal College or
14 University (as defined in section 316(b)(3) of
15 the Higher Education Act of 1965) at which—

16 “(i) the highest degree awarded is an
17 associate degree; or

18 “(ii) an associate degree is the most
19 frequently awarded degree; or

20 “(D) a branch campus of a 4-year public
21 institution of higher education (as defined in
22 section 101 of the Higher Education Act of
23 1965), if, at such branch campus—

24 “(i) the highest degree awarded is an
25 associate degree; or

1 “(ii) an associate degree is the most
2 frequently awarded degree;

3 “(12) the term ‘heritage student’ means a post-
4 secondary student who—

5 “(A) was born in the United States to im-
6 migrant parents or immigrated to the United
7 States at an early age;

8 “(B) is proficient in English, but raised in
9 a family primarily speaking 1 or more lan-
10 guages of the country of origin; and

11 “(C) maintains a close affinity with the
12 family’s culture and language of origin;

13 “(13) the term ‘minority-serving institution’
14 means an institution of higher education that is eli-
15 gible to receive a grant under part A or B of title
16 III or title V.”; and

17 (2) by reordering paragraphs (1) through (10)
18 and the paragraphs added by paragraph (3) of this
19 subsection in alphabetical order, and renumbering
20 such paragraphs as so reordered.

21 (i) PRIORITY TO MINORITY-SERVING INSTITU-
22 TIONS.—Part C of title VI of the Higher Education Act
23 of 1965 (20 U.S.C. 1132 et seq.), as redesignated by sub-
24 section (g)(2), is further amended—

25 (1) by striking sections 637 and 638; and

1 (2) by adding at the end the following:

2 **“SEC. 637. PRIORITY TO MINORITY-SERVING INSTITUTIONS.**

3 “(a) PRIORITY.—In seeking applications and award-
4 ing grants under this title, the Secretary, may give priority
5 to—

6 “(1) minority-serving institutions; or

7 “(2) institutions of higher education that apply
8 for such grants that propose significant and sus-
9 tained collaborative activities with one or more mi-
10 nority-serving institutions.

11 “(b) TECHNICAL ASSISTANCE.—The Secretary shall
12 provide technical assistance to minority-serving institu-
13 tions to ensure maximum distribution of grants to eligible
14 minority-serving institutions and among each category of
15 such institutions.”.

16 (j) AUTHORIZATION OF APPROPRIATIONS FOR
17 INTERNATIONAL EDUCATION PROGRAMS.—Part C of title
18 VI of the Higher Education Act of 1965 (20 U.S.C. 1132
19 et seq.), as redesignated by subsection (g)(2), is further
20 amended by adding at the end the following:

21 **“SEC. 638. AUTHORIZATION OF APPROPRIATIONS.**

22 “(a) IN GENERAL.—There are authorized to be ap-
23 propriated to carry out this title \$208,059,000 for fiscal
24 year 2022 and such sums as may be necessary for each
25 of the 5 succeeding fiscal years.”.

1 **SEC. 90302. CONFUCIUS INSTITUTES.**

2 (a) DEFINITIONS.—In this section—

3 (1) the term “Confucius Institute” means a cul-
4 tural institute established as a partnership between
5 a United States institution of higher education and
6 a Chinese institution of higher education to promote
7 and teach Chinese language and culture that is
8 funded, directly or indirectly, by the Government of
9 the People’s Republic of China; and

10 (2) the term “institution of higher education”
11 has the meaning given that term in section 102 of
12 the Higher Education Act of 1965 (20 U.S.C.
13 1002).

14 (b) RESTRICTIONS OF CONFUCIUS INSTITUTES.—Ex-
15 cept as provided in subsection (e), an institution of higher
16 education that maintains a contract or agreement between
17 the institution and a Confucius Institute shall not be eligi-
18 ble to receive Federal funds provided under the Higher
19 Education Act of 1965 (20 U.S.C. 1001 et seq.), except
20 funds provided under title IV of such Act, unless the insti-
21 tution satisfies the requirements and conditions of sub-
22 section (c) or (d).

23 (c) EVALUATION OF CONFUCIUS INSTITUTE CON-
24 TRACTS OR AGREEMENTS.—

25 (1) IN GENERAL.—The Secretary of Education,
26 in consultation with the National Academies of

1 Science, Engineering, and Medicine, shall evaluate
2 any contract or agreement between an institution of
3 higher education and a Confucius Institute, and
4 publish such evaluation on the website of the De-
5 partment of Education, to confirm that any such
6 contract or agreement includes clear provisions
7 that—

8 (A) protect academic freedom at the insti-
9 tution;

10 (B) prohibit the application of any foreign
11 law on any campus of the institution; and

12 (C) grant full managerial authority of the
13 Confucius Institute to the institution, including
14 full control over what is being taught, the ac-
15 tivities carried out, the research grants that are
16 made, and who is employed at the Confucius
17 Institute.

18 (2) FAILURE TO SATISFY CONDITIONS.—If the
19 Secretary of Education, in consultation with the Na-
20 tional Academies of Science, Engineering, and Medi-
21 cine, cannot confirm that the contract or agreement
22 includes the clear provisions in accordance with
23 paragraph (1), the conditions under such paragraph
24 shall not be considered to be satisfied for the pur-
25 poses of subsection (b).

1 (d) PUBLIC INSPECTION REQUIREMENT.—The Sec-
2 retary of Education shall ensure that each institution of
3 higher education that maintains a contract or agreement
4 between the institution and a Confucius Institute makes
5 available for public inspection—

6 (1) a true copy of the contract or agreement be-
7 tween the institution and the Confucius Institute;
8 and

9 (2) a translation in English of the contract or
10 agreement between the institution and the Confucius
11 Institute that is certified by a third party translator.

12 (e) SPECIAL RULE.—Notwithstanding any other pro-
13 vision of this section, this section shall not apply to an
14 institution of higher education if that institution has ful-
15 filled the requirements for a waiver from the Department
16 of Defense as described under section 1062 of the Na-
17 tional Defense Authorization Act for Fiscal Year 2021
18 (Public Law 116–283) and made the documents available
19 for public inspection in accordance with subsection (d).

20 (f) SUNSET.—This section shall cease to be effective
21 on September 30, 2027.

22 **SEC. 90303. SUSTAINING THE TRUMAN FOUNDATION AND**
23 **THE MADISON FOUNDATION.**

24 (a) TRUMAN MEMORIAL SCHOLARSHIP FUND.—

1 (1) IN GENERAL.—Section 10(b) of Public Law
2 93–642 (20 U.S.C. 2001 et seq.) is amended to read
3 as follows:

4 “(b)(1) It shall be the duty of the Secretary of the
5 Treasury to invest in full the amounts appropriated to the
6 fund.

7 “(2) Investments of amounts appropriated to the
8 fund shall be made in public debt securities of the United
9 States with maturities suitable to the fund. For such pur-
10 pose, such obligations may be acquired—

11 “(A) on original issue at the issue price; or

12 “(B) by purchase of outstanding obligations at
13 the market price.

14 “(3) The purposes for which obligations of the United
15 States may be issued under chapter 31 of title 31, United
16 States Code, are hereby extended to authorize the issuance
17 at par of special obligations exclusively to the fund. Such
18 special obligations shall bear interest at a rate equal to
19 the average rate of interest, computed as to the end of
20 the calendar month next preceding the date of such issue,
21 borne by all marketable interest-bearing obligations of the
22 United States then forming a part of the public debt, ex-
23 cept that where such average rate is not a multiple of $\frac{1}{8}$
24 of 1 percent, the rate of interest of such special obligations
25 shall be the multiple of $\frac{1}{8}$ of 1 percent next lower than

1 such average rate. Such special obligations shall be issued
2 only if the Secretary determines that the purchases of
3 other interest-bearing obligations of the United States, or
4 of obligations guaranteed as to both principal and interest
5 by the United States or original issue or at the market
6 price, is not in the public interest.”.

7 (2) AUTHORIZATION OF APPROPRIATIONS.—
8 Section 14 of Public Law 93–642 (20 U.S.C. 2013)
9 is amended by striking “\$30,000,000 to the fund”
10 and inserting “to the Harry S. Truman Memorial
11 Scholarship Trust Fund such sums as may be nec-
12 essary for fiscal year 2022 and each succeeding fis-
13 cal year.”.

14 (b) JAMES MADISON MEMORIAL FELLOWSHIP
15 TRUST FUND.—

16 (1) IN GENERAL.—Subsection (b) of section
17 811 of the James Madison Memorial Fellowship Act
18 (20 U.S.C. 4510) is amended to read as follows:

19 “(b)(1) It shall be the duty of the Secretary of the
20 Treasury to invest in full the amounts appropriated to the
21 fund.

22 “(2) Subject to paragraph (3), investments of
23 amounts appropriated to the fund shall be made in public
24 debt securities of the United States with maturities suit-

1 able to the fund. For such purpose, such obligations may
2 be acquired—

3 “(A) on original issue at the issue price; or

4 “(B) by purchase of outstanding obligations at
5 the market price. The purposes for which obligations
6 of the United States may be issued under chapter 31
7 of title 31, United States Code, are hereby extended
8 to authorize the issuance at par of special obliga-
9 tions exclusively to the fund. Such special obligations
10 shall bear interest at a rate equal to the average
11 rate of interest, computed as to the end of the cal-
12 endar month next preceding the date of such issue,
13 borne by all marketable interest-bearing obligations
14 of the United States then forming a part of the pub-
15 lic debt, except that where such average rate is not
16 a multiple of $\frac{1}{8}$ of 1 percent, the rate of interest of
17 such special obligations shall be the multiple of $\frac{1}{8}$
18 of 1 percent next lower than such average rate. Such
19 special obligations shall be issued only if the Sec-
20 retary determines that the purchases of other inter-
21 est-bearing obligations of the United States, or of
22 obligations guaranteed as to both principal and in-
23 terest by the United States or original issue or at
24 the market price, is not in the public interest.”.

1 (2) AUTHORIZATION OF APPROPRIATIONS.—
2 Section 816 of the James Madison Memorial Fellow-
3 ship Act (20 U.S.C. 4515) is amended to read as
4 follows:

5 **“SEC. 816. AUTHORIZATION OF APPROPRIATIONS.**

6 “There are authorized to be appropriated to the
7 James Madison Memorial Trust Fund such sums as may
8 be necessary to carry out the provisions of this title for
9 fiscal year 2022 and each succeeding fiscal year.”.

10 **SEC. 90304. DISCLOSURES OF FOREIGN GIFTS AND CON-**
11 **TRACTS AT INSTITUTIONS OF HIGHER EDU-**
12 **CATION.**

13 (a) DISCLOSURES OF FOREIGN GIFTS.—Section 117
14 of the Higher Education Act of 1965 (20 U.S.C. 1011f)
15 is amended to read as follows:

16 **“SEC. 117. DISCLOSURES OF FOREIGN GIFTS.**

17 “(a) DISCLOSURE REPORTS.—

18 “(1) AGGREGATE GIFTS AND CONTRACT DIS-
19 CLOSURES.—An institution shall file a disclosure re-
20 port described in subsection (b) with the Secretary
21 not later than March 31 immediately following any
22 calendar year in which—

23 “(A) the institution receives a gift from, or
24 enters into a contract with, a foreign source,
25 the value of which is \$100,000 or more, consid-

1 ered alone or in combination with all other gifts
2 from, or contracts with, that foreign source
3 within the calendar year; or

4 “(B) the institution receives a gift from, or
5 enters into a contract with, a foreign source,
6 the value of which totals \$250,000 or more,
7 considered alone or in combination with all
8 other gifts from, or contracts with, that foreign
9 source over the previous 3 calendar years.

10 “(2) DISCLOSURE OF CONTRACTS WITH UNDE-
11 TERMINED MONETARY VALUE.—An institution shall
12 file a disclosure report described in subsection (b)
13 with the Secretary not later than March 31 imme-
14 diately following any calendar year in which the in-
15 stitution enters into a contract with a foreign source
16 that has an undetermined monetary value.

17 “(3) FOREIGN SOURCE OWNERSHIP OR CON-
18 TROL DISCLOSURES.—In the case of an institution
19 that is owned or controlled by a foreign source, the
20 institution shall file a disclosure report described in
21 subsection (b) with the Secretary not later than
22 March 31 of every year.

23 “(b) CONTENTS OF REPORT.—Each report to the
24 Secretary required by subsection (a) shall contain the fol-
25 lowing:

1 “(1)(A) In the case of an institution required to
2 file a report under paragraph (1) or (2) of sub-
3 section (a)—

4 “(i) for gifts received from or contracts en-
5 tered into with a foreign government, the aggre-
6 gate amount of such gifts and contracts re-
7 ceived from each foreign government; and

8 “(ii) for gifts received from or contracts
9 entered into with a foreign source other than a
10 foreign government, the aggregate dollar
11 amount of such gifts and contracts attributable
12 to a particular country and the legal or formal
13 name of the foreign source.

14 “(B) For purposes of this paragraph, the coun-
15 try to which a gift is attributable is—

16 “(i) the country of citizenship, or if un-
17 known, the principal residence, for a foreign
18 source who is a natural person; or

19 “(ii) the country of incorporation, or if un-
20 known, the principal place of business, for a
21 foreign source which is a legal entity.

22 “(2) In the case of an institution required to
23 file a report under subsection (a)(3)—

1 “(A) the information described in para-
2 graph (1)(A) (without regard to any gift or con-
3 tract threshold described in subsection (a)(1));

4 “(B) the identity of the foreign source that
5 owns or controls the institution;

6 “(C) the date on which the foreign source
7 assumed ownership or control; and

8 “(D) any changes in program or structure
9 resulting from the change in ownership or con-
10 trol.

11 “(3) An assurance that the institution will
12 maintain a true copy of each gift or contract agree-
13 ment subject to the disclosure requirements under
14 this section, until the latest of—

15 “(A) the date that is 4 years after the date
16 of the agreement;

17 “(B) the date on which the agreement ter-
18 minates; or

19 “(C) the last day of any period that appli-
20 cable State public record law requires a true
21 copy of such agreement to be maintained.

22 “(4) An assurance that the institution will
23 produce true copies of gift and contract agreements
24 subject to the disclosure requirements under this
25 section upon request of the Secretary during a com-

1 pliance audit or other institutional investigation and
2 shall ensure all gifts and contracts from the foreign
3 source are translated into English by a third party
4 unaffiliated with the foreign source or institution for
5 this purpose.

6 “(c) ADDITIONAL DISCLOSURES FOR RESTRICTED
7 AND CONDITIONAL GIFTS AND CONTRACTS.—Notwith-
8 standing the provisions of subsection (b), whenever any
9 institution receives a restricted or conditional gift or con-
10 tract from a foreign source, the institution shall disclose
11 the following to the Department translated into English
12 by a third party unaffiliated with the foreign source or
13 institution:

14 “(1) For such gifts received from or contracts
15 entered into with a foreign source other than a for-
16 eign government, the amount, the date, and a de-
17 scription of such conditions or restrictions. The re-
18 port shall also disclose the country of citizenship, or
19 if unknown, the principal residence for a foreign
20 source which is a natural person, and the country of
21 incorporation, or if unknown, the principal place of
22 business for a foreign source which is a legal entity.

23 “(2) For gifts received from or contracts en-
24 tered into with a foreign government, the amount,

1 the date, a description of such conditions or restric-
2 tions, and the name of the foreign government.

3 “(d) RELATION TO OTHER REPORTING REQUIRE-
4 MENTS.—

5 “(1) STATE REQUIREMENTS.—If an institution
6 that is required to file a disclosure report under sub-
7 section (a) is within a State which has enacted re-
8 quirements for public disclosure of gifts from or con-
9 tracts with a foreign source that includes all infor-
10 mation required under this section for the same or
11 an equivalent time period, a copy of the disclosure
12 report filed with the State may be filed with the Sec-
13 retary in lieu of the report required under such sub-
14 section. The State in which the institution is located
15 shall provide to the Secretary such assurances as the
16 Secretary may require to establish that the institu-
17 tion has met the requirements for public disclosure
18 under State law if the State report is filed.

19 “(2) USE OF OTHER FEDERAL REPORTS.—If an
20 institution receives a gift from, or enters into a con-
21 tract with, a foreign source, where any other depart-
22 ment, agency, or bureau of the executive branch re-
23 quires a report containing all the information re-
24 quired under this section for the same or an equiva-
25 lent time period, a copy of the report may be filed

1 with the Secretary in lieu of a report required under
2 subsection (a).

3 “(e) PUBLIC DISCLOSURE AND MODIFICATION OF
4 REPORTS.—

5 “(1) IN GENERAL.—Not later than 30 days
6 after receiving a disclosure report under this section,
7 the Secretary shall make such report electronically
8 available to the public for downloading on a search-
9 able database under which institutions can be indi-
10 vidualy identified and compared.

11 “(2) MODIFICATIONS.—The Secretary shall in-
12 corporate a process permitting institutions to revise
13 and update previously filed disclosure reports under
14 this section to ensure accuracy, compliance, and abil-
15 ity to cure.

16 “(f) SANCTIONS FOR NONCOMPLIANCE.—

17 “(1) IN GENERAL.—As a sanction for non-
18 compliance with the requirements under this section,
19 the Secretary may impose a fine on an institution
20 that in any year knowingly or willfully violates this
21 section, that is—

22 “(A) in the case of a failure to disclose a
23 gift or contract with a foreign source as re-
24 quired under this section or to comply with the
25 requirements of subsection (b)(4), in an amount

1 that is not less than \$250 but not more than
2 50 percent of the amount of the gift or contract
3 with the foreign source; or

4 “(B) in the case of any violation of the re-
5 quirements of subsection (a)(3), in an amount
6 that is not more than 25 percent of the total
7 amount of funding received by the institution
8 under this Act.

9 “(2) REPEATED FAILURES.—

10 “(A) KNOWING AND WILLFUL FAIL-
11 URES.—In addition to a fine for a violation in
12 any year in accordance with paragraph (1) and
13 subject to subsection (e)(2), the Secretary shall
14 impose a fine on an institution that knowingly
15 and willfully fails in 3 consecutive years to com-
16 ply with the requirements of this section, that
17 is—

18 “(i) in the case of a failure to disclose
19 a gift or contract with a foreign source as
20 required under this section or to comply
21 with the requirements of subsection (b)(4),
22 in an amount that is not less than
23 \$100,000 but not more than the amount of
24 the gift or contract with the foreign source;
25 or

1 “(ii) in the case of any violation of the
2 requirements of subsection (a)(3), in an
3 amount that is not more than 25 percent
4 of the total amount of funding received by
5 the institution under this Act.

6 “(B) ADMINISTRATIVE FAILURES.—The
7 Secretary shall impose a fine on an institution
8 that fails to comply with the requirements of
9 this section in 3 consecutive years, in an
10 amount that is not less than \$250 but not more
11 than 50 percent of the amount of the gift or
12 contract with the foreign source.

13 “(C) COMPLIANCE PLAN REQUIREMENT.—
14 An institution that fails to file a disclosure re-
15 port for a receipt of a gift from or contract with
16 a foreign source in 2 consecutive years, shall be
17 required to submit a compliance plan to Sec-
18 retary.

19 “(g) COMPLIANCE OFFICER.—Any institution that is
20 required to report a gift or contract under this section
21 shall designate and maintain a compliance officer who—

22 “(1) shall be a current employee or legally au-
23 thorized agent of such institution; and

24 “(2) shall be responsible, on behalf of the insti-
25 tution, for compliance with the foreign gift reporting

1 requirement under this section and section 124, if
2 applicable.

3 “(h) SINGLE POINT OF CONTACT.—The Secretary
4 shall maintain a single point of contact to—

5 “(1) receive and respond to inquiries and re-
6 quests for technical assistance from institutions of
7 higher education regarding compliance with the re-
8 quirements of this section; and

9 “(2) coordinate the disclosure of information on
10 the searchable database, and process for modifica-
11 tions of disclosures and ability to cure, as described
12 in subsection (e).

13 “(i) TREATMENT OF CERTAIN PAYMENTS AND
14 GIFTS.—

15 “(1) EXCLUSIONS.—The following shall not be
16 considered a gift from a foreign source under this
17 section:

18 “(A) Any payment of one or more elements
19 of a student’s cost of attendance (as defined in
20 section 472) to an institution by, or scholarship
21 from, a foreign source who is a natural person,
22 acting in their individual capacity and not as an
23 agent for, at the request or direction of, or on
24 behalf of, any person or entity (except the stu-
25 dent), made on behalf of no more than 15 stu-

1 dents that is not made under contract with
2 such foreign source, except for the agreement
3 between the institution and such student cov-
4 ering one or more elements of such student’s
5 cost of attendance.

6 “(B) Assignment or license of registered
7 industrial and intellectual property rights, such
8 as patents, utility models, trademarks, or copy-
9 rights, or technical assistance, that are not
10 identified as being associated with a national
11 security risk or concern.

12 “(C) Any payment from a foreign source
13 that is solely for the purpose of conducting one
14 or more clinical trials.

15 “(2) INCLUSIONS.—Any gift to, or contract
16 with, an entity or organization, such as a research
17 foundation, that operates substantially for the ben-
18 efit or under the auspices of an institution shall be
19 considered a gift to or with respectively, such insti-
20 tution.

21 “(j) DEFINITIONS.—In this section—

22 “(1) the term ‘clinical trial’ means a research
23 study in which one or more human subjects are pro-
24 spectively assigned to one or more interventions to

1 evaluate the effects of those interventions on health-
2 related biomedical or behavioral outcomes;

3 “(2) the term ‘contract’—

4 “(A) means any—

5 “(i) agreement for the acquisition by
6 purchase, lease, or barter of property or
7 services by the foreign source, for the di-
8 rect benefit or use of either of the parties,
9 except as provided in subparagraph (B); or

10 “(ii) affiliation, agreement, or similar
11 transaction with a foreign source that is
12 based on the use or exchange of an institu-
13 tion’s name, likeness, time, services, or re-
14 sources, except as provided in subpara-
15 graph (B); and

16 “(B) does not include any agreement made
17 by an institution located in the United States
18 for the acquisition, by purchase, lease, or bar-
19 ter, of property or services from a foreign
20 source;

21 “(3) the term ‘foreign source’ means—

22 “(A) a foreign government, including an
23 agency of a foreign government;

1 “(B) a legal entity, governmental or other-
2 wise, created under the laws of a foreign state
3 or states;

4 “(C) an individual who is not a citizen or
5 a national of the United States or a trust terri-
6 tory or protectorate thereof; and

7 “(D) an agent, including a subsidiary or
8 affiliate of a foreign legal entity, acting on be-
9 half of a foreign source;

10 “(4) the term ‘gift’ means any gift of money,
11 property, resources, staff, or services;

12 “(5) the term ‘institution’ means an institution
13 of higher education, as defined in section 102, or, if
14 a multicampus institution, any single campus of
15 such institution, in any State; and

16 “(6) the term ‘restricted or conditional gift or
17 contract’ means any endowment, gift, grant, con-
18 tract, award, present, or property of any kind which
19 includes provisions regarding—

20 “(A) the employment, assignment, or ter-
21 mination of faculty;

22 “(B) the establishment of departments,
23 centers, institutes, instructional programs, re-
24 search or lecture programs, or new faculty posi-
25 tions;

1 “(C) the selection or admission of stu-
2 dents; or

3 “(D) the award of grants, loans, scholar-
4 ships, fellowships, or other forms of financial
5 aid restricted to students of a specified country,
6 religion, sex, ethnic origin, or political opin-
7 ion.”.

8 (b) POLICY REGARDING CONFLICTS OF INTEREST
9 FROM FOREIGN GIFTS AND CONTRACTS.—Part B of title
10 I of the Higher Education Act of 1965 (20 U.S.C. 1011
11 et seq.) is amended by adding at the end the following:

12 **“SEC. 124. INSTITUTIONAL POLICY REGARDING FOREIGN**
13 **GIFTS AND CONTRACTS TO FACULTY AND**
14 **STAFF.**

15 “(a) REQUIREMENT TO MAINTAIN POLICY AND
16 DATABASE.—Each institution of higher education de-
17 scribed in subsection (b) shall—

18 “(1) maintain a policy requiring faculty, profes-
19 sional staff, and other staff engaged in research and
20 development (as determined by the institution) em-
21 ployed at such institution to disclose to such institu-
22 tion any gifts received from, or contracts entered
23 into with, a foreign source the value of which is
24 \$50,000 or more;

1 “(2) maintain a searchable database of infor-
2 mation disclosed in paragraph (1) for the previous
3 five years, except an institution shall not be required
4 to include in the database gifts or contracts received
5 or entered into before the date on which regulations
6 are issued with respect to carrying out this section;
7 and

8 “(3) maintain a plan to effectively identify and
9 manage potential information gathering by foreign
10 sources through espionage targeting faculty, profes-
11 sional staff, and other staff engaged in research and
12 development (as determined by the institution) that
13 may arise from gifts received from, or contracts en-
14 tered into with, a foreign source, including through
15 the use of periodic communications and enforcement
16 of the policy described in paragraph (1).

17 “(b) INSTITUTIONS.—An institution of higher edu-
18 cation shall be subject to the requirements of this section
19 if such institution—

20 “(1) is an institution of higher education as de-
21 fined under section 102; and

22 “(2) had more than \$50,000,000 in Federal
23 science and engineering funding in any of the pre-
24 vious five years.

25 “(c) SANCTIONS FOR NONCOMPLIANCE.—

1 “(1) IN GENERAL.—As a sanction for non-
2 compliance with the requirements under this section,
3 the Secretary may impose a fine on an institution
4 that in any year knowingly or willfully violates this
5 section, in an amount that is not less than \$250 but
6 not more than \$1,000.

7 “(2) SECOND FAILURE.—In addition to a fine
8 for a violation in accordance with paragraph (1), the
9 Secretary shall impose a fine on an institution that
10 knowingly, willfully, and repeatedly fails to comply
11 with the requirements of this section in a second
12 consecutive year in an amount that is not less than
13 \$1,000 but not more than \$25,000.

14 “(3) THIRD AND ADDITIONAL FAILURES.—In
15 addition to a fine for a violation in accordance with
16 paragraph (1) or (2), the Secretary shall impose a
17 fine on an institution that knowingly, willfully, and
18 repeatedly fails to comply with the requirements of
19 this section in a third consecutive year, or any con-
20 secutive year thereafter, in an amount that is not
21 less than \$25,000 but not more than \$50,000.

22 “(4) ADMINISTRATIVE FAILURES.—The Sec-
23 retary shall impose a fine on an institution that fails
24 in 3 consecutive years to comply with the require-

1 ments of this section in an amount that is not less
2 than \$250 but not more than \$25,000.

3 “(5) COMPLIANCE PLAN REQUIREMENT.—An
4 institution that fails to comply with the require-
5 ments under this section for 2 consecutive years
6 shall be required to submit a compliance plan to the
7 Secretary.

8 “(d) DEFINITIONS.—In this section—

9 “(1) the term ‘contract’ means any—

10 “(A) agreement for the acquisition by pur-
11 chase, lease, or barter of property or services by
12 the foreign source, for the direct benefit or use
13 of either of the parties; or

14 “(B) affiliation, agreement, or similar
15 transaction with a foreign source based on the
16 use or exchange of the name, likeness, time
17 services, or resources of faculty, professional
18 staff, and other staff engaged in research and
19 development (as determined by the institution);

20 “(2) the terms ‘foreign source’ and ‘gift’ have
21 the meaning given the terms in section 117; and

22 “(3) the term ‘professional staff’ means profes-
23 sional employees, as defined in section 3 of the Fair
24 Labor Standards Act of 1938 (29 U.S.C. 203).

1 “(e) MODIFICATIONS AND SINGLE POINT OF CON-
2 TACT.—The Secretary shall—

3 “(1) maintain a single point of contact to—

4 “(A) receive and respond to inquiries and
5 requests for technical assistance from institu-
6 tions of higher education regarding compliance
7 with the requirements of this section; and

8 “(B) coordinate—

9 “(i) the disclosure of information on
10 the searchable databases of institutions;
11 and

12 “(ii) the process for modifications of
13 disclosures and ability to cure as described
14 in paragraph (2); and

15 “(2) incorporate a process permitting institu-
16 tions to revise and update the database required
17 under this section to ensure accuracy, compliance,
18 and ability to cure.”.

19 (c) REGULATIONS.—

20 (1) IN GENERAL.—Not later than 1 year after
21 the date of enactment of this Act, the Secretary of
22 Education shall begin the negotiated rulemaking
23 process under section 492 of the Higher Education
24 Act of 1965 (20 U.S.C. 1098a) to carry out the
25 amendments made by subsections (a) and (b).

1 (2) ISSUES.—Regulations issued pursuant to
2 paragraph (1) to carry out the amendment made by
3 subsection (a) shall, at a minimum, address the fol-
4 lowing issues:

5 (A) Instructions on reporting structured
6 gifts and contracts.

7 (B) The inclusion in institutional reports
8 of gifts received from, and contracts entered
9 into with, foreign sources by entities and orga-
10 nizations, such as research foundations, that
11 operate substantially for the benefit or under
12 the auspices of the institution.

13 (C) Procedures to protect confidential or
14 proprietary information included in gifts and
15 contracts.

16 (D) The alignment of such regulations
17 with the reporting and disclosure of foreign
18 gifts or contracts required by other Federal
19 agencies.

20 (E) The treatment of foreign gifts or con-
21 tracts involving research or technologies identi-
22 fied as being associated with a national security
23 risk or concern.

24 (3) EFFECTIVE DATE.—The amendments made
25 by subsections (a) and (b) shall take effect on the

1 date on which the regulations issued under para-
2 graph (1) take effect.

3 **SEC. 90305. ELIMINATING SHORT-TERM EDUCATION LOAN**
4 **PROGRAMS; JOB TRAINING FEDERAL PELL**
5 **GRANTS; TECHNICAL CORRECTIONS.**

6 (a) **ELIMINATING SHORT-TERM EDUCATION LOAN**
7 **PROGRAMS.**—Section 481(b) of the Higher Education Act
8 of 1965 (20 U.S.C. 1088(b)) is amended by adding at the
9 end the following:

10 “(5) The Secretary shall eliminate the short-
11 term education loan program, as authorized under
12 paragraph (2), on the date that is 120 days after
13 the date the Secretary establishes the application for
14 Job Training Federal Pell Grants under section
15 401(k).”.

16 (b) **TECHNICAL CORRECTIONS.**—Section 481(d) of
17 the Higher Education Act of 1965 (20 U.S.C. 1088(d))
18 is amended—

19 (1) in paragraph (4)—

20 (A) in subparagraph (A), by striking
21 “under section 12301(a), 12301(g), 12302,
22 12304, or 12306 of title 10, United States
23 Code, or any retired member of an Armed
24 Force ordered to active duty under section 688
25 of such title,” and inserting “, or any retired

1 member of an Armed Force ordered to active
2 duty,”; and

3 (B) in subparagraph (B), by striking “an
4 Armed Force” and inserting “a Uniformed
5 Service”; and

6 (2) in paragraph (5), by striking “and sup-
7 ported by Federal funds”.

8 (c) JOB TRAINING FEDERAL PELL GRANT PRO-
9 GRAM.—

10 (1) IN GENERAL.—Section 401 of the Higher
11 Education Act of 1965 (20 U.S.C. 1070a), as
12 amended by section 703 of the FAFSA Simplifica-
13 tion Act (title VII of division FF of Public Law
14 116–260), is amended by adding at the end the fol-
15 lowing:

16 “(k) JOB TRAINING FEDERAL PELL GRANT PRO-
17 GRAM.—

18 “(1) DEFINITIONS.—In this subsection:

19 “(A) CAREER AND TECHNICAL EDU-
20 CATION.—The term ‘career and technical edu-
21 cation’ has the meaning given the term in sec-
22 tion 3 of the Carl D. Perkins Career and Tech-
23 nical Education Act.

24 “(B) ELIGIBLE JOB TRAINING PRO-
25 GRAM.—

1 “(i) IN GENERAL.—The term ‘eligible
2 job training program’ means a career and
3 technical education program at an eligible
4 institution of higher education that—

5 “(I) provides not less than 150,
6 and not more than 600, clock hours of
7 instructional time over a period of not
8 less than 8 weeks and not more than
9 15 weeks;

10 “(II) provides training aligned
11 with the requirements of high-skill,
12 high-wage, or in-demand industry sec-
13 tors or occupations in the State or
14 local area in which the job training
15 program is provided, as determined
16 by—

17 “(aa) a State board or local
18 board;

19 “(bb) a State plan, as de-
20 scribed in section 122(d)(13)(C)
21 of the Carl D. Perkins Career
22 and Technical Education Act of
23 2006; or

24 “(cc) a comprehensive local
25 needs assessment, as described in

1 section 134(c) of the Carl D.
2 Perkins Career and Technical
3 Education Act of 2006;

4 “(III) is a program—

5 “(aa) provided through an
6 eligible training provider, as de-
7 scribed under section 122(d) of
8 the Workforce Innovation and
9 Opportunity Act; and

10 “(bb) subject to the report-
11 ing requirements of section
12 116(d)(4) of the Workforce Inno-
13 vation and Opportunity Act, or
14 would be subject to such require-
15 ments except for a waiver issued
16 to a State under section 189(i) of
17 the Workforce Innovation and
18 Opportunity Act;

19 “(IV) provides a student, upon
20 completion of the program, with a rec-
21 ognized postsecondary credential that
22 is stackable and portable across mul-
23 tiple employers and geographical
24 areas;

1 “(V) not later than 1 year after
2 the date the program has been ap-
3 proved as an eligible job training pro-
4 gram under this subsection, has dem-
5 onstrated that students who complete
6 the program receive a median increase
7 of 20 percent of total earnings as
8 compared to total earnings of such
9 students prior to enrolling in such
10 program, in accordance with para-
11 graph (2);

12 “(VI) publishes prominently on
13 the website of the institution, and pro-
14 vides a written disclosure to each pro-
15 spective student prior to entering into
16 an enrollment agreement for such pro-
17 gram (which each such student shall
18 confirm receiving through a written
19 affirmation prior to entering such en-
20 rollment agreement) containing, at a
21 minimum, the following information
22 calculated, as applicable, in accord-
23 ance with paragraph (8)—

24 “(aa) the required tuition
25 and fees of the program;

1 “(bb) the difference between
2 required tuition and fees de-
3 scribed in item (aa) and any
4 grant aid (which does not need to
5 be repaid) provided to the stu-
6 dent;

7 “(cc) the completion rate of
8 the program;

9 “(dd) the employment rates
10 of students who complete the
11 program, measured at approxi-
12 mately 6 months and 1 year, re-
13 spectively, after completion of the
14 program;

15 “(ee) total earnings of stu-
16 dents who complete the program,
17 calculated based on earnings ap-
18 proximately 6 months after com-
19 pletion of the program;

20 “(ff) total earnings of stu-
21 dents who do not complete the
22 program, calculated based on
23 earnings approximately 6 months
24 after ceasing enrollment in the
25 program;

1 “(gg) the ratio of the
2 amount that is the difference be-
3 tween required tuition and fees
4 and any grant aid provided to the
5 student described in item (bb) to
6 the total earnings of students de-
7 scribed in item (ee);

8 “(hh) an explanation, in
9 clear and plain language that
10 shall be specified by the Sec-
11 retary, of the ratio described in
12 item (gg); and

13 “(ii) in the case of a job
14 training program that prepares
15 students for a professional license
16 or certification exam, the share
17 of such students who pass such
18 exams;

19 “(VII) has been determined by
20 the eligible institution of higher edu-
21 cation (after validation of that deter-
22 mination by an industry or sector
23 partnership or State board or local
24 board) to provide academic content,
25 an amount of instructional time, com-

1 petencies, and a recognized postsec-
2 ondary credential that are sufficient
3 to—

4 “(aa) meet the hiring re-
5 quirements of potential employers
6 in the sectors or occupations de-
7 scribed in subclause (II); and

8 “(bb) satisfy any applicable
9 educational prerequisite require-
10 ment for professional licensure or
11 certification, so that a student
12 who completes the program and
13 seeks employment is qualified to
14 take any relevant licensure or
15 certifications examinations that
16 are needed to practice or find
17 employment in such sectors or
18 occupations that the program
19 prepares students to enter;

20 “(VIII) has been in operation for
21 not less than 1 year prior to becoming
22 an eligible job training program under
23 this subsection;

24 “(IX) does not exceed by more
25 than 50 percent the minimum number

1 of clock hours required by a State to
2 receive a professional license or cer-
3 tification in the State, if the State has
4 established such a requirement;

5 “(X) prepares students to pursue
6 one or more related certificate or de-
7 gree programs at an institution of
8 higher education (as defined in section
9 101) or a postsecondary vocational in-
10 stitution (as defined in section
11 102(c)), including—

12 “(aa) by ensuring the ac-
13 ceptability of the credits received
14 under the job training program
15 toward meeting such certificate
16 or degree program requirements
17 (such as through an articulation
18 agreement as defined in section
19 486A); and

20 “(bb) by ensuring that a
21 student who completes noncredit
22 coursework in the job training
23 program, upon completion of the
24 job training program and enroll-
25 ment in such a related certificate

1 or degree program, will receive
2 academic credit for such non-
3 credit coursework that will be ac-
4 cepted toward meeting such cer-
5 tificate or degree program re-
6 quirements;

7 “(XI) is not offered exclusively
8 through distance education or a cor-
9 respondence course, except as deter-
10 mined by the Secretary to be nec-
11 essary, on a temporary basis, in con-
12 nection with a—

13 “(aa) major disaster or
14 emergency declared by the Presi-
15 dent under section 401 or 501 of
16 the Robert T. Stafford Disaster
17 Relief and Emergency Assistance
18 Act (42 U.S.C. 5170 and 5191);
19 or

20 “(bb) national emergency
21 declared by the President under
22 section 201 of the National
23 Emergencies Act (50 U.S.C.
24 1601 et seq.);

1 “(XII) is provided not less than
2 50 percent directly by the eligible in-
3 stitution of higher education;

4 “(XIII) includes counseling for
5 students to—

6 “(aa) support each such stu-
7 dent in achieving the student’s
8 education and career goals; and

9 “(bb) ensure that each such
10 student receives information on—

11 “(AA) the sectors or oc-
12 cupations described in sub-
13 clause (II) for which the job
14 training program provides
15 training (including the total
16 earnings of students who
17 have completed the program
18 and are employed in such
19 sectors or occupations, cal-
20 culated based on earnings
21 approximately 6 months
22 after completion of the pro-
23 gram));

24 “(BB) the related cer-
25 tificate or degree programs

1 described in subclause (X)
2 for which the job training
3 program provides prepara-
4 tion; and

5 “(CC) other sources of
6 financial aid or other assist-
7 ance for any component of
8 the student’s cost of attend-
9 ance (as defined in section
10 472);

11 “(XIV) meets requirements that
12 are applicable to a program of train-
13 ing to prepare students for gainful
14 employment in a recognized occupa-
15 tion;

16 “(XV) may include integrated
17 education and training; and

18 “(XVI) may be offered as part of
19 a program that—

20 “(aa) meets the require-
21 ments of section 484(d)(2);

22 “(bb) is part of a career
23 pathway, as defined in section 3
24 of the Workforce Innovation and
25 Opportunity Act; and

1 “(cc) is aligned to a pro-
2 gram of study, as defined in sec-
3 tion 3 of the Carl D. Perkins Ca-
4 reer and Technical Education
5 Act of 2006.

6 “(ii) APPROVAL BY THE SEC-
7 RETARY.—In the case of a program that is
8 seeking to establish initial eligibility as an
9 eligible job training program under this
10 subparagraph, the Secretary shall make a
11 determination whether the program meets
12 the requirements of this subparagraph not
13 more than 120 days after the date on
14 which such program is submitted for con-
15 sideration as an eligible job training pro-
16 gram. If the Secretary determines the pro-
17 gram meets the requirements of this para-
18 graph, the Secretary shall grant an initial
19 period of approval of 2 years.

20 “(iii) RENEWAL OF APPROVAL BY THE
21 SECRETARY.—An eligible job training pro-
22 gram that desires to continue eligibility as
23 an eligible job training program after the
24 period of initial approval described in
25 clause (ii), or the subsequent period de-

1 scribed in this clause, shall submit a re-
2 newal application to the Secretary (with
3 such information as the Secretary may re-
4 quire), not more than 270 days and not
5 less than 180 days before the end of the
6 previous approval period. If the Secretary
7 determines the program meets such re-
8 quirements, the Secretary shall grant an-
9 other period of approval for 3 years.

10 “(iv) PERIODIC REVIEW BY THE SEC-
11 RETARY.—The Secretary shall periodically
12 review a program previously approved
13 under clause (ii) or (iii) to determine
14 whether such program is meeting the re-
15 quirements of an eligible job training pro-
16 gram described in this subsection.

17 “(v) REVOCATION OF APPROVAL BY
18 THE SECRETARY.—If at any time the Sec-
19 retary determines that a program pre-
20 viously approved under clause (ii) or (iii) is
21 no longer meeting any of the requirements
22 of an eligible job training program de-
23 scribed in this subsection, the Secretary—

24 “(I) shall deny a subsequent re-
25 newal of approval in accordance with

1 clause (iii) for such program after the
2 expiration of the approval period;

3 “(II) may withdraw approval for
4 such program before the expiration of
5 the approval period;

6 “(III) shall ensure students who
7 enrolled in such programs have access
8 to transcripts for completed
9 coursework without a fee or monetary
10 charge and without regard to any bal-
11 ance owed to the institution; and

12 “(IV) shall prohibit such pro-
13 gram and any substantially similar
14 program, from being considered an el-
15 igible job training described in this
16 subsection for a period of not less
17 than 5 years.

18 “(vi) ADDITIONAL ASSURANCE BY
19 STATE BOARD.—The Secretary shall not
20 determine that a program is an eligible job
21 training program in accordance with clause
22 (ii) unless the Secretary receives a certifi-
23 cation from the State board representing
24 the State in which the eligible job training
25 program is provided, containing an assur-

1 ance that the program meets the require-
2 ments of subclauses (II), (III), and (IX) of
3 clause (i).

4 “(C) TOTAL EARNINGS.—For the purposes
5 of this subsection, the term ‘total earnings’
6 means the median annualized earnings, cal-
7 culated using earnings for a pay period, month,
8 quarter, or other time period deemed appro-
9 priate by the Secretary.

10 “(D) ELIGIBLE INSTITUTION OF HIGHER
11 EDUCATION.—For the purposes of this sub-
12 section, the term ‘eligible institution of higher
13 education’ means an institution of higher edu-
14 cation (as defined in section 101) or a postsec-
15 ondary vocational institution (as defined in sec-
16 tion 102(e)) that—

17 “(i) is approved by an accrediting
18 agency or association that meets the re-
19 quirements of section 496(a)(4)(C);

20 “(ii) has not been a proprietary insti-
21 tution of higher education, as defined in
22 section 102(b), within the previous 3 years;
23 and

24 “(iii) has not been subject, during any
25 of the preceding 5 years, to—

1 “(I) any suspension, emergency
2 action, or termination of programs
3 under this title;

4 “(II) any adverse action by the
5 institution’s accrediting agency or as-
6 sociation; or

7 “(III) any action by the State to
8 revoke a license or other authority to
9 operate.

10 “(F) WIOA DEFINITIONS.—The terms ‘in-
11 dustry or sector partnership’, ‘in-demand indus-
12 try sector or occupation’, ‘recognized postsec-
13 ondary credential’, ‘local board’, and ‘State
14 board’ have the meanings given such terms in
15 section 3 of the Workforce Innovation and Op-
16 portunity Act.

17 “(2) TOTAL EARNINGS INCREASE REQUIRE-
18 MENT.—

19 “(A) IN GENERAL.—Subject to subpara-
20 graph (B), as a condition of participation under
21 this subsection, the Secretary shall, using the
22 data collected under paragraph (8) and such
23 other information as the Secretary may require,
24 determine whether such job training program
25 meets the requirements of paragraph

1 (1)(B)(i)(V) with respect to whether the stu-
2 dents who complete the program receive a me-
3 dian increase of 20 percent of such students'
4 total earnings. For the purposes of this para-
5 graph, the Secretary shall determine such per-
6 centage increase by calculating the difference
7 between—

8 “(i) the total earnings of students who
9 enroll in such program, calculated based
10 on earnings approximately 6 months prior
11 to enrollment; and

12 “(ii) the total earnings of students
13 who complete such program, calculated
14 based on earnings approximately 6 months
15 after completing such program.

16 “(B) DATE OF EFFECT.—The requirement
17 under this paragraph shall take effect beginning
18 on the date that is 1 year after the date the
19 program has been approved as an eligible job
20 training program under this subsection.

21 “(3) APPEAL OF EARNINGS INFORMATION.—

22 The Secretary’s determination under paragraph (2)
23 may include an appeals process to permit job train-
24 ing programs to submit alternate earnings data
25 (which may include discretionary earnings data or

1 total earnings data), provided that such data are
2 statistically rigorous, accurate, comparable, and rep-
3 resentative of students who enroll in or complete the
4 program, or both, as applicable.

5 “(4) AUTHORIZATION OF AWARDS.—For the
6 award year beginning on July 1, 2024, and each
7 subsequent award year, the Secretary shall award
8 Federal Pell Grants to students in eligible job train-
9 ing programs (referred to as a ‘job training Federal
10 Pell Grant’). Each eligible job training Federal Pell
11 Grant awarded under this subsection shall have the
12 same terms and conditions, and be awarded in the
13 same manner, as other Federal Pell Grants awarded
14 under subsection (b), except a student who is eligible
15 to receive a job training Federal Pell Grant under
16 this subsection is a student who—

17 “(A) has not yet attained a
18 postbaccalaureate degree;

19 “(B) is enrolled, or accepted for enroll-
20 ment, in an eligible job training program at an
21 eligible institution of higher education; and

22 “(C) meets all other eligibility require-
23 ments for a Federal Pell Grant (except with re-
24 spect to the type of program of study, as pro-
25 vided in subparagraph (B)).

1 “(5) AMOUNT OF AWARD.—The amount of a
2 job training Federal Pell Grant for an eligible stu-
3 dent shall be determined under subsection (b), ex-
4 cept that a student who is eligible for less than the
5 minimum Federal Pell Grant because the eligible job
6 training program is less than an academic year (in
7 clock-hours and weeks of instructional time) may
8 still be eligible for a Federal Pell Grant.

9 “(6) INCLUSION IN TOTAL ELIGIBILITY PE-
10 RIOD.—Any period during which a student receives
11 a job training Federal Pell Grant under this sub-
12 section shall be included in calculating the student’s
13 period of eligibility for Federal Pell Grants under
14 subsection (d), and the eligibility requirements re-
15 garding students who are enrolled in an under-
16 graduate program on less than a full-time basis shall
17 similarly apply to students who are enrolled in an el-
18 ible job training program at an eligible institution
19 of higher education on less than a full-time basis.

20 “(7) SAME PAYMENT PERIOD.—No student may
21 for the same payment period receive both a job
22 training Federal Pell Grant under this subsection
23 and a Federal Pell Grant under this section.

24 “(8) INTERAGENCY DATA SHARING AND DATA
25 COLLECTION.—

1 “(A) INTERAGENCY DATA SHARING.—The
2 Secretary shall coordinate and enter into a data
3 sharing agreement with the Secretary of Labor
4 to ensure access to data necessary to implement
5 this paragraph that is not otherwise available to
6 the Secretary under section 132(l), as amended
7 by section 90306 of the America COMPETES
8 Act of 2022, including such data related to in-
9 dicators of performance collected under section
10 116 of the Workforce Innovation and Oppor-
11 tunity Act (29 U.S.C. 3141).

12 “(B) DATA ON ELIGIBLE JOB TRAINING
13 PROGRAMS.—Except as provided under sub-
14 paragraph (C), using the postsecondary student
15 data system established under section 132(l) or
16 a successor system (whichever includes the most
17 recent data) to the greatest extent practicable
18 to streamline reporting requirements and mini-
19 mize reporting burdens, an in coordination with
20 the National Center for Education Statistics,
21 the Secretary of Labor, and each institution of
22 higher education offering an eligible job train-
23 ing program for which the Secretary awards job
24 training Federal Pell Grants under this sub-
25 section, the Secretary shall, on at least an an-

1 nual basis, collect and publish data with respect
2 to each such eligible job training program, in-
3 cluding, at a minimum, the following:

4 “(i) The number and demographics of
5 students who enroll in the program,
6 disaggregated by—

7 “(I) gender;

8 “(II) race and ethnicity;

9 “(III) classification as a student
10 with a disability;

11 “(IV) income quintile, as defined
12 by the Secretary;

13 “(V) military or veteran benefit
14 status;

15 “(VI) status as a first-time stu-
16 dent or transfer student from another
17 institution;

18 “(VII) status as a first genera-
19 tion college student;

20 “(VIII) status as parent or
21 guardian of 1 or more dependent chil-
22 dren; and

23 “(IX) status as a confined or in-
24 carcerated individual, as defined
25 under section 484(t)(1)(A).

1 “(ii) The number and demographics,
2 disaggregated by the categories listed in
3 clause (i), of students who—

4 “(I) complete the program; and

5 “(II) do not complete the pro-
6 gram.

7 “(iii) The required tuition and fees of
8 the program.

9 “(iv) The total earnings of students,
10 disaggregated by the categories listed in
11 clause (i), who—

12 “(I) complete the program, cal-
13 culated based on earnings approxi-
14 mately 6 months after completing
15 such program; and

16 “(II) do not complete the pro-
17 gram, calculated based on earnings
18 approximately 6 months after ceasing
19 enrollment in such program.

20 “(v) Outcomes of the students who
21 complete the program, disaggregated by
22 the categories listed in clause (i), with re-
23 spect to—

24 “(I) the median time to comple-
25 tion among such students;

1 “(II) the employment rates of
2 such students, measured at approxi-
3 mately 6 months and 1 year, respec-
4 tively, after completion of the eligible
5 job training program;

6 “(III) in the case of a job train-
7 ing program that prepares students
8 for a professional license or certifi-
9 cation exam, the share of such stu-
10 dents who pass such exams;

11 “(IV) the share of such students
12 who enroll in a certificate or degree
13 program at the institution of higher
14 education offering the eligible job
15 training program within 1 year of
16 completing such eligible job training
17 program;

18 “(V) the share of such students
19 who transfer to another institution of
20 higher education within 1 year of
21 completing the eligible job training
22 program; and

23 “(VI) the share of such students
24 who complete a subsequent certificate
25 or degree program at any institution

1 of higher education within 6 years of
2 completing the eligible job training
3 program.

4 “(C) EXCEPTIONS.—Notwithstanding any
5 other provision of this paragraph—

6 “(i) if disclosure of disaggregated
7 data under subparagraph (B) is prohibited
8 from disclosure due to applicable privacy
9 restrictions, the Secretary may take such
10 steps as the Secretary determines nec-
11 essary to provide meaningful disaggregated
12 student demographic or outcome informa-
13 tion, including by combining categories;
14 and

15 “(ii) an institution may submit, and
16 the Secretary may publish, data required
17 to be collected under subparagraph (B)
18 that is obtained through a State Unem-
19 ployment Insurance Agency or through
20 other supplemental means, in lieu of any
21 additional data collection, provided that
22 such data are statistically rigorous, accu-
23 rate, comparable, and representative.

24 “(D) REPORT.—Not later than July 1,
25 2025, the Secretary shall—

1 “(i) submit to the Committee on
2 Health, Education, Labor, and Pensions of
3 the Senate and the Committee on Edu-
4 cation and Labor of the House of Rep-
5 resentatives a report on the impact of eligi-
6 ble job training programs for which the
7 Secretary awards job training Federal Pell
8 Grants under this subsection, based on the
9 most recent data collected under subpara-
10 graph (B); and

11 “(ii) make the report described in
12 clause (i) available publicly on the website
13 of the Department.”.

14 (2) PUBLICATION OF APPLICATION.—Not later
15 than 1 year after date of enactment of this Act, the
16 Secretary shall publish the application for job train-
17 ing programs to submit for approval as eligible job
18 training programs, as defined in subsection
19 (k)(1)(B) of section 401 of the Higher Education
20 Act of 1965 (20 U.S.C. 1070a), as added by para-
21 graph (1). The information required to determine
22 eligibility in such application shall be consistent with
23 the requirements described in such subsection
24 (k)(1)(B).

1 (3) EFFECTIVE DATE.—The amendment made
2 by paragraph (1) shall take effect as if included in
3 section 703 of the FAFSA Simplification Act (title
4 VII of division FF of Public Law 116–260).

5 (d) WORKFORCE INNOVATION AND OPPORTUNITY
6 ACT AMENDMENT.—Section 116(i) of the Workforce In-
7 novation and Opportunity Act (29 U.S.C. 3141(i)) is
8 amended by adding at the end the following:

9 “(4) INTERAGENCY DATA SHARING FOR JOB
10 TRAINING FEDERAL PELL GRANT PROGRAM.—The
11 Secretary of Labor shall coordinate and enter into a
12 data sharing agreement with the Secretary of Edu-
13 cation to ensure access to data necessary to imple-
14 ment section 401(k) of the Higher Education Act of
15 1965 (20 U.S.C. 1070a(k)), as added by section
16 90305 of the America COMPETES Act of 2022,
17 that is not otherwise available to the Secretary of
18 Education under section 132(l) of the Higher Edu-
19 cation Act of 1965 (20 U.S.C. 1015(l)), as amended
20 by section 90306 of the America COMPETES Act
21 of 2022, which may include data related to unem-
22 ployment insurance, wage information, employment-
23 related outcomes, and indicators of performance col-
24 lected under this section.”.

1 (e) ACCREDITING AGENCY RECOGNITION OF ELIGI-
2 BLE JOB TRAINING PROGRAMS.—Section 496(a)(4) of the
3 Higher Education Act of 1965 (20 U.S.C. 1099b(a)(4))
4 is amended—

5 (1) in subparagraph (A), by striking “and”
6 after the semicolon;

7 (2) in subparagraph (B)(ii), by inserting “and”
8 after the semicolon; and

9 (3) by adding at the end the following:

10 “(C) if such agency or association has or
11 seeks to include within its scope of recognition
12 the evaluation of the quality of institutions of
13 higher education participating in the job train-
14 ing Federal Pell Grant program under section
15 401(k), as added by the section 90305 of the
16 America COMPETES Act of 2022, such agency
17 or association shall, in addition to meeting the
18 other requirements of this subpart, demonstrate
19 to the Secretary that, with respect to such eligi-
20 ble job training programs (as defined in that
21 subsection)—

22 “(i) the agency or association’s stand-
23 ards include a process for determining if
24 the institution has the capability to effec-

1 tively offer an eligible job training pro-
2 gram; and

3 “(ii) the agency or association re-
4 quires a demonstration that the program—

5 “(I) has identified each recog-
6 nized postsecondary credential offered
7 in the relevant industry in the State
8 or local area where the industry is lo-
9 cated; and

10 “(II) provides academic content,
11 an amount of instructional time, and
12 competencies to satisfy any applicable
13 educational requirement for profes-
14 sional licensure or certification, so
15 that a student who completes the pro-
16 gram and seeks employment is quali-
17 fied to take any licensure or certifi-
18 cation examination needed to practice
19 or find employment in the sectors or
20 occupations that the program pre-
21 pares students to enter.”.

22 **SEC. 90306. COLLEGE TRANSPARENCY.**

23 (a) POSTSECONDARY STUDENT DATA SYSTEM.—Sec-
24 tion 132 of the Higher Education Act of 1965 (20 U.S.C.
25 1015a) is amended—

1 (1) by redesignating subsection (l) as subsection
2 (m); and

3 (2) by inserting after subsection (k) the fol-
4 lowing:

5 “(1) POSTSECONDARY STUDENT DATA SYSTEM.—

6 “(1) IN GENERAL.—

7 “(A) ESTABLISHMENT OF SYSTEM.—Not
8 later than 4 years after the date of enactment
9 of the America COMPETES Act of 2022, the
10 Commissioner of the National Center for Edu-
11 cation Statistics (referred to in this subsection
12 as the ‘Commissioner’) shall develop and main-
13 tain a secure, privacy-protected postsecondary
14 student-level data system in order to—

15 “(i) accurately evaluate student en-
16 rollment patterns, progression, completion,
17 and postcollegiate outcomes, and higher
18 education costs and financial aid;

19 “(ii) assist with transparency, institu-
20 tional improvement, and analysis of Fed-
21 eral aid programs;

22 “(iii) provide accurate, complete, and
23 customizable information for students and
24 families making decisions about postsec-
25 ondary education; and

1 “(iv) reduce the reporting burden on
2 institutions of higher education, in accord-
3 ance with section 90306(d) of America
4 COMPETES Act of 2022.

5 “(B) AVOIDING DUPLICATED REPORT-
6 ING.—Notwithstanding any other provision of
7 this section, to the extent that another provi-
8 sion of this section requires the same reporting
9 or collection of data that is required under this
10 subsection, an institution of higher education,
11 or the Secretary or Commissioner, may use the
12 reporting or data required for the postsec-
13 ondary student data system under this sub-
14 section to satisfy both requirements.

15 “(C) DEVELOPMENT PROCESS.—In devel-
16 oping the postsecondary student data system
17 described in this subsection, the Commissioner
18 shall—

19 “(i) focus on the needs of—

20 “(I) users of the data system;
21 and

22 “(II) entities, including institu-
23 tions of higher education, reporting to
24 the data system;

1 “(ii) take into consideration, to the
2 extent practicable—

3 “(I) the guidelines outlined in the
4 U.S. Web Design Standards main-
5 tained by the General Services Admin-
6 istration and the Digital Services
7 Playbook and TechFAR Handbook for
8 Procuring Digital Services Using
9 Agile Processes of the U.S. Digital
10 Service; and

11 “(II) the relevant successor docu-
12 ments or recommendations of such
13 guidelines;

14 “(iii) use modern, relevant privacy-
15 and security-enhancing technology, and en-
16 hance and update the data system as nec-
17 essary to carry out the purpose of this sub-
18 section;

19 “(iv) ensure data privacy and security
20 is consistent with any Federal law relating
21 to privacy or data security, including—

22 “(I) the requirements of sub-
23 chapter II of chapter 35 of title 44,
24 United States Code, specifying secu-
25 rity categorization under the Federal

1 Information Processing Standards or
2 any relevant successor of such stand-
3 ards;

4 “(II) security requirements that
5 are consistent with the Federal agency
6 responsibilities in section 3554 of title
7 44, United States Code, or any rel-
8 evant successor of such responsibil-
9 ities; and

10 “(III) security requirements,
11 guidelines, and controls consistent
12 with cybersecurity standards and best
13 practices developed by the National
14 Institute of Standards and Tech-
15 nology, including frameworks, con-
16 sistent with section 2(c) of the Na-
17 tional Institute of Standards and
18 Technology Act (15 U.S.C. 272(c)), or
19 any relevant successor of such frame-
20 works;

21 “(v) follow Federal data minimization
22 practices to ensure only the minimum
23 amount of data is collected to meet the
24 system’s goals, in accordance with Federal
25 data minimization standards and guide-

1 lines developed by the National Institute of
2 Standards and Technology; and

3 “(vi) provide notice to students out-
4 lining the data included in the system and
5 how the data are used.

6 “(2) DATA ELEMENTS.—

7 “(A) IN GENERAL.—Not later than 4 years
8 after the date of enactment of the America
9 COMPETES Act of 2022, the Commissioner,
10 in consultation with the Postsecondary Student
11 Data System Advisory Committee established
12 under subparagraph (B), shall determine—

13 “(i) the data elements to be included
14 in the postsecondary student data system,
15 in accordance with subparagraphs (C) and
16 (D); and

17 “(ii) how to include the data elements
18 required under subparagraph (C), and any
19 additional data elements selected under
20 subparagraph (D), in the postsecondary
21 student data system.

22 “(B) POSTSECONDARY STUDENT DATA
23 SYSTEM ADVISORY COMMITTEE.—

24 “(i) ESTABLISHMENT.—Not later
25 than 2 years after the date of enactment

1 of the America COMPETES Act of 2022,
2 the Commissioner shall establish a Postsec-
3 ondary Student Data System Advisory
4 Committee (referred to in this subsection
5 as the ‘Advisory Committee’), whose mem-
6 bers shall include—

7 “(I) the Chief Privacy Officer of
8 the Department or an official of the
9 Department delegated the duties of
10 overseeing data privacy at the Depart-
11 ment;

12 “(II) the Chief Security Officer
13 of the Department or an official of
14 the Department delegated the duties
15 of overseeing data security at the De-
16 partment;

17 “(III) representatives of diverse
18 institutions of higher education, which
19 shall include equal representation be-
20 tween 2-year and 4-year institutions
21 of higher education, and from public,
22 nonprofit, and proprietary institutions
23 of higher education, including minor-
24 ity-serving institutions;

1 “(IV) representatives from State
2 higher education agencies, entities,
3 bodies, or boards;

4 “(V) representatives of postsec-
5 ondary students;

6 “(VI) representatives from rel-
7 evant Federal agencies; and

8 “(VII) other stakeholders (in-
9 cluding individuals with expertise in
10 data privacy and security, consumer
11 protection, and postsecondary edu-
12 cation research).

13 “(ii) REQUIREMENTS.—The Commis-
14 sioner shall ensure that the Advisory Com-
15 mittee—

16 “(I) adheres to all requirements
17 under the Federal Advisory Com-
18 mittee Act (5 U.S.C. App.);

19 “(II) establishes operating and
20 meeting procedures and guidelines
21 necessary to execute its advisory du-
22 ties; and

23 “(III) is provided with appro-
24 priate staffing and resources to exe-
25 cute its advisory duties.

1 “(C) REQUIRED DATA ELEMENTS.—The
2 data elements in the postsecondary student
3 data system shall include, at a minimum, the
4 following:

5 “(i) Student-level data elements nec-
6 essary to calculate the information within
7 the surveys designated by the Commis-
8 sioner as ‘student-related surveys’ in the
9 Integrated Postsecondary Education Data
10 System (IPEDS), as such surveys are in
11 effect on the day before the date of enact-
12 ment of the America COMPETES Act of
13 2022, except that in the case that collec-
14 tion of such elements would conflict with
15 subparagraph (F), such elements in con-
16 flict with subparagraph (F) shall be in-
17 cluded in the aggregate instead of at the
18 student level.

19 “(ii) Student-level data elements nec-
20 essary to allow for reporting student en-
21 rollment, persistence, retention, transfer,
22 and completion measures for all credential
23 levels separately (including certificate, as-
24 sociate, baccalaureate, and advanced de-
25 gree levels), within and across institutions

1 of higher education (including across all
2 categories of institution level, control, and
3 predominant degree awarded). The data
4 elements shall allow for reporting about all
5 such data disaggregated by the following
6 categories:

7 “(I) Enrollment status as a first-
8 time student, recent transfer student,
9 or other non-first-time student.

10 “(II) Attendance intensity,
11 whether full-time or part-time.

12 “(III) Credential-seeking status,
13 by credential level.

14 “(IV) Race or ethnicity, in a
15 manner that captures all the racial
16 groups specified in the most recent
17 American Community Survey of the
18 Bureau of the Census.

19 “(V) Age intervals.

20 “(VI) Gender.

21 “(VII) Program of study (as ap-
22 plicable).

23 “(VIII) Military or veteran ben-
24 efit status (as determined based on

1 receipt of veteran’s education benefits,
2 as defined in section 480(c)).

3 “(IX) Status as a distance edu-
4 cation student, whether exclusively or
5 partially enrolled in distance edu-
6 cation.

7 “(X) Federal Pell Grant recipient
8 status under section 401 and Federal
9 loan recipient status under title IV,
10 provided that the collection of such in-
11 formation complies with paragraph
12 (1)(B).

13 “(D) OTHER DATA ELEMENTS.—

14 “(i) IN GENERAL.—The Commissioner
15 may, after consultation with the Advisory
16 Committee and provision of a public com-
17 ment period, include additional data ele-
18 ments in the postsecondary student data
19 system, such as those described in clause
20 (ii), if those data elements—

21 “(I) are necessary to ensure that
22 the postsecondary data system fulfills
23 the purposes described in paragraph
24 (1)(A); and

1 “(II) are consistent with data
2 minimization principles, including the
3 collection of only those additional ele-
4 ments that are necessary to ensure
5 such purposes.

6 “(ii) DATA ELEMENTS.—The data ele-
7 ments described in clause (i) may in-
8 clude—

9 “(I) status as a first generation
10 college student, as defined in section
11 402A(h);

12 “(II) economic status;

13 “(III) participation in postsec-
14 ondary remedial coursework or gate-
15 way course completion;

16 “(IV) classification as a student
17 with a disability;

18 “(V) status as parent or guard-
19 ian of 1 or more dependent children;

20 “(VI) status as a confined or in-
21 carcerated individual, as defined
22 under section 484(t)(1)(A), as amend-
23 ed by section 702 of the FAFSA Sim-
24 plification Act FAFSA (title VII of di-
25 vision FF of Public Law 116–260); or

1 “(VII) other data elements that
2 are necessary in accordance with
3 clause (i).

4 “(E) REEVALUATION.—Not less than once
5 every 3 years after the implementation of the
6 postsecondary student data system described in
7 this subsection, the Commissioner, in consulta-
8 tion with the Advisory Committee described in
9 subparagraph (B), shall review the data ele-
10 ments included in the postsecondary student
11 data system and may revise the data elements
12 to be included in such system.

13 “(F) PROHIBITIONS.—The Commissioner
14 shall not include individual health data (includ-
15 ing data relating to physical health or mental
16 health), student discipline records or data, ele-
17 mentary and secondary education data, an
18 exact address, citizenship status, migrant sta-
19 tus, or national origin status for students or
20 their families, course grades, postsecondary en-
21 trance examination results, political affiliation,
22 or religion in the postsecondary student data
23 system under this subsection.

24 “(3) PERIODIC MATCHING WITH OTHER FED-
25 ERAL DATA SYSTEMS.—

1 “(A) DATA SHARING AGREEMENTS.—

2 “(i) The Commissioner shall ensure
3 secure, periodic data matches by entering
4 into data sharing agreements with each of
5 the following Federal agencies and offices:

6 “(I) The Secretary of Defense, in
7 order to assess the use of postsec-
8 ondary educational benefits and the
9 outcomes of servicemembers.

10 “(II) The Director of the Bureau
11 of the Census, in order to assess the
12 earnings outcomes of former postsec-
13 ondary education students.

14 “(III) The Chief Operating Offi-
15 cer of the Office of Federal Student
16 Aid, in order to analyze the use of
17 postsecondary educational benefits
18 provided under this Act.

19 “(IV) The Commissioner of the
20 Social Security Administration, in
21 order to evaluate labor market out-
22 comes of former postsecondary edu-
23 cation students.

24 “(V) The Commissioner of the
25 Bureau of Labor Statistics, in order

1 to assess the wages of former postsec-
2 ondary education students.

3 “(ii) The Commissioner may ensure
4 secure, periodic data matches by entering
5 into data sharing agreements with the Sec-
6 retary of Veterans Affairs.

7 “(iii) The heads of Federal agencies
8 and offices described under clause (i) shall
9 enter into data sharing agreements with
10 the Commissioner to ensure secure, peri-
11 odic data matches as described in this
12 paragraph.

13 “(B) CATEGORIES OF DATA.—The Com-
14 missioner shall, at a minimum, seek to ensure
15 that the secure periodic data system matches
16 described in subparagraph (A) permit con-
17 sistent reporting of the following categories of
18 data for all postsecondary students:

19 “(i) Enrollment, retention, transfer,
20 and completion outcomes for all postsec-
21 ondary students.

22 “(ii) Financial indicators for postsec-
23 ondary students receiving Federal grants
24 and loans, including grant and loan aid by

1 source, cumulative student debt, loan re-
2 payment status, and repayment plan.

3 “(iii) Post-completion outcomes for all
4 postsecondary students, including earnings,
5 employment, and further education, by
6 program of study and credential level and
7 as measured—

8 “(I) immediately after leaving
9 postsecondary education; and

10 “(II) at time intervals appro-
11 priate to the credential sought and
12 earned.

13 “(C) PERIODIC DATA MATCH STREAM-
14 LINING AND CONFIDENTIALITY.—

15 “(i) STREAMLINING.—In carrying out
16 the secure periodic data system matches
17 under this paragraph, the Commissioner
18 shall—

19 “(I) ensure that such matches
20 are not continuous, but occur only pe-
21 riodically at appropriate intervals, as
22 determined by the Commissioner to
23 meet the goals of subparagraph (A);
24 and

25 “(II) seek to—

1 “(aa) streamline the data
2 collection and reporting require-
3 ments for institutions of higher
4 education;

5 “(bb) minimize duplicative
6 reporting across or within Fed-
7 eral agencies or departments, in-
8 cluding reporting requirements
9 applicable to institutions of high-
10 er education under the Workforce
11 Innovation and Opportunity Act
12 (29 U.S.C. 3101 et seq.) and the
13 Carl D. Perkins Career and
14 Technical Education Act of 2006
15 (20 U.S.C. 2301 et seq.);

16 “(cc) protect student pri-
17 vacy; and

18 “(dd) streamline the applica-
19 tion process for student loan ben-
20 efit programs available to bor-
21 rowers based on data available
22 from different Federal data sys-
23 tems.

24 “(ii) REVIEW.—Not less often than
25 once every 3 years after the establishment

1 of the postsecondary student data system
2 under this subsection, the Commissioner,
3 in consultation with the Advisory Com-
4 mittee, shall review methods for stream-
5 lining data collection from institutions of
6 higher education and minimizing duplica-
7 tive reporting within the Department and
8 across Federal agencies that provide data
9 for the postsecondary student data system.

10 “(iii) CONFIDENTIALITY.—The Com-
11 missioner shall ensure that any periodic
12 matching or sharing of data through peri-
13 odic data system matches established in
14 accordance with this paragraph—

15 “(I) complies with the security
16 and privacy protections described in
17 paragraph (1)(C)(iv) and other Fed-
18 eral data protection protocols;

19 “(II) follows industry best prac-
20 tices commensurate with the sensi-
21 tivity of specific data elements or
22 metrics;

23 “(III) does not result in the cre-
24 ation of a single standing, linked Fed-
25 eral database at the Department that

1 maintains the information reported
2 across other Federal agencies; and

3 “(IV) discloses to postsecondary
4 students what data are included in the
5 data system and periodically matched
6 and how the data are used.

7 “(iv) CORRECTION.—The Commis-
8 sioner, in consultation with the Advisory
9 Committee, shall establish a process for
10 students to request access to only their
11 personal information for inspection and re-
12 quest corrections to inaccuracies in a man-
13 ner that protects the student’s personally
14 identifiable information. The Commissioner
15 shall respond in writing to every request
16 for a correction from a student.

17 “(4) PUBLICLY AVAILABLE INFORMATION.—

18 “(A) IN GENERAL.—The Commissioner
19 shall make the summary aggregate information
20 described in subparagraph (C), at a minimum,
21 publicly available through a user-friendly con-
22 sumer information website and analytic tool
23 that—

24 “(i) provides appropriate mechanisms
25 for users to customize and filter informa-

1 tion by institutional and student character-
2 istics;

3 “(ii) allows users to build summary
4 aggregate reports of information, including
5 reports that allow comparisons across mul-
6 tiple institutions and programs, subject to
7 subparagraph (B);

8 “(iii) uses appropriate statistical dis-
9 closure limitation techniques necessary to
10 ensure that the data released to the public
11 cannot be used to identify specific individ-
12 uals; and

13 “(iv) provides users with appropriate
14 contextual factors to make comparisons,
15 which may include national median figures
16 of the summary aggregate information de-
17 scribed in subparagraph (C).

18 “(B) NO PERSONALLY IDENTIFIABLE IN-
19 FORMATION AVAILABLE.—The summary aggre-
20 gate information described in this paragraph
21 shall not include personally identifiable informa-
22 tion.

23 “(C) SUMMARY AGGREGATE INFORMATION
24 AVAILABLE.—The summary aggregate informa-
25 tion described in this paragraph shall, at a min-

1 imum, include each of the following for each in-
2 stitution of higher education:

3 “(i) Measures of student access, in-
4 cluding—

5 “(I) admissions selectivity and
6 yield; and

7 “(II) enrollment, disaggregated
8 by each category described in para-
9 graph (2)(C)(ii).

10 “(ii) Measures of student progression,
11 including retention rates and persistence
12 rates, disaggregated by each category de-
13 scribed in paragraph (2)(C)(ii).

14 “(iii) Measures of student completion,
15 including—

16 “(I) transfer rates and comple-
17 tion rates, disaggregated by each cat-
18 egory described in paragraph
19 (2)(C)(ii); and

20 “(II) number of completions,
21 disaggregated by each category de-
22 scribed in paragraph (2)(C)(ii).

23 “(iv) Measures of student costs, in-
24 cluding—

1 “(I) tuition, required fees, total
2 cost of attendance, and net price after
3 total grant aid, disaggregated by in-
4 State tuition or in-district tuition sta-
5 tus (if applicable), program of study
6 (if applicable), and credential level;
7 and

8 “(II) typical grant amounts and
9 loan amounts received by students re-
10 ported separately from Federal, State,
11 local, and institutional sources, and
12 cumulative debt, disaggregated by
13 each category described in paragraph
14 (2)(C)(ii) and completion status.

15 “(v) Measures of postcollegiate stu-
16 dent outcomes, including employment
17 rates, mean and median earnings, loan re-
18 payment and default rates, and further
19 education rates. These measures shall—

20 “(I) be disaggregated by each
21 category described in paragraph
22 (2)(C)(ii) and completion status; and

23 “(II) be measured immediately
24 after leaving postsecondary education

1 and at time intervals appropriate to
2 the credential sought or earned.

3 “(D) DEVELOPMENT CRITERIA.—In devel-
4 oping the method and format of making the in-
5 formation described in this paragraph publicly
6 available, the Commissioner shall—

7 “(i) focus on the needs of the users of
8 the information, which will include stu-
9 dents, families of students, potential stu-
10 dents, researchers, and other consumers of
11 education data;

12 “(ii) take into consideration, to the
13 extent practicable, the guidelines described
14 in paragraph (1)(C)(ii)(I), and relevant
15 successor documents or recommendations
16 of such guidelines;

17 “(iii) use modern, relevant technology
18 and enhance and update the postsecondary
19 student data system with information, as
20 necessary to carry out the purpose of this
21 paragraph;

22 “(iv) ensure data privacy and security
23 in accordance with standards and guide-
24 lines developed by the National Institute of
25 Standards and Technology, and in accord-

1 ance with any other Federal law relating to
2 privacy or security, including complying
3 with the requirements of subchapter II of
4 chapter 35 of title 44, United States Code,
5 specifying security categorization under the
6 Federal Information Processing Standards,
7 and security requirements, and setting of
8 National Institute of Standards and Tech-
9 nology security baseline controls at the ap-
10 propriate level; and

11 “(v) conduct consumer testing to de-
12 termine how to make the information as
13 meaningful to users as possible.

14 “(5) PERMISSIBLE DISCLOSURES OF DATA.—

15 “(A) DATA REPORTS AND QUERIES.—

16 “(i) IN GENERAL.—Not later than 4
17 years after the date of enactment of the
18 America COMPETES Act of 2022, the
19 Commissioner shall develop and implement
20 a secure process for making student-level,
21 non-personally identifiable information,
22 with direct identifiers removed, from the
23 postsecondary student data system avail-
24 able for vetted research and evaluation
25 purposes approved by the Commissioner in

1 a manner compatible with practices for dis-
2 closing National Center for Education Sta-
3 tistics restricted-use survey data as in ef-
4 fect on the day before the date of enact-
5 ment of the America COMPETES Act of
6 2022, or by applying other research and
7 disclosure restrictions to ensure data pri-
8 vacy and security. Such process shall be
9 approved by the National Center for Edu-
10 cation Statistics' Disclosure Review Board
11 (or successor body).

12 “(ii) PROVIDING DATA REPORTS AND
13 QUERIES TO INSTITUTIONS AND STATES.—

14 “(I) IN GENERAL.—The Commis-
15 sioner shall provide feedback reports,
16 at least annually, to each institution
17 of higher education, each postsec-
18 ondary education system that fully
19 participates in the postsecondary stu-
20 dent data system, and each State
21 higher education body as designated
22 by the governor.

23 “(II) FEEDBACK REPORTS.—The
24 feedback reports provided under this
25 clause shall include program-level and

1 institution-level information from the
2 postsecondary student data system re-
3 garding students who are associated
4 with the institution or, for State rep-
5 resentatives, the institutions within
6 that State, on or before the date of
7 the report, on measures including stu-
8 dent mobility and workforce outcomes,
9 provided that the feedback aggregate
10 summary reports protect the privacy
11 of individuals.

12 “(III) DETERMINATION OF CON-
13 TENT.—The content of the feedback
14 reports shall be determined by the
15 Commissioner in consultation with the
16 Advisory Committee.

17 “(iii) PERMITTING STATE DATA QUE-
18 RIES.—The Commissioner shall, in con-
19 sultation with the Advisory Committee and
20 as soon as practicable, create a process
21 through which States may submit lists of
22 secondary school graduates within the
23 State to receive summary aggregate out-
24 comes for those students who enrolled at
25 an institution of higher education, includ-

1 ing postsecondary enrollment and college
2 completion, provided that those data pro-
3 tect the privacy of individuals and that the
4 State data submitted to the Commissioner
5 are not stored in the postsecondary edu-
6 cation system.

7 “(iv) REGULATIONS.—The Commis-
8 sioner shall promulgate regulations to en-
9 sure fair, secure, and equitable access to
10 data reports and queries under this para-
11 graph.

12 “(B) DISCLOSURE LIMITATIONS.—In car-
13 rying out the public reporting and disclosure re-
14 quirements of this subsection, the Commis-
15 sioner shall use appropriate statistical diselo-
16 sure limitation techniques necessary to ensure
17 that the data released to the public cannot in-
18 clude personally identifiable information or be
19 used to identify specific individuals.

20 “(C) SALE OF DATA PROHIBITED.—Data
21 collected under this subsection, including the
22 public-use data set and data comprising the
23 summary aggregate information available under
24 paragraph (4), shall not be sold to any third

1 party by the Commissioner, including any insti-
2 tution of higher education or any other entity.

3 “(D) LIMITATION ON USE BY OTHER FED-
4 ERAL AGENCIES.—

5 “(i) IN GENERAL.—The Commissioner
6 shall not allow any other Federal agency to
7 use data collected under this subsection for
8 any purpose except—

9 “(I) for vetted research and eval-
10 uation conducted by the other Federal
11 agency, as described in subparagraph
12 (A)(i); or

13 “(II) for a purpose explicitly au-
14 thorized by this Act.

15 “(ii) PROHIBITION ON LIMITATION OF
16 SERVICES.—The Secretary, or the head of
17 any other Federal agency, shall not use
18 data collected under this subsection to
19 limit services to students.

20 “(E) LAW ENFORCEMENT.—Personally
21 identifiable information collected under this
22 subsection shall not be used for any Federal,
23 State, or local law enforcement activity or any
24 other activity that would result in adverse ac-
25 tion against any student or a student’s family,

1 including debt collection activity or enforcement
2 of immigration laws.

3 “(F) LIMITATION OF USE FOR FEDERAL
4 RANKINGS OR SUMMATIVE RATING SYSTEM.—
5 The comprehensive data collection and analysis
6 necessary for the postsecondary student data
7 system under this subsection shall not be used
8 by the Secretary or any Federal entity to estab-
9 lish any Federal ranking system of institutions
10 of higher education or a system that results in
11 a summative Federal rating of institutions of
12 higher education.

13 “(G) RULE OF CONSTRUCTION.—Nothing
14 in this paragraph shall be construed to prevent
15 the use of individual categories of aggregate in-
16 formation to be used for accountability pur-
17 poses.

18 “(H) RULE OF CONSTRUCTION REGARDING
19 COMMERCIAL USE OF DATA.—Nothing in this
20 paragraph shall be construed to prohibit third-
21 party entities from using publicly-available in-
22 formation in this data system for commercial
23 use.

24 “(6) SUBMISSION OF DATA.—

1 “(A) REQUIRED SUBMISSION.—Each insti-
2 tution of higher education participating in a
3 program under title IV, or the assigned agent
4 of such institution, shall, for each eligible pro-
5 gram, in accordance with section 487(a)(17),
6 collect, and submit to the Commissioner, the
7 data requested by the Commissioner to carry
8 out this subsection.

9 “(B) VOLUNTARY SUBMISSION.—Any insti-
10 tution of higher education not participating in
11 a program under title IV may voluntarily par-
12 ticipate in the postsecondary student data sys-
13 tem under this subsection by collecting and sub-
14 mitting data to the Commissioner, as the Com-
15 missioner may request to carry out this sub-
16 section.

17 “(C) PERSONALLY IDENTIFIABLE INFOR-
18 MATION.—In accordance with paragraph
19 (2)(C)(i), if the submission of an element of
20 student-level data is prohibited under para-
21 graph (2)(F) (or otherwise prohibited by law),
22 the institution of higher education shall submit
23 that data to the Commissioner in the aggregate.

24 “(7) UNLAWFUL WILLFUL DISCLOSURE.—

1 “(A) IN GENERAL.—It shall be unlawful
2 for any person who obtains or has access to
3 personally identifiable information in connection
4 with the postsecondary student data system de-
5 scribed in this subsection to willfully disclose to
6 any person (except as authorized by any Fed-
7 eral law) such personally identifiable informa-
8 tion.

9 “(B) PENALTY.—Any person who violates
10 subparagraph (A) shall be subject to a penalty
11 described under section 3572(f) of title 44,
12 United States Code, and section 183(d)(6) of
13 the Education Sciences Reform Act of 2002 (20
14 U.S.C. 9573(d)(6)).

15 “(C) EMPLOYEE OF OFFICER OF THE
16 UNITED STATES.—If a violation of subpara-
17 graph (A) is committed by any officer or em-
18 ployee of the United States, the officer or em-
19 ployee shall be dismissed from office or dis-
20 charged from employment upon conviction for
21 the violation.

22 “(8) DATA SECURITY.—The Commissioner shall
23 produce and update as needed guidance and regula-
24 tions relating to privacy, security, and access which
25 shall govern the use and disclosure of data collected

1 in connection with the activities authorized in this
2 subsection. The guidance and regulations developed
3 and reviewed shall protect data from unauthorized
4 access, use, and disclosure, and shall include—

5 “(A) an audit capability, including manda-
6 tory and regularly conducted audits;

7 “(B) access controls;

8 “(C) requirements to ensure sufficient data
9 security, quality, validity, and reliability;

10 “(D) appropriate and applicable privacy
11 and security protection, including data retention
12 and destruction protocols and data minimiza-
13 tion, in accordance with the most recent Fed-
14 eral standards developed by the National Insti-
15 tute of Standards and Technology; and

16 “(E) protocols for managing a breach, in-
17 cluding breach notifications, in accordance with
18 the standards of National Center for Education
19 Statistics.

20 “(9) DATA COLLECTION.—The Commissioner
21 shall ensure that data collection, maintenance, and
22 use under this subsection complies with section 552a
23 of title 5, United States Code.

24 “(10) DEFINITIONS.—In this subsection:

1 “(A) INSTITUTION OF HIGHER EDU-
2 CATION.—The term ‘institution of higher edu-
3 cation’ has the meaning given the term in sec-
4 tion 102.

5 “(B) MINORITY-SERVING INSTITUTION.—
6 The term ‘minority-serving institution’ means
7 an institution of higher education listed in sec-
8 tion 371(a).

9 “(C) PERSONALLY IDENTIFIABLE INFOR-
10 MATION.—The term ‘personally identifiable in-
11 formation’ is used under this subsection as such
12 term is used under section 444 of the General
13 Education Provisions Act (20 U.S.C. 1232g).”.

14 (b) REPEAL OF PROHIBITION ON STUDENT DATA
15 SYSTEM.—Section 134 of the Higher Education Act of
16 1965 (20 U.S.C. 1015c) is repealed.

17 (c) INSTITUTIONAL REQUIREMENTS.—

18 (1) IN GENERAL.—Paragraph (17) of section
19 487(a) of the Higher Education Act of 1965 (20
20 U.S.C. 1094(a)) is amended to read as follows:

21 “(17) The institution or the assigned agent of
22 the institution will collect and submit data to the
23 Commissioner for Education Statistics in accordance
24 with section 132(l), the nonstudent related surveys
25 within the Integrated Postsecondary Education Data

1 System (IPEDS), or any other Federal institution of
2 higher education data collection effort (as designated
3 by the Secretary), in a timely manner and to the
4 satisfaction of the Secretary.”.

5 (2) EFFECTIVE DATE.—The amendment made
6 by subsection (a) shall take effect on the date that
7 is 4 years after the date of enactment of this Act.

8 (d) TRANSITION PROVISIONS.—The Secretary of
9 Education and the Commissioner for Education Statistics
10 shall take such steps as are necessary to ensure that the
11 development and maintenance of the postsecondary stu-
12 dent data system required under section 132(l) of the
13 Higher Education Act of 1965, as added by subsection
14 (a), occurs in a manner that reduces the reporting burden
15 for entities that reported into the Integrated Postsec-
16 ondary Education Data System (IPEDS).

17 **TITLE IV—IMPACT ACT**

18 **SEC. 90401. TELECOMMUNICATIONS WORKFORCE TRAIN-** 19 **ING GRANT PROGRAM.**

20 (a) SHORT TITLE.—This section may be cited as the
21 “Improving Minority Participation And Careers in Tele-
22 communications Act” or the “IMPACT Act”

23 (b) GRANT PROGRAM.—The Secretary of Labor (act-
24 ing in coordination with the Director of the Office of Mi-
25 nority Broadband Initiatives established under section

1 902(b)(1) of division N of the Consolidated Appropriations
2 Act, 2021 (Public Law 116–260) and the Secretary of
3 Education) shall establish a program (in this section re-
4 ferred to as the “Telecommunications Workforce Training
5 Grant Program” or the “Grant Program”) under which
6 the Secretary shall meet the following requirements:

7 (1) DEADLINE.—Not later than 2 years after
8 the date on which amounts are appropriated under
9 subsection (h), the Secretary—

10 (A) may reserve not more than 2 percent
11 of such amounts to administer the Grant Pro-
12 gram; and

13 (B) after determining the percentage of
14 such amounts to reserve under subparagraph
15 (A), shall use the remainder of such amounts to
16 award grants (in this section referred to as
17 “covered grants”) to eligible entities to develop
18 and implement telecommunications training
19 programs (which may include training programs
20 providing training and education relating to the
21 construction of telecommunications infrastruc-
22 ture).

23 (2) MINIMUM GRANT AMOUNTS TO CERTAIN
24 ENTITIES.—In awarding covered grants from the

1 amounts described in paragraph (1)(B), the Sec-
2 retary shall use not less than—

3 (A) 30 percent of such amounts to award
4 covered grants to historically Black colleges or
5 universities; and

6 (B) 30 percent of such amounts to award
7 covered grants to Tribal Colleges or Univer-
8 sities.

9 (3) COORDINATION.—The Secretary shall en-
10 sure that grant amounts awarded under paragraph
11 (1)(B) are coordinated with, and do not duplicate
12 the specific use of, grant amounts provided under
13 section 902 of division N of the Consolidated Appro-
14 priations Act, 2021 (Public Law 116–260).

15 (4) SINGLE GRANT CYCLE.—After awarding
16 covered grants under paragraph (1), the authority of
17 the Secretary to award covered grants shall expire.

18 (5) GRANT PERIOD.—The Secretary shall estab-
19 lish the grant period of a covered grant, which may
20 not be less than 5 years.

21 (6) CONSTRUCTION PROGRAMS.—In awarding
22 covered grants to eligible entities that plan to use
23 the grants for developing and implementing training
24 programs providing training and education relating

1 to construction, the Secretary shall prioritize such
2 eligible entities that—

3 (A) partner with—

4 (i) a labor or labor-management orga-
5 nization with experience—

6 (I) working in the telecommuni-
7 cations industry; or

8 (II) in registered apprenticeship
9 programs or pre-apprenticeship pro-
10 grams; or

11 (ii) a community college that has a
12 written agreement with 1 or more reg-
13 istered apprenticeship programs; and

14 (B) ensure the such programs lead to em-
15 ployment with wages at rates not less than the
16 rates prevailing on projects of a similar char-
17 acter in the locality as determined by the Sec-
18 retary of Labor in accordance with subchapter
19 IV of chapter 31 of title 40, United States
20 Code.

21 (c) APPLICATION.—

22 (1) IN GENERAL.—An eligible entity desiring a
23 covered grant shall submit an application to the Sec-
24 retary at such time, in such manner, and containing
25 such information as the Secretary may require.

1 (2) CONTENTS.—An eligible entity shall include
2 in an application under paragraph (1) the following:

3 (A) A description of how the eligible entity
4 plans to use the covered grant, including the
5 type of telecommunications training program
6 the eligible entity plans to develop and imple-
7 ment.

8 (B) A commitment from the telecommuni-
9 cations industry partner of the eligible entity to
10 collaborate with the eligible entity to develop
11 and implement a telecommunications training
12 program, including the curricula for such pro-
13 gram, and the internships, registered appren-
14 ticeships, or pre-apprenticeships aligned to such
15 program.

16 (C) A plan for recruitment of students to
17 participate in the telecommunications training
18 program, including students in rural areas.

19 (D) A plan to ensure that female student
20 participation (or participation among other pop-
21 ulations who are underrepresented within the
22 telecommunications industry) in the tele-
23 communications training program of the eligible
24 entity is at a higher rate than the employment

1 rate of women (or other such populations) with-
2 in the telecommunications industry.

3 (E) A description of in-demand occupa-
4 tions within the telecommunications industry to
5 be secured through the telecommunications
6 training program, including—

7 (i) jobs in the communities served by
8 the eligible entity; and

9 (ii) expected wage and benefit levels of
10 such jobs.

11 (F) A description of how the eligible entity
12 plans to integrate the expertise of labor or
13 labor-management organizations with experi-
14 ence working in the telecommunications indus-
15 try into the development and implementation of
16 the telecommunications training program.

17 (d) AUTHORIZED USES OF FUNDS.—An eligible enti-
18 ty may use a covered grant, with respect to the tele-
19 communications training program of the eligible entity de-
20 veloped and implemented with such covered grant, to—

21 (1) hire faculty members to teach courses in the
22 training program;

23 (2) train faculty members to prepare students
24 for employment in jobs related to the deployment of
25 next-generation wired and wireless communications

1 networks, including 5G networks, hybrid fiber-co-
2 axial networks, and fiber infrastructure, particularly
3 in—

4 (A) broadband and wireless network engi-
5 neering;

6 (B) network deployment, operation, and
7 maintenance;

8 (C) telecommunications industry field ac-
9 tivities; and

10 (D) cloud networks, data centers, and cy-
11 bersecurity;

12 (3) design and develop, or customize existing,
13 curricula, courses, or programs of study, in coordi-
14 nation with telecommunications industry partners,
15 that reflect the skills and competencies needed in the
16 telecommunications industry, and that lead to recog-
17 nized postsecondary credentials;

18 (4) pay for costs associated with instruction
19 under the telecommunications training program, in-
20 cluding the costs of equipment, telecommunications
21 training towers, laboratory space, classroom space,
22 and telecommunications industry field activities;

23 (5) fund scholarships, student internships, reg-
24 istered apprenticeships, and pre-apprenticeship op-

1 opportunities aligned to the telecommunications train-
2 ing program;

3 (6) recruit students for the telecommunications
4 training program, including students in rural areas,
5 if applicable;

6 (7) support the enrollment in the telecommuni-
7 cations training program of individuals working in
8 the telecommunications industry in order to advance
9 professionally within the industry;

10 (8) support the development of career pathways
11 in the telecommunications industry; and

12 (9) provide supportive services (such as trans-
13 portation, child care, dependent care, housing, and
14 needs-related payments) necessary for participants
15 to complete the training program.

16 (e) REPORT REQUIREMENTS.—

17 (1) REPORTING BY ELIGIBLE ENTITIES.—Dur-
18 ing the grant period of a covered grant received by
19 an eligible entity, the eligible entity shall submit to
20 the Secretary a semiannual report that, with respect
21 to the preceding 6-month period—

22 (A) describes how the eligible entity used
23 the covered grant amounts;

24 (B) describes the progress the eligible enti-
25 ty made in developing and implementing the

1 telecommunications training program of the eli-
2 gible entity;

3 (C) describes the number of faculty and
4 students participating in the telecommuni-
5 cations training program of the eligible entity;

6 (D) describes the partnership with the tele-
7 communications industry partner of the eligible
8 entity, including—

9 (i) the commitments and in-kind con-
10 tributions made by the telecommunications
11 industry partner; and

12 (ii) the role of the telecommunications
13 industry partner in—

14 (I) curriculum development;

15 (II) ensuring that the program
16 leads to or is aligned with a degree
17 program or recognized postsecondary
18 credential; and

19 (III) the internships, registered
20 apprenticeships, and pre-apprentice-
21 ships offered under the program; and

22 (E) includes data on internship, registered
23 apprenticeship, and pre-apprenticeships, and
24 employment opportunities and placements and
25 completions.

1 (2) ANNUAL REPORT TO CONGRESS.—Each
2 year, until all covered grants have expired, the Sec-
3 retary shall submit to Congress a report that, with
4 respect to the preceding year—

5 (A) identifies each eligible entity that re-
6 ceived a covered grant and the amount of the
7 covered grant;

8 (B) describes the progress each such eligi-
9 ble entity has made in developing and imple-
10 menting a telecommunications training pro-
11 gram;

12 (C) summarizes the job placement status,
13 or registered apprenticeship or pre-apprentice-
14 ship opportunities of students who have partici-
15 pated in the training program of the eligible en-
16 tity; and

17 (D) includes the findings of any audits
18 conducted by the Inspector General of the De-
19 partment of Labor under subsection (f).

20 (f) OVERSIGHT.—The Inspector General of the De-
21 partment of Labor shall audit the Grant Program in order
22 to—

23 (1) ensure that eligible entities use covered
24 grant amounts in accordance with the requirements
25 of this section; and

1 (2) prevent waste, fraud, and abuse in the oper-
2 ation of the Grant Program.

3 (g) DEFINITIONS.—In this section:

4 (1) COMMUNITY COLLEGE.—The term “commu-
5 nity college” means—

6 (A) a degree-granting public institution of
7 higher education (as defined in section 101 of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1001)) at which—

10 (i) the highest degree awarded is an
11 associate degree; or

12 (ii) an associate degree is the most
13 frequently awarded degree;

14 (B) a 2-year Tribal College or University;

15 (C) a degree-granting Tribal College or
16 University at which—

17 (i) the highest degree awarded is an
18 associate degree; or

19 (ii) an associate degree is the most
20 frequently awarded degree;

21 (D) a branch campus of a 4-year public in-
22 stitution of higher education (as defined in sec-
23 tion 101 of the Higher Education Act of 1965
24 (20 U.S.C. 1001)), if, at such branch campus—

1 (i) the highest degree awarded is an
2 associate degree; or

3 (ii) an associate degree is the most
4 frequently awarded degree; or

5 (E) a community college, a postsecondary
6 vocational institution (as defined in section
7 102(c) of the Higher Education Act of 1965
8 (20 U.S.C. 1002(c)).

9 (2) ELIGIBLE ENTITY.—

10 (A) IN GENERAL.—The term “eligible enti-
11 ty” means a historically Black college or univer-
12 sity, Tribal College or University, or minority-
13 serving institution, or a consortium of such en-
14 tities, that forms a partnership with 1 or more
15 telecommunications industry partners to carry
16 out a telecommunications training program.

17 (B) TELECOMMUNICATIONS INDUSTRY
18 PARTNER.—The term “telecommunications in-
19 dustry partner” means 1 or more of the fol-
20 lowing:

21 (i) A member of the telecommuni-
22 cations industry, such as a company or in-
23 dustry association.

24 (ii) A labor or labor-management or-
25 ganization with experience working in the

1 telecommunications industry or a similar
2 industry.

3 (iii) A registered apprenticeship pro-
4 gram.

5 (iv) A nonprofit organization dedi-
6 cated to helping individuals gain employ-
7 ment in the telecommunications industry.

8 (v) A community college with experi-
9 ence in providing workforce development
10 activities for individuals seeking employ-
11 ment in the telecommunications industry
12 or a similar industry.

13 (vi) A Federal agency laboratory spe-
14 cializing in telecommunications technology.

15 (vii) A State board or local board.

16 (viii) An industry or sector partner-
17 ship relating to the telecommunications in-
18 dustry.

19 (3) HISTORICALLY BLACK COLLEGE OR UNI-
20 VERSITY.—The term “historically Black college or
21 university” has the meaning given the term “part B
22 institution” in section 322 of the Higher Education
23 Act of 1965 (20 U.S.C. 1061).

24 (4) IN-DEMAND OCCUPATION.—The term “in-
25 demand occupation” has the meaning given the term

1 in section 3(23)(A)(ii) of the Workforce Innovation
2 and Opportunity Act (29 U.S.C. 3102(23)(A)(ii)).

3 (5) MINORITY-SERVING INSTITUTION.—The
4 term “minority-serving institution” means an insti-
5 tution described in section 371(a) of the Higher
6 Education Act of 1965 (20 U.S.C. 1067q(a)).

7 (6) PRE-APPRENTICESHIP.—The term “pre-ap-
8 prenticeship” means a program that articulates to a
9 registered apprenticeship program.

10 (7) REGISTERED APPRENTICESHIP.—The term
11 “registered apprenticeship” means an apprenticeship
12 registered with the Office of Apprenticeship of the
13 Employment and Training Administration of the
14 Department of Labor or a State apprenticeship
15 agency recognized by the Office of the Appren-
16 ticeship pursuant to the Act of August 16, 1937 (com-
17 monly known as the “National Apprenticeship Act”;
18 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

19 (8) SECRETARY.—The term “Secretary” means
20 the Secretary of Labor.

21 (9) TELECOMMUNICATIONS INDUSTRY FIELD
22 ACTIVITIES.—The term “telecommunications indus-
23 try field activities” means activities at active cable,
24 broadband, or other telecommunications network

1 worksites, such as towers, construction sites, and
2 network management hubs.

3 (10) TELECOMMUNICATIONS TRAINING PRO-
4 GRAM.—The term “telecommunications training pro-
5 gram” means a program developed by an eligible en-
6 tity (that—

7 (A) is designed to prepare students to par-
8 ticipate in the telecommunications workforce;

9 (B) includes a curriculum that reflects the
10 skills and competencies for in-demand occupa-
11 tions within the telecommunications industry;
12 and

13 (C) includes registered apprenticeship, pre-
14 apprenticeship, or internship opportunities
15 aligned to a degree program or resulting in a
16 recognized postsecondary credential.

17 (11) TRIBAL COLLEGE OR UNIVERSITY.—The
18 term “Tribal College or University” has the meaning
19 given the term in section 316(b)(3) of the Higher
20 Education Act of 1965 (20 U.S.C. 1059c(b)(3)).

21 (12) WIOA DEFINITIONS.—The terms “career
22 pathway”, “industry or sector partnership”, “local
23 board”, “recognized postsecondary credential”,
24 “State board”, and “workforce development activi-

1 ties” have the meanings given in section 3 of the
2 Workforce Innovation and Opportunity Act.

3 (h) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated \$100,000,000 for fiscal
5 years 2023 through 2028, to remain available until ex-
6 pended.

7 **TITLE V—BUILDING U.S. INFRA-**
8 **STRUCTURE BY LEVERAGING**
9 **DEMANDS FOR SKILLS**
10 **(BUILDS)**

11 **SEC. 90501. DEFINITIONS.**

12 (1) IN GENERAL.—In this title, except as other-
13 wise provided in this title, the terms have the mean-
14 ings given the terms in section 3 of the Workforce
15 Innovation and Opportunity Act (29 U.S.C. 3102).

16 (2) APPRENTICESHIP, APPRENTICESHIP PRO-
17 GRAM.—The term “apprenticeship” or “apprentice-
18 ship program” means an apprenticeship program
19 registered under the Act of August 16, 1937 (com-
20 monly known as the “National Apprenticeship Act”
21 (29 U.S.C. 50 et seq.)).

22 (3) CTE TERMS.—The terms “area career and
23 technical education school”, “articulation agree-
24 ment”, “career guidance and academic counseling”,
25 “credit transfer agreement”, “early college high

1 school”, “high school”, “program of study”, “Tribal
2 educational agency”, and “work-based learning”
3 have the meanings given the terms in section 3 of
4 the Carl D. Perkins Career and Technical Education
5 Act of 2006 (20 U.S.C. 2302).

6 (4) EDUCATION AND TRAINING PROVIDER.—

7 (A) IN GENERAL.—The term “education
8 and training provider” means an entity listed in
9 subparagraph (B) that provides academic cur-
10 riculum and instruction related to targeted in-
11 frastructure industries.

12 (B) ENTITIES.—An entity described in this
13 subparagraph is as follows:

14 (i) An area career and technical edu-
15 cation school, early college high school, or
16 high school providing career and technical
17 education programs of study.

18 (ii) An Indian Tribe, Tribal organiza-
19 tion, or Tribal educational agency.

20 (iii) A minority-serving institution (as
21 described in any of paragraphs (1) through
22 (7) of section 371(a) of the Higher Edu-
23 cation Act of 1965 (20 U.S.C. 1067q(a))).

24 (iv) A provider of adult education and
25 literacy activities under the Adult Edu-

1 cation and Family Literacy Act (29 U.S.C.
2 3271 et seq.).

3 (v) A local agency administering plans
4 under title I of the Rehabilitation Act of
5 1973 (29 U.S.C. 720 et seq.), other than
6 section 112 or part C of that title (29
7 U.S.C. 732, 741).

8 (vi) A related instruction provider for
9 an apprenticeship program.

10 (vii) A public institution of higher
11 education (as defined in section 101 of the
12 Higher Education Act of 1965 (20 U.S.C.
13 1001)).

14 (viii) A provider included on the list of
15 eligible providers of training services de-
16 scribed in section 122(d) of the Workforce
17 Innovation and Opportunity Act (29
18 U.S.C. 3152(d)).

19 (ix) A consortium of entities described
20 in any of clauses (i) through (viii).

21 (5) ELIGIBLE ENTITY.—The term “eligible enti-
22 ty” means—

23 (A) an industry or sector partnership;

24 (B) a State workforce development board
25 or State workforce development agency, or a

1 local board or local workforce development
2 agency;

3 (C) an eligible institution described in
4 paragraph (4)(B), or a consortium thereof;

5 (D) an Indian Tribe, Tribal organization,
6 or Tribal educational agency;

7 (E) a labor organization or joint-labor
8 management organization; or

9 (F) a qualified intermediary.

10 (6) NONTRADITIONAL POPULATION.—The term
11 “nontraditional population” means a group of indi-
12 viduals (such as a group of individuals from the
13 same gender or race) the members of which com-
14 prise fewer than 25 percent of the individuals em-
15 ployed in a targeted infrastructure industry.

16 (7) QUALIFIED INTERMEDIARY.—

17 (A) IN GENERAL.—The term “qualified
18 intermediary” means an entity that dem-
19 onstrates an expertise—

20 (i) in engaging in the partnerships de-
21 scribed in subparagraph (B); and

22 (ii) serving participants and employers
23 of programs funded under this title by—

24 (I) connecting employers to pro-
25 grams funded under this title;

1 (II) assisting in the design and
2 implementation of such programs, in-
3 cluding curriculum development and
4 delivery of instruction;

5 (III) providing professional devel-
6 opment activities such as training to
7 mentors;

8 (IV) connecting students or
9 workers to programs funded under
10 this title;

11 (V) developing and providing per-
12 sonalized support for individuals par-
13 ticipating in programs funded under
14 this title, including by partnering with
15 organizations to provide access to or
16 referrals for supportive services and
17 financial advising; or

18 (VI) providing services, re-
19 sources, and supports for develop-
20 ment, delivery, expansion, or improve-
21 ment of programs funded under this
22 title.

23 (B) REQUIRED PARTNERSHIPS.—In car-
24 rying out activities under this title, the qualified
25 intermediary shall act in partnerships with—

1 (i) industry or sector partnerships, in-
2 cluding establishing a new industry or sec-
3 tor partnership or expanding an existing
4 industry or sector partnership;

5 (ii) partnerships among employers,
6 joint labor-management organizations,
7 labor organizations, community-based or-
8 ganizations, education and training pro-
9 viders, social service organizations, eco-
10 nomic development organizations, Indian
11 Tribes or Tribal organizations, or one-stop
12 operators, or one-stop partners, in the
13 State workforce development system; or

14 (iii) partnerships with State or local
15 workforce development boards and among
16 one or more of the entities described in
17 clauses (i) and (ii).

18 (8) SECRETARY.—The term “Secretary” means
19 the Secretary of Labor.

20 (9) TARGETED INFRASTRUCTURE INDUSTRY.—
21 The term “targeted infrastructure industry” means
22 an industry, including the transportation (including
23 surface, transit, aviation, maritime, or railway trans-
24 portation), construction, energy (including the de-
25 ployment of renewable and clean energy, energy effi-

1 ciency, transmission, and battery storage), informa-
2 tion technology, or utilities industry) to be served by
3 a grant, contract, or cooperative agreement under
4 this title.

5 **SEC. 90502. GRANTS AUTHORIZED.**

6 (a) IN GENERAL.—The Secretary, in consultation
7 with the Secretary of Transportation, the Secretary of En-
8 ergy, the Secretary of Commerce, the Secretary of Edu-
9 cation, and the Chief of Engineers and Commanding Gen-
10 eral of the Army Corps of Engineers, shall award, on a
11 competitive basis, grants, contracts, or cooperative agree-
12 ments to eligible entities to plan and implement activities
13 to achieve the strategic objectives described in section
14 90504(b) with respect to a targeted infrastructure indus-
15 try identified in the application submitted under section
16 90503 by such eligible entities.

17 (b) TYPES OF AWARDS.—A grant, contract, or coop-
18 erative agreement awarded under this title may be in the
19 form of—

20 (1) an implementation grant, contract, or coop-
21 erative agreement, for entities seeking an initial
22 grant under this title; or

23 (2) a renewal grant, contract, or cooperative
24 agreement for entities that have already received an

1 implementation grant, contract, or cooperative
2 agreement under this title.

3 (c) DURATION.—Each grant awarded under this title
4 shall be for a period not to exceed 3 years.

5 (d) AMOUNT.—The amount of a grant, contract, or
6 cooperative agreement awarded under this title may not
7 exceed—

8 (1) for an implementation grant, contract, or
9 cooperative agreement, \$2,500,000; and

10 (2) for a renewal grant, contract, or cooperative
11 agreement, \$1,500,000.

12 (e) AWARD BASIS.—

13 (1) GEOGRAPHIC DIVERSITY.—The Secretary
14 shall award funds under this title in a manner that
15 ensures geographic diversity (such as urban and
16 rural distribution) in the areas in which activities
17 will be carried out using such funds.

18 (2) PRIORITY FOR AWARDS.—In awarding
19 funds under this title, the Secretary shall give pri-
20 ority to eligible entities that—

21 (A) in the case of awarding implementa-
22 tion grants, contracts, or cooperative agree-
23 ments—

1 (i) demonstrate long-term sustain-
2 ability of a program or activity funded
3 under this title;

4 (ii) will serve a high number or high
5 percentage of nontraditional populations
6 and individuals with barriers to employ-
7 ment; and

8 (iii) will provide a non-Federal share
9 of the cost of the activities; and

10 (B) in the case of awarding renewal
11 grants, contracts, or cooperative agreements—

12 (i) meet the criteria established in
13 subparagraph (A); and

14 (ii) have demonstrated ability to meet
15 the—

16 (I) strategic objectives of the im-
17 plementation grant, contract or coop-
18 erative agreement described in section
19 90503(b)(4); and

20 (II) meet or exceed the require-
21 ments of the evaluations and progress
22 reports described in section 90504(f).

23 **SEC. 90503. APPLICATION.**

24 (a) IN GENERAL.—An eligible entity desiring a grant,
25 contract, or cooperative agreement under this title shall

1 submit an application to the Secretary at such time, in
2 such manner, and containing such information as the Sec-
3 retary may require, including the contents described in
4 subsection (b).

5 (b) CONTENTS.—An application submitted under this
6 title shall contain, at a minimum—

7 (1) a description of the entities engaged in ac-
8 tivities funded under the grant, including—

9 (A) evidence of the eligible entity’s capac-
10 ity to carry out activities to achieve the stra-
11 tegic objectives described in section 90504(b);
12 and

13 (B) identification, and expected participa-
14 tion and responsibilities of each key stakeholder
15 in the targeted infrastructure industry de-
16 scribed in section 90504(b)(1) with which the
17 eligible entity will partner to carry out such ac-
18 tivities;

19 (2) a description of the targeted infrastructure
20 industry to be served by the eligible entity with
21 funds received under this title, and a description of
22 how such industry was identified, including—

23 (A) the quantitative data and evidence that
24 demonstrates the demand for employment in

1 such industry in the geographic area served by
2 the eligible entity under this title; and

3 (B) a description of the local, State, or
4 federally funded infrastructure projects with re-
5 spect to which the eligible entity anticipates en-
6 gaging the partners described in paragraph
7 (1)(B);

8 (3) a description of the workers that will be tar-
9 geted or recruited by the eligible entity, including—

10 (A) how recruitment activities will target
11 nontraditional populations to improve the per-
12 centages of nontraditional populations employed
13 in targeted infrastructure industries; and

14 (B) a description of potential barriers to
15 employment for targeted workers, and a de-
16 scription of strategies that will be used to help
17 workers overcome such barriers;

18 (4) a description of the strategic objectives de-
19 scribed in section 90504(b) that the eligible entity
20 intends to achieve concerning the targeted infra-
21 structure industry and activities to be carried out as
22 described in section 90504, including—

23 (A) a timeline for progress towards achiev-
24 ing such strategic objectives;

1 (B) a description of the manner in which
2 the eligible entity intends to make sustainable
3 progress towards achieving such strategic objec-
4 tives; and

5 (C) assurances the eligible entity will pro-
6 vide performance measures for measuring
7 progress towards achieving such strategic objec-
8 tives, as described in section 90504(f);

9 (5) a description of the recognized postsec-
10 ondary credentials that the eligible entity proposes
11 to prepare individuals participating in activities
12 under this title for, which shall—

13 (A) be nationally or regionally portable and
14 stackable;

15 (B) be related to the targeted infrastruc-
16 ture industry that the eligible entity proposes to
17 support; and

18 (C) be aligned to a career pathway and
19 work-based learning opportunity, such as an ap-
20 prenticeship program or a pre-apprenticeship
21 program articulating to an apprenticeship pro-
22 gram;

23 (6) a description of the Federal and non-Fed-
24 eral resources, available under provisions of law
25 other than this title, that will be leveraged in sup-

1 port of the partnerships and activities under this
2 title; and

3 (7) a description of how the eligible entity or
4 the education and training provider in partnership
5 with such eligible entity under this title will establish
6 or implement plans to be included on the list of eligi-
7 ble providers of training services described in section
8 122(d) of the Workforce Innovation and Opportunity
9 Act (29 U.S.C. 3152(d)).

10 **SEC. 90504. ELIGIBLE ACTIVITIES.**

11 (a) IN GENERAL.—An eligible entity receiving funds
12 under this title shall carry out activities described this sec-
13 tion to achieve the strategic objectives identified in the en-
14 tity’s application under section 90503, including the objec-
15 tives described in subsection (b).

16 (b) STRATEGIC OBJECTIVES.—The activities to be
17 carried out with the funds awarded under this title shall
18 be designed to achieve strategic objectives, including the
19 following:

20 (1) Recruiting key stakeholders (such as em-
21 ployers, labor organizations, local workforce boards,
22 and education and training providers, economic de-
23 velopment agencies, and as applicable, qualified
24 intermediaries) in the targeted infrastructure indus-

1 try to establish or expand industry and sector part-
2 nerships for the purpose of—

3 (A) assisting the eligible entity in carrying
4 out the activities described in subsection (a);
5 and

6 (B) convening with the eligible entity in a
7 collaborative structure that supports the shar-
8 ing of information and best practices for sup-
9 porting the development of a diverse workforce
10 to support the targeted infrastructure industry.

11 (2) Identifying the training needs of the State
12 or local area in the targeted infrastructure industry,
13 including—

14 (A) needs for skills critical to competitive-
15 ness and innovation in the industry;

16 (B) needs of the apprenticeship programs
17 or other paid work-based learning programs
18 supported by the funds; and

19 (C) the needed establishment, expansion,
20 or revisions of career pathways and academic
21 curriculum in the targeted infrastructure indus-
22 tries to establish talent pipelines for such indus-
23 try.

24 (3) Identifying and quantifying any disparities
25 or gaps in employment of nontraditional populations

1 in the targeted infrastructure industries and estab-
2 lishing or expanding strategies to close such gaps.

3 (4) Supporting the development of consortia of
4 education and training providers receiving assistance
5 under this title to align curricula, recognized post-
6 secondary credentials, and programs to the targeted
7 infrastructure industry needs and the credentials de-
8 scribed in section 90503(b)(5), particularly for high-
9 skill, high-wage or in-demand industry sectors or oc-
10 cupations related to the targeted infrastructure in-
11 dustry.

12 (5) Providing information on activities carried
13 out with such funds to the State and local board and
14 the State agency carrying out the State program
15 under the Wagner-Peyser Act (29 U.S.C. 49 et
16 seq.), including staff of the agency that provide serv-
17 ices under such Act, to enable the State agency to
18 inform recipients of unemployment compensation or
19 the employment and training opportunities that may
20 be offered through such activities.

21 (6) Establishing or expanding partnerships with
22 employers in industry or sector partnerships to at-
23 tract potential workers from a diverse jobseeker
24 base, including individuals with barriers to employ-
25 ment and nontraditional populations, by identifying

1 any such barriers through analysis of the labor mar-
2 ket data and recruitment strategies, and imple-
3 menting strategies to help such workers overcome
4 such barriers and increase diversity in the targeted
5 infrastructure industries.

6 (c) PLANNING ACTIVITIES.—An eligible entity receiv-
7 ing a planning grant, contract, or cooperative agreement
8 under this title shall use not more than \$250,000 of such
9 funds to carry out planning activities during the first year
10 of the grant, contract, or agreement period, which may
11 include—

12 (1) establishing or expanding industry or sector
13 partnerships described in subsection (b)(1);

14 (2) conducting outreach to local labor organiza-
15 tions, employers, industry associations, education
16 and training providers, economic development orga-
17 nizations, and qualified intermediaries, as applicable;

18 (3) recruiting individuals for participation in
19 programs assisted with funds under this title, includ-
20 ing individuals with barriers to employment and
21 nontraditional populations;

22 (4) establishing or expanding paid work-based
23 learning opportunities, including apprenticeship pro-
24 grams or programs articulating to apprenticeship
25 programs;

1 (5) establishing or implementing plans for any
2 education and training provider receiving funding
3 under this title to be included on the list of eligible
4 providers of training services described in section
5 122(d) of the Workforce Innovation and Opportunity
6 Act (29 U.S.C. 3152(d));

7 (6) establishing or implementing plans for
8 awarding academic credit or providing for academic
9 alignment towards credit pathways for programs or
10 programs of study assisted with funds under this
11 title, including academic credit for industry-recog-
12 nized credentials, competency-based education, work-
13 based learning, or apprenticeship programs;

14 (7) making available open, searchable, and com-
15 parable information on the recognized postsecondary
16 credentials awarded under such programs, including
17 the related skills or competencies and related em-
18 ployment and earnings outcomes;

19 (8) conducting an evaluation of workforce needs
20 in the local area; or

21 (9) career pathway and curriculum development
22 or expansion, program establishment, and acquiring
23 equipment necessary to support activities permitted
24 under this section.

1 (d) EMPLOYER ENGAGEMENT.—An eligible entity re-
2 ceiving funds under this title shall use the grant funds
3 to provide services to engage employers in efforts to
4 achieve the strategic objectives identified in the partner-
5 ship’s application under section 90503(b)(4), such as—

6 (1) navigating the registration process for a
7 sponsor of an apprenticeship program;

8 (2) connecting the employer with an education
9 and training provider, to support the development of
10 curriculum for work-based learning opportunities, in-
11 cluding the related instruction for apprenticeship
12 programs;

13 (3) providing training to incumbent workers to
14 serve as trainers or mentors to individuals partici-
15 pating in a work-based learning program funded
16 under this title;

17 (4) subsidizing the wages and benefits for indi-
18 viduals participating in activities or programs fund-
19 ed under this title for a period of not more than 6
20 months for employers demonstrating financial need,
21 including due to COVID–19; and

22 (5) recruiting for employment or participation
23 in programs funded under this title, including work-
24 based learning programs, including—

1 (A) individuals participating in programs
2 under the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3101 et seq.), or the Re-
4 habilitation Act of 1973 (29 U.S.C. 701 et
5 seq.);

6 (B) recipients of assistance through the
7 supplemental nutrition assistance program es-
8 tablished under the Food and Nutrition Act of
9 2008 (7 U.S.C. 2011 et seq.);

10 (C) recipients of assistance through the
11 program of block grants to States for tem-
12 porary assistance for needy families established
13 under part A of title IV of the Social Security
14 Act (42 U.S.C. 601 et seq.);

15 (D) individuals with a barrier to employ-
16 ment; or

17 (E) nontraditional populations in the tar-
18 geted infrastructure industry served by such
19 funds.

20 (e) PARTICIPANT SERVICES.—The eligible entity re-
21 ceiving funds under this title shall use the grant funds
22 to provide services to support the success of individuals
23 participating in a program supported under this title,
24 which shall include—

1 (1) in coordination with the State or local
2 board—

3 (A) training services as described in sec-
4 tion 134(c)(3) of the Workforce Innovation and
5 Opportunity Act (29 U.S.C. 3174(c)(3));

6 (B) career services as described in section
7 134(c)(2) of such Act; and

8 (C) supportive services, such as child care
9 and transportation;

10 (2) providing access to necessary supplies, ma-
11 terials, technological devices, or required equipment,
12 attire, and other supports necessary to participate in
13 such programs or to start employment;

14 (3) job placement assistance, including in paid
15 work-based learning opportunities which may include
16 apprenticeship programs, or employment at the com-
17 pletion of a program provided by an education and
18 training provider;

19 (4) providing career awareness activities, such
20 as career guidance and academic counseling; and

21 (5) services to ensure individuals served by
22 funds under this title maintain employment after the
23 completion of a program funded under this title for
24 at least 12 months, including through the continu-
25 ation of services described under paragraphs (1)

1 through (4) as applicable continuation of services de-
2 scribed under paragraphs (1) through (4).

3 (f) EVALUATION AND PROGRESS REPORTS.—Not
4 later than 1 year after receiving a grant under this title,
5 and annually thereafter, the eligible entity receiving the
6 grant shall submit a report to the Secretary and the Gov-
7 ernor of the State that the eligible entity serves, that—

8 (1) describes the activities funded under this
9 title;

10 (2) evaluates the progress the eligible entity has
11 made towards achieving the strategic objectives iden-
12 tified under section 90503(b)(4); and

13 (3) evaluates the levels of performance achieved
14 by the eligible entity for training participants with
15 respect to the performance indicators under section
16 116(b)(2)(A) of the Workforce Innovation and Op-
17 portunity Act (29 U.S.C. 3141(b)(2)(A)) for all such
18 workers, disaggregated by each population specified
19 in section 3(24) of the Workforce Innovation and
20 Opportunity Act (29 U.S.C. 3102(24)) and by race,
21 ethnicity, sex, and age.

22 (g) ADMINISTRATIVE COSTS.—An eligible partner-
23 ship may use not more than 5 percent of the funds award-
24 ed through a grant, contract, or cooperative agreement

1 under this title for administrative expenses in carrying out
2 this section.

3 **SEC. 90505. ADMINISTRATION BY THE SECRETARY.**

4 (a) IN GENERAL.—The Secretary may use not more
5 than 2 percent of the amount appropriated under section
6 90506 for each fiscal year for administrative expenses to
7 carry out this title, including the expenses of providing
8 the technical assistance and oversight activities under sub-
9 section (b).

10 (b) TECHNICAL ASSISTANCE; OVERSIGHT.—The Sec-
11 retary shall provide technical assistance and oversight to
12 assist the eligible entities in applying for and admin-
13 istering grants awarded under this title.

14 **SEC. 90506. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to carry out
16 this title such sums as may be necessary for fiscal year
17 2023 and each of the succeeding 4 fiscal years.

18 **SEC. 90507. SPECIAL RULE.**

19 Any funds made available under this title that are
20 used to fund an apprenticeship or apprenticeship program
21 shall only be used for, or provided to, an apprenticeship
22 or apprenticeship program that meets the definition of
23 such term in section 90501 of this title, including any
24 funds awarded for the purposes of grants, contracts, or
25 cooperative agreements, or the development, implementa-

1 tion, or administration, of an apprenticeship or an appren-
2 ticeship program.

3 **TITLE VI—DR. DAVID SATCHER**
4 **CYBERSECURITY EDUCATION**
5 **GRANT PROGRAM**

6 **SEC. 90601. DR. DAVID SATCHER CYBERSECURITY EDU-**
7 **CATION GRANT PROGRAM.**

8 (a) DEFINITIONS.—In this section:

9 (1) DIRECTOR.—The term “Director” means
10 the Director of the National Institute of Standards
11 and Technology.

12 (2) ENROLLMENT OF NEEDY STUDENTS.—The
13 term “enrollment of needy students” has the mean-
14 ing given the term in section 312(d) of the Higher
15 Education Act of 1965 (20 U.S.C. 1058(d)).

16 (3) HISTORICALLY BLACK COLLEGE OR UNI-
17 VERSITY.—The term “historically Black college or
18 university” has the meaning given the term “part B
19 institution” as defined in section 322 of the Higher
20 Education Act of 1965 (20 U.S.C. 1061).

21 (4) INSTITUTION OF HIGHER EDUCATION.—The
22 term “institution of higher education” has the
23 meaning given the term in section 101(a) of the
24 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

1 (5) MINORITY-SERVING INSTITUTION.—The
2 term “minority-serving institution” means an insti-
3 tution listed in section 371(a) of the Higher Edu-
4 cation Act of 1965 (20 U.S.C. 1067q(a)).

5 (b) AUTHORIZATION OF GRANTS.—

6 (1) IN GENERAL.—Subject to the availability of
7 appropriations, the Director shall carry out the Dr.
8 David Satcher Cybersecurity Education Grant Pro-
9 gram by—

10 (A) awarding grants to assist institutions
11 of higher education that have an enrollment of
12 needy students, historically Black colleges and
13 universities, and minority-serving institutions,
14 to establish or expand cybersecurity programs,
15 to build and upgrade institutional capacity to
16 better support new or existing cybersecurity
17 programs, including cybersecurity partnerships
18 with public and private entities, and to support
19 such institutions on the path to producing
20 qualified entrants in the cybersecurity work-
21 force or becoming a National Center of Aca-
22 demic Excellence in Cybersecurity; and

23 (B) awarding grants to build capacity at
24 institutions of higher education that have an
25 enrollment of needy students, historically Black

1 colleges and universities, and minority-serving
2 institutions, to expand cybersecurity education
3 opportunities, cybersecurity programs, cyberse-
4 curity research, and cybersecurity partnerships
5 with public and private entities.

6 (2) RESERVATION.—The Director shall award
7 not less than 50 percent of the amount available for
8 grants under this section to historically Black col-
9 leges and universities and minority-serving institu-
10 tions.

11 (3) COORDINATION.—The Director shall carry
12 out this section in coordination with appropriate
13 Federal agencies, including the Department of
14 Homeland Security.

15 (4) SUNSET.—The Director's authority to
16 award grants under paragraph (1) shall terminate
17 on the date that is 5 years after the date the Direc-
18 tor first awards a grant under paragraph (1).

19 (c) APPLICATIONS.—An eligible institution seeking a
20 grant under subsection (b) shall submit an application to
21 the Director at such time, in such manner, and containing
22 such information as the Director may reasonably require,
23 including a statement of how the institution will use the
24 funds awarded through the grant to expand cybersecurity
25 education opportunities at the eligible institution.

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

6 (1) building and upgrading institutional capac-
7 ity to better support new or existing cybersecurity
8 programs, including cybersecurity partnerships with
9 public and private entities;

10 (2) building and upgrading institutional capac-
11 ity to provide hands-on research and training experi-
12 ences for undergraduate and graduate students; and

13 (3) outreach and recruitment to ensure stu-
14 dents are aware of such new or existing cybersecu-
15 rity programs, including cybersecurity partnerships
16 with public and private entities.

17 (e) REPORTING REQUIREMENTS.—Not later than—

18 (1) 1 year after the effective date of this sec-
19 tion, as provided in subsection (g), and annually
20 thereafter until the Director submits the report
21 under paragraph (2), the Director shall prepare and
22 submit to Congress a report on the status and
23 progress of implementation of the grant program
24 under this section, including on the number and na-
25 ture of institutions participating, the number and

1 nature of students served by institutions receiving
2 grants, the level of funding provided to grant recipi-
3 ents, the types of activities being funded by the
4 grants program, and plans for future implementa-
5 tion and development; and

6 (2) 5 years after the effective date of this sec-
7 tion, as provided in subsection (g), the Director shall
8 prepare and submit to Congress a report on the sta-
9 tus of cybersecurity education programming and ca-
10 pacity-building at institutions receiving grants under
11 this section, including changes in the scale and scope
12 of these programs, associated facilities, or in accredi-
13 tation status, and on the educational and employ-
14 ment outcomes of students participating in cyberse-
15 curity programs that have received support under
16 this section.

17 (f) PERFORMANCE METRICS.—The Director shall es-
18 tablish performance metrics for grants awarded under this
19 section.

20 (g) EFFECTIVE DATE.—This section shall take effect
21 1 year after the date of enactment of this Act.

1 **TITLE VII—CRITICAL SUPPLY**
2 **CHAIN SECTORS APPREN-**
3 **TICESHIPS GRANTS**

4 **SEC. 90701. GRANT REQUIREMENTS.**

5 (a) **AUTHORITY.**—

6 (1) **IN GENERAL.**—The Secretary of Labor may
7 award grants, contracts, or cooperative agreements
8 to eligible entities on a competitive basis for the pur-
9 poses of expanding the offerings of apprenticeship
10 programs registered under the national apprentice-
11 ship system in sectors across the national supply
12 chain with workforce shortages.

13 (2) **COORDINATION AND TECHNICAL ASSIST-**
14 **ANCE.**—For the purposes of carrying out paragraph
15 (1), the Secretary of Labor shall coordinate with
16 State Offices of Apprenticeship to provide technical
17 assistance, and take additional actions as warranted
18 to support the workforce needs of such sectors.

19 (b) **APPLICATION.**—An eligible entity desiring a grant
20 under this section shall submit an application to the Sec-
21 retary of Labor at such time, in such manner, and con-
22 taining such information as the Secretary may reasonably
23 require. At a minimum, each application shall include a
24 proposal to—

1 (1) serve employers and workers in sectors
2 across the national supply chain that have workforce
3 shortages and for whom access to a skilled workforce
4 is critical to the function of the United States supply
5 chain; and

6 (2) provide opportunities in only nontraditional
7 apprenticeship occupations that are suitable for ap-
8 prenticeship programs.

9 (d) DURATION.—Each grant awarded under this title
10 shall be for a period not to exceed 4 years.

11 (e) DEFINITIONS.—In this section:

12 (1) IN GENERAL.—Except as otherwise pro-
13 vided, any term used in this title that is defined in
14 section 2 of the National Apprenticeship Act, as
15 amended by section 90103 of this Act shall have the
16 meaning given the term in such section.

17 (2) APPRENTICESHIP PROGRAM.—The term
18 “apprenticeship program” means an apprenticeship
19 program registered under the national apprentice-
20 ship system.

21 (3) ELIGIBLE ENTITY.—The term “eligible enti-
22 ty” means—

23 (A) a program sponsor of an apprentice-
24 ship program;

1 (B) a State workforce development board
2 or State workforce agency, or a local workforce
3 development board or local workforce develop-
4 ment agency;

5 (C) an education and training provider, or
6 a consortium of such providers;

7 (D) if the applicant is in a State with a
8 State apprenticeship agency, such State appren-
9 ticeship agency;

10 (E) an Indian Tribe or Tribal organiza-
11 tion;

12 (F) an industry or sector partnership, a
13 group of employers, a trade association, or a
14 professional association that sponsors or par-
15 ticipates in an apprenticeship program;

16 (G) a Governor of a State;

17 (H) a labor organization or joint labor-
18 management organization; or

19 (I) a qualified intermediary.

20 (4) WORKFORCE SHORTAGE.—The term “work-
21 force shortage” means there are an insufficient
22 number of individuals with the required skills and
23 competencies needed for a particular occupation to
24 meet the current and future demands of employers,
25 as determined by the Secretary of Labor.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this title
3 such sums as may be necessary for fiscal year 2023 and
4 each of the succeeding 4 fiscal years.

5 **TITLE VIII—AI JOBS ACT OF 2021**

6 **SEC. 90801. SENSE OF CONGRESS.**

7 It is the sense of Congress that technology can im-
8 prove the lives of individuals, but can also disrupt jobs,
9 and for this reason, innovation should be encouraged while
10 training and retraining American workers for our 21st
11 century economy.

12 **SEC. 90802. REPORT ON ARTIFICIAL INTELLIGENCE.**

13 (a) REPORT REQUIREMENTS.—Not later than 1 year
14 after the date of the enactment of this Act, the Secretary
15 of Labor, in collaboration with the individuals and entities
16 described in subsection (b), shall prepare and submit to
17 the Committee on Education and Labor of the House of
18 Representatives and the Committee on Health, Education,
19 Labor, and Pensions of the Senate, a report on artificial
20 intelligence and its impact on the workforce, which shall
21 include the following:

22 (1) Outline the specific data, and the avail-
23 ability of such data, necessary to properly analyze
24 the impact and growth of artificial intelligence.

1 (2) Identification of industries that are pro-
2 jected to have the most growth in artificial intel-
3 ligence use, and whether the technology will result in
4 the enhancement of workers' capabilities or their re-
5 placement.

6 (3) Analysis of the expertise and education (in-
7 cluding computer science literacy) needed to develop,
8 operate, or work alongside artificial intelligence over
9 the next two decades, as compared to the levels of
10 such expertise and education among the workforce
11 as of the date of enactment of this Act.

12 (4) Analysis of which demographics (including
13 ethnic, gender, economic, age, and regional) may ex-
14 perience expanded career opportunities, and which
15 such demographics may be vulnerable to career dis-
16 placement, due to artificial intelligence.

17 (5) Any recommendations to alleviate workforce
18 displacement, prepare future workforce members for
19 the artificial-intelligence economy, and any other rel-
20 evant observations or recommendations within the
21 field of artificial intelligence.

22 (b) COLLABORATION.—In preparing the report under
23 subsection (a), the Secretary of Labor shall collaborate,
24 through a series of public meetings, roundtables or other
25 methods, with—

1 (1) local educational agencies, institutions of
2 higher education (including community colleges),
3 workforce-training organizations, and National Lab-
4 oratories;

5 (2) a broad range of industrial stakeholders in
6 the technology, manufacturing, and service sectors,
7 including companies (large and small), think tanks,
8 and industry organizations;

9 (3) the National Academies of Science, includ-
10 ing by sharing relevant information obtained as a re-
11 sult of the study conducted under section 5105 of
12 the National Artificial Intelligence Initiative Act of
13 2020; and

14 (4) the Secretary of Commerce, the National
15 Science Foundation, and the heads of any other
16 Federal agency the Secretary of Labor determines
17 appropriate.

18 **SEC. 90803. DEFINITIONS.**

19 In this title:

20 (1) **ARTIFICIAL INTELLIGENCE.**—The term “ar-
21 tificial intelligence” has the meaning given the term
22 in section 5002 of the National Artificial Intelligence
23 Initiative Act of 2020 (15 U.S.C. 9401).

24 (2) **COMMUNITY COLLEGE.**—The term “commu-
25 nity college” has the meaning given the term “junior

1 or community college” in section 312(f) of the High-
2 er Education Act of 1965 (20 U.S.C. 1058(f)).

3 (3) INSTITUTION OF HIGHER EDUCATION.—The
4 term “institution of higher education” has the
5 meaning given the term in section 102 of the Higher
6 Education Act of 1965 (20 U.S.C. 1002).

7 (4) LOCAL EDUCATIONAL AGENCY.—The term
8 “local educational agency” has the meaning given
9 the term in section 8101 of the Elementary and Sec-
10 ondary Education Act of 1965 (20 U.S.C. 7801).

11 **TITLE IX—SUPPORTING AP-**
12 **PRENTICESHIP COLLEGES**
13 **ACT OF 2021**

14 **SEC. 90901. COMMUNITY OUTREACH GRANT PROGRAM.**

15 (a) IN GENERAL.—From the amounts appropriated
16 under subsection (f), the Secretary of Education shall pro-
17 vide grants to eligible entities for the purposes of expand-
18 ing or supporting potential student and employer outreach
19 carried out by such entities with respect to the construc-
20 tion and manufacturing-oriented registered apprenticeship
21 programs offered by such entities.

22 (b) AMOUNTS.—The total grant amount made to an
23 eligible entity under this section may not exceed \$500,000.

24 (c) USE OF GRANTS.—An eligible entity that receives
25 a grant under this section shall use such grant for the

1 outreach described in subsection (a), which shall include
2 the following:

3 (1) Outreach to high schools, for the purpose of
4 educating students, parents, guardians, and faculty
5 on the benefits of enrolling in the construction and
6 manufacturing-oriented registered apprenticeship
7 program offered by the eligible entity.

8 (2) Outreach to local businesses and other po-
9 tential employers for the purpose of educating such
10 employers on the benefits of hiring graduates of
11 such program, which shall—

12 (A) primarily target relationship building
13 with potential employers in rural, exurban, and
14 suburban areas; and

15 (B) seek to maximize the number of stu-
16 dents who work in such areas after completing
17 such program.

18 (3) Outreach to local workforce development
19 boards for the purpose of reaching nontraditional
20 student populations and prioritizing local needs.

21 (d) APPLICATION REQUIREMENTS.—An eligible enti-
22 ty seeking a grant under this section shall submit an appli-
23 cation to the Secretary at such time, in such manner, and
24 containing such information as the Secretary may require.

1 (e) PRIORITY.—In awarding grants under this sec-
2 tion, the Secretary shall give priority to eligible entities
3 that demonstrate outreach efforts targeted at increasing
4 program enrollment for rural, first generation, minority,
5 and nontraditional students, or other students from
6 underrepresented population.

7 (f) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated \$5,000,000 to carry out
9 this section for each of the fiscal years 2022 through
10 2026.

11 **SEC. 90902. STUDENT SUPPORT GRANT PROGRAM FOR EX-**
12 **PANDED ACADEMIC ADVISING.**

13 (a) IN GENERAL.—From the amounts appropriated
14 under subsection (g), the Secretary of Education shall pro-
15 vide grants to eligible entities for the activities described
16 in subsection (d).

17 (b) AMOUNTS.—The total grant amount made to an
18 eligible entity under this section may not exceed \$500,000.

19 (c) MULTIPLE GRANTS PERMITTED.—An eligible en-
20 tity may receive a grant under this section and section
21 90901.

22 (d) USE OF GRANTS.—

23 (1) IN GENERAL.—An eligible entity that re-
24 ceives a grant under this section shall use such
25 grant for advising and support services to enrollees

1 of construction and manufacturing-oriented reg-
2 istered apprenticeship programs offered by such en-
3 tity to increase retention and persistence for stu-
4 dents.

5 (2) REQUIREMENTS.—Such advising and sup-
6 port services shall include the following:

7 (A) Expanding academic advising pro-
8 grams that provide services to students, includ-
9 ing the following:

10 (i) Career advising and professional
11 development.

12 (ii) Support for English as a second
13 language students.

14 (iii) Information and resource sys-
15 tems.

16 (iv) Mentoring systems.

17 (v) Other such programs.

18 (B) Expanding student support programs
19 that provide services to students, including the
20 following:

21 (i) Health and family-related services,
22 including substance abuse disorder and
23 mental health counseling.

24 (ii) Support for first-generation stu-
25 dents.

1 (iii) Childcare support.

2 (iv) Other such programs.

3 (v) In the case of an eligible entity
4 that is a construction and manufacturing-
5 oriented registered apprenticeship pro-
6 gram, maintaining its accreditation by a
7 nationally recognized accrediting agency or
8 association recognized by the Secretary of
9 Education pursuant to part H of title IV
10 of the Higher Education Act of 1965 (20
11 U.S.C. 1099a et seq.),

12 (e) APPLICATION REQUIREMENTS.—An eligible enti-
13 ty seeking a grant under this section shall submit an appli-
14 cation to the Secretary at such time, in such manner, and
15 containing such information as the Secretary may require.

16 (f) REPORT.—

17 (1) IN GENERAL.—An eligible entity that re-
18 ceives a grant under this section shall submit to the
19 Secretary a report on—

20 (A) the activities supported by the grant;

21 (B) the number of students participating
22 in the activities supported by the grant;

23 (C) any progress made in achieving the
24 goals of the program supported by the grant, in
25 general, and measuring in particular—

1 (i) the effectiveness of the grant in ex-
2 panding overall enrollment and program
3 completion rates; and

4 (ii) the effectiveness of the grant in
5 expanding enrollment and program comple-
6 tion rates for underrepresented popu-
7 lations; and

8 (D) such other information as the Sec-
9 retary determines to be appropriate.

10 (2) TIMELINE FOR SUBMISSION OF REPORT.—

11 The report under paragraph (1) shall be submitted
12 to the Secretary not later than 180 days after the
13 date on which the eligible entity concludes the activi-
14 ties supported by the grant under this section.

15 (g) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section
17 \$5,000,000 for each of the fiscal years 2022 through
18 2026.

19 **SEC. 90903. DEFINITIONS.**

20 In this title:

21 (1) CONSTRUCTION AND MANUFACTURING-ORI-
22 ENTED APPRENTICESHIP COLLEGE.—The term
23 “construction and manufacturing-oriented appren-
24 ticeship college” means—

1 (A) an institution of higher education that
2 is a sponsor of a construction and manufac-
3 turing-oriented registered apprenticeship pro-
4 gram; or

5 (B) a construction and manufacturing-ori-
6 ented registered apprenticeship program.

7 (2) CONSTRUCTION AND MANUFACTURING-ORI-
8 ENTED REGISTERED APPRENTICESHIP PROGRAM.—
9 The term “construction and manufacturing-oriented
10 registered apprenticeship program” means a reg-
11 istered apprenticeship program that—

12 (A) provides coursework and training in
13 preparation for employment in the construction
14 or manufactory industry (such as employment
15 as a painter, drywall finisher, glazier, or glass-
16 worker);

17 (B)(i) leads to a recognized postsecondary
18 credential other than a certificate of completion
19 of an apprenticeship; or

20 (ii) awards credits that can be applied to-
21 ward a recognized postsecondary credential; and

22 (C) is accredited by a nationally recognized
23 accrediting agency or association recognized by
24 the Secretary of Education pursuant to part H

1 of title IV of the Higher Education Act of 1965
2 (20 U.S.C. 1099a et seq.).

3 (3) ELIGIBLE ENTITY.—The term “eligible enti-
4 ty” means a construction and manufacturing-ori-
5 ented apprenticeship college.

6 (4) FIRST GENERATION COLLEGE STUDENT.—
7 The term “first generation college student” has the
8 meaning given the term in section 402A(h) of the
9 Higher Education Act of 1965 (20 U.S.C. 1070a–
10 11(h)).

11 (5) HIGH SCHOOL.—The term “high school”
12 has the meaning given the term in section 8101 of
13 the Elementary and Secondary Education Act of
14 1965 (20 U.S.C. 7801).

15 (6) INSTITUTION OF HIGHER EDUCATION.—The
16 term “institution of higher education” has the
17 meaning given the term in section 101(a) of the
18 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

19 (7) OUTREACH.—The term “outreach” means
20 communications and relationship-building opportuni-
21 ties undertaken by an eligible entity.

22 (8) RECOGNIZED POSTSECONDARY CREDEN-
23 TIAL.—The term “recognized postsecondary creden-
24 tial” has the meaning given the term in section 3 of

1 the Workforce Innovation and Opportunity Act (29
2 U.S.C. 3102).

3 (9) REGISTERED APPRENTICESHIP PROGRAM.—
4 The term “registered apprenticeship program”
5 means an apprenticeship program registered under
6 the Act of August 16, 1937 (commonly known as
7 the “National Apprenticeship Act”; 50 Stat. 664,
8 chapter 663; 29 U.S.C. 50 et seq.).

9 (10) SECOND LANGUAGE.—The term “second
10 language” means any language other than English,
11 including Braille and American Sign Language.

12 (11) SECRETARY.—The term “Secretary”
13 means the Secretary of Education.

14 (12) UNDERREPRESENTED POPULATION.—The
15 term “underrepresented population” means an indi-
16 vidual who is from a group whose gender, ethnic
17 background, or national origin is not traditionally
18 represented in registered apprenticeship programs.

19 **DIVISION K—MATTERS**
20 **RELATING TO TRADE**

Sec. 100001. Short title.

TITLE I—TRADE ADJUSTMENT ASSISTANCE

Sec. 101001. Short title.

Sec. 101002. Application of provisions relating to trade adjustment assistance.

Subtitle A—Trade Adjustment Assistance for Workers

Sec. 101101. Filing petitions.

Sec. 101102. Group eligibility requirements.

- Sec. 101103. Application of determinations of eligibility to workers employed by successors-in-interest.
- Sec. 101104. Provision of benefit information to workers.
- Sec. 101105. Qualifying requirements for workers.
- Sec. 101106. Modification to trade readjustment allowances.
- Sec. 101107. Automatic extension of trade readjustment allowances.
- Sec. 101108. Employment and case management services.
- Sec. 101109. Training.
- Sec. 101110. Job search, relocation, and child and other dependent care allowances.
- Sec. 101111. Agreements with States.
- Sec. 101112. Reemployment trade adjustment assistance program.
- Sec. 101113. Extension of trade adjustment assistance to public agency workers.
- Sec. 101114. Definitions.
- Sec. 101115. Requirements for certain territories.
- Sec. 101116. Subpoena power.

Subtitle B—Trade Adjustment Assistance for Firms

- Sec. 101201. Petitions and determinations.
- Sec. 101202. Approval of adjustment proposals.
- Sec. 101203. Technical assistance.
- Sec. 101204. Definitions.
- Sec. 101205. Plan for sustained outreach to potentially-eligible firms.

Subtitle C—Trade Adjustment Assistance for Communities and Community Colleges

- Sec. 101301. Trade adjustment assistance for communities.
- Sec. 101302. Trade adjustment assistance for community colleges and career training.

Subtitle D—Trade Adjustment Assistance for Farmers

- Sec. 101401. Definitions.
- Sec. 101402. Group eligibility requirements.
- Sec. 101403. Benefit information to agricultural commodity producers.
- Sec. 101404. Qualifying requirements and benefits for agricultural commodity producers.

Subtitle E—Authorizations of Appropriations and Other Matters

- Sec. 101501. Extension of trade adjustment assistance program.
- Sec. 101502. Applicability of trade adjustment assistance provisions.

Subtitle F—Health Care Tax Credit

- Sec. 101601. Permanent credit for health insurance costs.

TITLE II—IMPROVEMENTS TO TRADE REMEDIES LAWS

Subtitle A—Successive Investigations

- Sec. 102001. Establishment of special rules for determination of material injury in the case of successive antidumping and countervailing duty investigations.

- Sec. 102002. Initiation of successive antidumping and countervailing duty investigations.
- Sec. 102003. Issuance of determinations with respect to successive antidumping and countervailing duty investigations.

Subtitle B—Responding to Market Distortions

- Sec. 102101. Addressing cross-border subsidies in countervailing duty investigations.
- Sec. 102102. Modification of definition of ordinary course of trade to specify that an insufficient quantity of foreign like products constitutes a situation outside the ordinary course of trade.
- Sec. 102103. Modification of adjustments to export price and constructed export price with respect to duty drawback.
- Sec. 102104. Modification of determination of constructed value to include distortions of costs that occur in foreign countries.
- Sec. 102105. Special rules for calculation of cost of production and constructed value to address distorted costs.

Subtitle C—Preventing Circumvention

- Sec. 102201. Modification of requirements in circumvention inquiries.
- Sec. 102202. Requirement of provision by importer of certification by importer or other party.
- Sec. 102203. Clarification of authority for Department of Commerce regarding determinations of class or kind of merchandise.
- Sec. 102204. Asset requirements applicable to nonresident importers.

Subtitle D—Countering Currency Undervaluation

- Sec. 102301. Investigation or review of currency undervaluation under countervailing duty law.
- Sec. 102302. Determination of benefit with respect to currency undervaluation.

Subtitle E—Preventing Duty Evasion

- Sec. 102401. Limitation on protest against decisions of U.S. Customs and Border Protection of claims of evasion of antidumping and countervailing duty orders.
- Sec. 102402. Procedures for investigating claims of evasion of safeguard actions.
- Sec. 102403. Application of provisions relating to certain proprietary information.

Subtitle F—General Provisions

- Sec. 102501. Application to Canada and Mexico.
- Sec. 102502. Repeal of the Softwood Lumber Act of 2008.
- Sec. 102503. Enforcement actions relating to cheese subject to an in-quota rate of duty.
- Sec. 102504. Effective date.

TITLE III—IMPORT SECURITY AND FAIRNESS ACT

- Sec. 103001. Short title.
- Sec. 103002. Additional exceptions to exemptions for de minimis treatment under the Tariff Act of 1930.

- Sec. 103003. Additional administrative provisions relating to de minimis treatment under the Tariff Act of 1930.
- Sec. 103004. Effective date.

TITLE IV—NATIONAL CRITICAL CAPABILITIES REVIEWS

- Sec. 104001. National critical capabilities reviews.

TITLE V—MODIFICATION AND EXTENSION OF GENERALIZED SYSTEM OF PREFERENCES

- Sec. 105001. Modification and extension of Generalized System of Preferences.
- Sec. 105002. United States International Trade Commission study.

TITLE VI—REAUTHORIZATION OF THE AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2016 AND OTHER MATTERS

- Sec. 106001. Reauthorization of american manufacturing competitiveness act of 2016.
- Sec. 106002. Limitation on duty suspensions or reductions for finished goods.
- Sec. 106003. Sense of Congress on United States commitment to the World Trade Organization.
- Sec. 106004. Authority of U.S. Customs and Border Protection to consolidate, modify, or reorganize Customs revenue functions.
- Sec. 106005. Prohibition on large scale transportation of sodium cyanide briquettes for mining purposes in the United States.

TITLE VII—TEMPORARY DUTY SUSPENSIONS AND REDUCTIONS

- Sec. 107001. Reference.

Subtitle A—New Duty Suspensions and Reductions

- Sec. 107101. Shelled pine nuts.
- Sec. 107102. Licorice extract.
- Sec. 107103. Refined Carrageenan.
- Sec. 107104. Irish dairy chocolate crumb.
- Sec. 107105. Pepperoncini, preserved in vinegar.
- Sec. 107106. Coconut water in PET bottles.
- Sec. 107107. 9,11-Octadecadienoic acid.
- Sec. 107108. Liquid galacto-oligosaccharides.
- Sec. 107109. Beverage containing coconut water.
- Sec. 107110. Animal feed additive containing guanidinoacetic acid.
- Sec. 107111. Tungsten concentrate.
- Sec. 107112. Piperylene.
- Sec. 107113. Normal paraffin M (alkanes C10–C14).
- Sec. 107114. Neodymium (Nd) metal.
- Sec. 107115. Praseodymium (Pr) metal.
- Sec. 107116. Heavy rare earth metals, dysprosium (Dy) metal and terbium (Tb) metal.
- Sec. 107117. Scandium crystal.
- Sec. 107118. Hexafluorotitanic acid.
- Sec. 107119. Silica gel cat litter with tray.
- Sec. 107120. Dioxosilane spherical particles (mean particle size 0.046–0.054 mm).
- Sec. 107121. Silica gel cat litter.
- Sec. 107122. Sulfuryl dichloride.

- Sec. 107123. FS-10D acicular electroconductive tin oxide.
Sec. 107124. Certain potassium fluoride.
Sec. 107125. Other potassium fluoride.
Sec. 107126. LiPF_6 .
Sec. 107127. LiPO_2F_2 .
Sec. 107128. Ammonium fluoroborate.
Sec. 107129. Sodium tetrafluoroborate.
Sec. 107130. Ferric chloride.
Sec. 107131. Ferrous chloride.
Sec. 107132. Cupric chloride dihydrate.
Sec. 107133. Copper chloride anhydrous.
Sec. 107134. Manganese chloride anhydrous.
Sec. 107135. Manganese chloride tetrahydrate.
Sec. 107136. Reducing agent.
Sec. 107137. Manganese carbonate.
Sec. 107138. Potassium tetraborate.
Sec. 107139. Potassium pentaborate.
Sec. 107140. Ammonium thiocyanate.
Sec. 107141. Modified amine complex of boron trifluoride.
Sec. 107142. Trichlorosilane.
Sec. 107143. 1,3-Dichloropropene.
Sec. 107144. Hexafluoroisobutylene (HFIB).
Sec. 107145. 1,1,1,2,2,3,3,4,4,5,5,6,6-Tridecafluoro-8-iodooctane.
Sec. 107146. Ethyl benzyl chloride.
Sec. 107147. Perfluoroalkyl sulfonate.
Sec. 107148. D-Mannitol.
Sec. 107149. 3,3,4,4,5,5,6,6,7,7,8,8,8-Tridecafluorooctan-1-ol.
Sec. 107150. Phenyl isopropanol.
Sec. 107151. Hydroxytyrosol.
Sec. 107152. 1,6-Dihydroxynaphthalene.
Sec. 107153. Antioxidant for plastics and rubber.
Sec. 107154. Tolhydroquinone (THQ).
Sec. 107155. 1,1,1-Tris(4-hydroxyphenyl)ethane.
Sec. 107156. mPEG6-mesylate.
Sec. 107157. Monoethylene glycol dimethyl ether.
Sec. 107158. Diethylene glycol dimethyl ether.
Sec. 107159. Diethylene glycol dibutyl ether.
Sec. 107160. Tetraethylene glycol dimethyl ether.
Sec. 107161. Glycol diether.
Sec. 107162. Diglycidyl resorcinol ether.
Sec. 107163. Allyl glycidyl ether.
Sec. 107164. Vinylcyclohexane monoxide.
Sec. 107165. Technical grade of butyl glycidyl ether.
Sec. 107166. Aliphatic glycidyl ether.
Sec. 107167. Diglycidyl ether of 1,4-butanediol.
Sec. 107168. Technical grade of the glycidyl ether of cyclohexane dimethanol.
Sec. 107169. Glycidyl ester of neodecanoic acid.
Sec. 107170. Cumaldehyde.
Sec. 107171. Cyprinal.
Sec. 107172. Sodium o-formylbenzenesulfonate.
Sec. 107173. Acetylacetone.
Sec. 107174. Acetyl propionyl.
Sec. 107175. Alpha ionone.
Sec. 107176. 2,3,4,5 Tetramethylcyclopent-2-enone.
Sec. 107177. Menthone.

- Sec. 107178. L-Carvone.
- Sec. 107179. Benzoin.
- Sec. 107180. Methyl cyclopentenolone.
- Sec. 107181. 2,4-Dihydroxy-1,5-dibenzoylbenzene.
- Sec. 107182. Difluorobenzophenone (DFBP).
- Sec. 107183. PTMI.
- Sec. 107184. Metrafenone.
- Sec. 107185. Hexachloroacetone.
- Sec. 107186. Fire suppression agent.
- Sec. 107187. D(+)-10-Camphor sulfonic acid.
- Sec. 107188. Benzyl acetate.
- Sec. 107189. Propylene glycol diacetate.
- Sec. 107190. Isopropenyl acetate.
- Sec. 107191. Diacetin.
- Sec. 107192. Cocoamine.
- Sec. 107193. Caprylic acid 98%.
- Sec. 107194. Fine zinc myristate powder.
- Sec. 107195. Fine magnesium myristate powder.
- Sec. 107196. Dipentaerythrityl hexahydroxystearate/hexastearate/hexarosinate.
- Sec. 107197. Polyglyceryl-2 triisostearate.
- Sec. 107198. Neopentyl glycol diethylhexanoate.
- Sec. 107199. Isononyl isononate.
- Sec. 107200. Acetyl chloride.
- Sec. 107201. Potassium sorbate.
- Sec. 107202. Vinyl chloroformate.
- Sec. 107203. Permethrin.
- Sec. 107204. Sodium benzoate.
- Sec. 107205. Benzoic acid, flake.
- Sec. 107206. Diethylene glycol dibenzoate.
- Sec. 107207. Methyl benzoate.
- Sec. 107208. M-Nitrobenzoic acid sodium salt.
- Sec. 107209. p-Nitrobenzoic acid.
- Sec. 107210. 4-tert Butylbenzoic acid.
- Sec. 107211. Sodium adipate.
- Sec. 107212. Dimethyl sebacate (DMS).
- Sec. 107213. Dodecanedioic acid.
- Sec. 107214. Polyhydroxystearic acid of low acid value.
- Sec. 107215. Undecanedioic acid.
- Sec. 107216. Hexadecanedioic acid.
- Sec. 107217. Tetradecanedioic acid.
- Sec. 107218. Pentadecanedioic acid.
- Sec. 107219. Tridecanedioic acid.
- Sec. 107220. Methyl 1-(methoxycarbonyl)cyclopropanecarboxylate (CPDM).
- Sec. 107221. Calcium HHPA.
- Sec. 107222. Diethyl phthalate.
- Sec. 107223. Ammonium lactate.
- Sec. 107224. Triethyl 2-hydroxypropane-1,2,3-tricarboxylate.
- Sec. 107225. Diisostearyl malate.
- Sec. 107226. Salicylic acid.
- Sec. 107227. Hexyl salicylate.
- Sec. 107228. Alpha-ketoglutaric acid.
- Sec. 107229. MCPB herbicide.
- Sec. 107230. 2,4-D Butoxyethylester.
- Sec. 107231. 2-(2,4-Dichlorophenoxy)acetic acid.
- Sec. 107232. Diglycolic acid 98%.

- Sec. 107233. Tri-iso-butyl phosphate (TiBP).
- Sec. 107234. Trimethylphosphite.
- Sec. 107235. Organic phosphite.
- Sec. 107236. Diethyl sulfate.
- Sec. 107237. Diethyl carbonate.
- Sec. 107238. Ethyl methyl carbonate.
- Sec. 107239. Tetradecoxy-carbonyloxy tetradecyl carbonate.
- Sec. 107240. Dicycetyl peroxydicarbonate.
- Sec. 107241. Tetraethyl silicate.
- Sec. 107242. tert-Octylamine.
- Sec. 107243. Octadecylamine.
- Sec. 107244. N'-(3-Aminopropyl)-N'-dodecylpropane-1,3-diamine.
- Sec. 107245. 1,10-Diaminodecane.
- Sec. 107246. 1,5-Pentanediamine.
- Sec. 107247. Dicyclohexylamine.
- Sec. 107248. Amantadine hydrochloride 99%.
- Sec. 107249. N,N-Dimethylaniline.
- Sec. 107250. Paranitroaniline (PNA).
- Sec. 107251. Dicloran.
- Sec. 107252. N,N-Dimethyl-p-toluidine.
- Sec. 107253. Pendimethalin technical.
- Sec. 107254. Benzyldimethylamine.
- Sec. 107255. Diphenyl diphenylene diamine.
- Sec. 107256. Curative for epoxy resin systems.
- Sec. 107257. TFMB.
- Sec. 107258. S-N-Alkyl-anilin.
- Sec. 107259. p-Cresidine.
- Sec. 107260. Iminodiacetic acid.
- Sec. 107261. 11 Aminoundecanoic acid.
- Sec. 107262. L-Ornithine L-aspartate.
- Sec. 107263. Iron sodium DTPA.
- Sec. 107264. Iron glycinate complex.
- Sec. 107265. Copper glycinate complex.
- Sec. 107266. Zinc glycinate complex.
- Sec. 107267. Manganese glycinate complex.
- Sec. 107268. Iron sodium EDDHA.
- Sec. 107269. DMF-DMA.
- Sec. 107270. Mixtures of DMSO and tetrabutyl ammonium fluoride.
- Sec. 107271. Betaine.
- Sec. 107272. Prolonium chloride in aqueous solution.
- Sec. 107273. N,N-Dimethylacetamide.
- Sec. 107274. N,N-Dimethylformamide.
- Sec. 107275. DAAM.
- Sec. 107276. L-Alanyl L-glutamine.
- Sec. 107277. Granular acrylamido-tert-butyl sulfonic acid (ATBS).
- Sec. 107278. Glycyl-L-glutamine hydrate.
- Sec. 107279. Noviflumuron.
- Sec. 107280. Propanil technical.
- Sec. 107281. Hexaflumuron.
- Sec. 107282. Stabilizer for plastics and rubber.
- Sec. 107283. 2-Amino-5-chloro-N,3-dimethylbenzamide.
- Sec. 107284. Glycyl-L-tyrosine dihydrate.
- Sec. 107285. L-Alanyl-L-tyrosine.
- Sec. 107286. Enzalutamide ITS-2.
- Sec. 107287. 4-Bromo-2-fluoro-N-methylbenzamide.

- Sec. 107288. N-Boc-1-aminocyclobutanecarboxylic acid.
- Sec. 107289. N'-(1,3-dimethylbutylidene)-3-hydroxy-2-naphthohydrazide (BMH) (oil treated).
- Sec. 107290. Guanidine sulfamate.
- Sec. 107291. Liquid, blocked cycloaliphatic diamine used as crosslinker for polyisocyanate resins.
- Sec. 107292. 3,4-Difluorobenzonitrile.
- Sec. 107293. 2-Amino-5-cyano-N,3-dimethylbenzamide.
- Sec. 107294. TFMPA.
- Sec. 107295. Dimethyl 2,2'-Azobisisobutyrate.
- Sec. 107296. Antioxidant/metal deactivator.
- Sec. 107297. Benzyl carbazate.
- Sec. 107298. Benzene-1,3-dicarbohydrazide.
- Sec. 107299. Input for resins, coatings, and other products.
- Sec. 107300. Aldicarb.
- Sec. 107301. Flubendiamide.
- Sec. 107302. Benzobicyclon.
- Sec. 107303. Diphenylsulfone (DPS).
- Sec. 107304. Phenolic antioxidant.
- Sec. 107305. Phenolic antioxidant and heat stabilizer.
- Sec. 107306. Phenylchlorothioformate (PTCFM).
- Sec. 107307. Methylene bis thiocyanate.
- Sec. 107308. Oxamyl.
- Sec. 107309. L-Cystine.
- Sec. 107310. L-Cysteine.
- Sec. 107311. N,N'-Bis-L-alanyl-L-cystine.
- Sec. 107312. Lubricant additive.
- Sec. 107313. Sodium benzenesulfinate.
- Sec. 107314. Thio-ether based co-stabilizer for plastics.
- Sec. 107315. L-Cysteine hydrate hydrochloride.
- Sec. 107316. Dimercaprol.
- Sec. 107317. Monoammonium salt of glyphosate.
- Sec. 107318. THPC.
- Sec. 107319. Flame retardant for textiles.
- Sec. 107320. Glyphosate.
- Sec. 107321. Ethephon.
- Sec. 107322. Benzene phosphinic acid.
- Sec. 107323. HEDP.
- Sec. 107324. Trimethylchlorosilane.
- Sec. 107325. Chloro-(chloromethyl)-dimethylsilane.
- Sec. 107326. Silicone for electronics cleaners.
- Sec. 107327. Silicon carrier fluid for active lotions, creams.
- Sec. 107328. Vinyltrimethoxysilane.
- Sec. 107329. n-Octyltriethoxysilane.
- Sec. 107330. Dimethylbis(s-butylamino)silane.
- Sec. 107331. Aqueous solution of potassium methyl silicate.
- Sec. 107332. Octyltrimethoxysilane.
- Sec. 107333. Octyltriethoxysilane.
- Sec. 107334. Methyltris(sec-butylamino)silane.
- Sec. 107335. Methyltris(methylethylketoximino)silane (MOS).
- Sec. 107336. Heptamethyltrisiloxane.
- Sec. 107337. Tetramethyldisiloxane.
- Sec. 107338. Dimethylchlorosilane.
- Sec. 107339. Dichloromethylsilane.
- Sec. 107340. Tris(TFP)-methylcyclo-trisiloxane DR.

- Sec. 107341. Tetravinyltetramethylcyclotetrasiloxane.
- Sec. 107342. Divinyltetramethyldisiloxane.
- Sec. 107343. Input for plant protection agent.
- Sec. 107344. Strawberry furanone.
- Sec. 107345. Emamectin benzoate.
- Sec. 107346. Gibberellic acid.
- Sec. 107347. Rose oxide.
- Sec. 107348. Vinylene carbonate.
- Sec. 107349. Kasugamycin technical.
- Sec. 107350. 2H-Cyclododeca[b]pyran.
- Sec. 107351. Bixafen.
- Sec. 107352. Fluxapyroxad.
- Sec. 107353. 3,5 Dimethylpyrazole.
- Sec. 107354. Pyraclonil.
- Sec. 107355. Imidazolidinyl urea.
- Sec. 107356. Allantoin.
- Sec. 107357. Emulsifiable concentrate of Imazalil fungicide.
- Sec. 107358. Technical cyazofamid fungicide.
- Sec. 107359. Imazalil sulfate.
- Sec. 107360. 1,2-Dimethylimidazole.
- Sec. 107361. 2-Methylimidazole flakes.
- Sec. 107362. Diazolidinyl urea.
- Sec. 107363. 1-(2-Aminoethyl)imidazolidin-2-one (AEEU).
- Sec. 107364. Zinc pyrithione.
- Sec. 107365. Technical Pyriofenone fungicide.
- Sec. 107366. Picoxystrobin.
- Sec. 107367. Triclopyr BEE.
- Sec. 107368. Imazapyr.
- Sec. 107369. Tetraniliprole.
- Sec. 107370. Cyantraniliprole.
- Sec. 107371. Chlorantraniliprole.
- Sec. 107372. Chlorpyrifos.
- Sec. 107373. Technical Cyelaniliprole insecticide.
- Sec. 107374. Regorafenib.
- Sec. 107375. N-Butyl-TAD.
- Sec. 107376. Hindered amine light stabilizer and phenolic antioxidant.
- Sec. 107377. 4-Hydroxy-TEMPO.
- Sec. 107378. 2,2,6,6-tetramethylpiperidin-4-ol (TMP).
- Sec. 107379. 5-Bromo-2-(3-chloropyridin-2-yl)pyrazole-3-carboxylic acid.
- Sec. 107380. 2-Chloro-5-(trifluoromethyl)pyridine.
- Sec. 107381. Picarbutrox.
- Sec. 107382. 5-amino-3-(trifluoromethyl) picolinonitrile (T3630).
- Sec. 107383. Dextromethorphan hydrobromide.
- Sec. 107384. Ipflufenquin.
- Sec. 107385. THQ.
- Sec. 107386. Pyrithiobac sodium.
- Sec. 107387. Larotrectinib sulfate.
- Sec. 107388. Ibrutinib.
- Sec. 107389. Orthosulfamuron.
- Sec. 107390. 5-Bromopyrimidine.
- Sec. 107391. Butylthion.
- Sec. 107392. P-1062.
- Sec. 107393. Carfentrazone Technical.
- Sec. 107394. UV absorber 928.
- Sec. 107395. UV absorber for industrial coatings.

- Sec. 107396. Uniconazole-P.
- Sec. 107397. VeMMAE.
- Sec. 107398. UVA 360.
- Sec. 107399. Trofinetide.
- Sec. 107400. Flurazole.
- Sec. 107401. Oxathiapiprolin.
- Sec. 107402. Certain antimicrobial.
- Sec. 107403. Rubber accelerator.
- Sec. 107404. 2-Amino benzothiazole.
- Sec. 107405. Technical Isofetamid fungicide.
- Sec. 107406. Clomazone Technical.
- Sec. 107407. NEM salt.
- Sec. 107408. AMTC wet cake.
- Sec. 107409. Photoinitiator 369.
- Sec. 107410. Isatoic anhydride.
- Sec. 107411. Oclacitinib maleate.
- Sec. 107412. Thiencarbazone-methyl.
- Sec. 107413. Penoxsulam technical herbicide.
- Sec. 107414. Ethyl 2-sulfamoylbenzoate.
- Sec. 107415. Sulfosulfuron.
- Sec. 107416. Pyrimisulfan.
- Sec. 107417. Purified steviol glycoside, rebaudioside A.
- Sec. 107418. Glucosylated steviol glycosides.
- Sec. 107419. Hydroxypropyl gamma cyclodextrin.
- Sec. 107420. Hydroxypropylated beta cyclodextrin.
- Sec. 107421. Methyl beta cyclodextrin.
- Sec. 107422. 2'-Fucosyllactose.
- Sec. 107423. Ascorbyl glucoside.
- Sec. 107424. Dimethylamine borane (DMAB).
- Sec. 107425. Elderberry extract concentrate.
- Sec. 107426. Disperse Yellow 241.
- Sec. 107427. Disperse Orange.
- Sec. 107428. Mixtures of Disperse Yellow FD11843 and acetic acid.
- Sec. 107429. Disperse Blue 54.
- Sec. 107430. Mixtures of several disperse dyes.
- Sec. 107431. Mixtures of 4 disperse blue dyes.
- Sec. 107432. Mixtures of 4 dyes.
- Sec. 107433. Disperse Red 86.
- Sec. 107434. Disperse Violet 1.
- Sec. 107435. Disperse Blue 60.
- Sec. 107436. Mixtures of Disperse Orange 29, Disperse Red 167:1, and Disperse Blue 56.
- Sec. 107437. Disperse Yellow 54.
- Sec. 107438. Acid Violet 48.
- Sec. 107439. Acid Blue 280.
- Sec. 107440. Acid Brown 282.
- Sec. 107441. Acid Red 131.
- Sec. 107442. Acid Red 249.
- Sec. 107443. Acid Yellow 236.
- Sec. 107444. Acid Red 407.
- Sec. 107445. Acid Yellow 220.
- Sec. 107446. Acid Yellow 232.
- Sec. 107447. Acid Yellow 235.
- Sec. 107448. Acid Yellow 151.
- Sec. 107449. Acid Violet 43.

- Sec. 107450. Acid Black 52.
- Sec. 107451. Acid Black 2.
- Sec. 107452. Acid Green 25.
- Sec. 107453. Basic Brown 23.
- Sec. 107454. Basic Violet 11:1 rhodamine dye.
- Sec. 107455. Basic Yellow 37.
- Sec. 107456. Basic Violet 3.
- Sec. 107457. Direct Orange 118.
- Sec. 107458. Direct Blue 86.
- Sec. 107459. Direct Blue 199.
- Sec. 107460. Direct Black 168.
- Sec. 107461. Direct Red 227.
- Sec. 107462. Direct Yellow 107.
- Sec. 107463. Direct Green 26.
- Sec. 107464. Direct Yellow 11.
- Sec. 107465. Direct Orange 15.
- Sec. 107466. Direct Brown 44.
- Sec. 107467. Direct Red 81.
- Sec. 107468. Direct Yellow 142.
- Sec. 107469. Direct Red 80.
- Sec. 107470. Direct Red 16.
- Sec. 107471. Direct Red 254.
- Sec. 107472. Colorant.
- Sec. 107473. Direct Yellow 34.
- Sec. 107474. Vat Orange 2 dye powder.
- Sec. 107475. Vat Violet 13 dye.
- Sec. 107476. Vat Brown 3 dye.
- Sec. 107477. Vat Red 10 dye powder.
- Sec. 107478. Vat Brown 57 dye.
- Sec. 107479. Vat Red 31 dye powder.
- Sec. 107480. Dye mixtures of Vat Brown 3 and Vat Black 27.
- Sec. 107481. Vat Red 13.
- Sec. 107482. Vat Yellow 2 dye powder.
- Sec. 107483. Vat Yellow 33 dye.
- Sec. 107484. Vat Green 1 dye.
- Sec. 107485. Vat Green 3.
- Sec. 107486. Vat Blue 6 dye.
- Sec. 107487. Vat Blue 20 dye.
- Sec. 107488. Vat Violet 1.
- Sec. 107489. Vat Brown 1 dye.
- Sec. 107490. Vat Black 16 dye.
- Sec. 107491. Vat Black 25.
- Sec. 107492. Vat Black 27.
- Sec. 107493. Reactive Yellow 145.
- Sec. 107494. Reactive Red 195.
- Sec. 107495. Reactive Blue 49.
- Sec. 107496. Reactive Blue 72.
- Sec. 107497. Reactive Yellow 95 powder.
- Sec. 107498. Reactive Red 245.
- Sec. 107499. Reactive Brown 11.
- Sec. 107500. Mixtures of Reactive Black 5 (Na) (FKP), Reactive Scarlet F01-0439, and Reactive Orange 131.
- Sec. 107501. Reactive Yellow F98-0159.
- Sec. 107502. Dye mixtures of Reactive Orange 131 and Reactive Scarlet F07-0522.

- Sec. 107503. Reactive Black 31.
- Sec. 107504. Reactive Red 120.
- Sec. 107505. Reactive Blue 5.
- Sec. 107506. Reactive Orange 13.
- Sec. 107507. Reactive Orange 12.
- Sec. 107508. Pigment Red 177.
- Sec. 107509. Pigment Yellow 110.
- Sec. 107510. Pigment Yellow 147.
- Sec. 107511. Pigment Orange 64.
- Sec. 107512. Pigment Blue 29.
- Sec. 107513. Pigment Violet 15.
- Sec. 107514. Pigment Blue 14.
- Sec. 107515. Solvent Blue 97.
- Sec. 107516. Solvent Green 5.
- Sec. 107517. Solvent Yellow 98.
- Sec. 107518. Solvent Green 7.
- Sec. 107519. Solvent Red 195.
- Sec. 107520. Solvent Orange 115.
- Sec. 107521. Specialty dyes.
- Sec. 107522. Solvent Green 3.
- Sec. 107523. Solvent Blue 36.
- Sec. 107524. Mixtures of Solvent Green 3.
- Sec. 107525. Solvent Red 52.
- Sec. 107526. Solvent Red 149.
- Sec. 107527. Solvent Red 207.
- Sec. 107528. Solvent Violet 14.
- Sec. 107529. Solvent Yellow 179.
- Sec. 107530. Solvent Yellow 131.
- Sec. 107531. Hogen Blue XB-20.
- Sec. 107532. Solvent Yellow 104.
- Sec. 107533. Combination of Fluorescent Brighteners 367 and 371.
- Sec. 107534. Fluorescent Brightener CBS-X.
- Sec. 107535. Optical Brightener SWN.
- Sec. 107536. C.I. Fluorescent Brightener 199:1.
- Sec. 107537. Fluorescent Brightener 368.
- Sec. 107538. 1,4-Bis(2-cyanostyryl)benzene.
- Sec. 107539. Certain manufacturing inputs.
- Sec. 107540. Cerium sulfide pigments.
- Sec. 107541. Matte pearlescent pigments.
- Sec. 107542. Angle-dependent interference pigments.
- Sec. 107543. Inorganic Lumilux.
- Sec. 107544. Ribbon/Matrix Resin.
- Sec. 107545. Bonding agent 2005.
- Sec. 107546. Fluoropolymer resin.
- Sec. 107547. Zirconium 12 paint drier.
- Sec. 107548. Zirconium 24 paint drier.
- Sec. 107549. Drier accelerators.
- Sec. 107550. Lemon oil.
- Sec. 107551. Sulfonic acids, C14–17-sec-alkane, sodium salt.
- Sec. 107552. Potassium ethyl octylphosphonate.
- Sec. 107553. Intermediate in the production of industrial lubricants.
- Sec. 107554. Polyether dispersant.
- Sec. 107555. D-Glucopyranose.
- Sec. 107556. 2-Dodecoxy-6-(hydroxymethyl)oxane-3,4,5-triol.
- Sec. 107557. Mixtures of certain C12–14-alkyl ethers.

- Sec. 107558. Manufacturing chemical.
- Sec. 107559. Nonionic surfactant.
- Sec. 107560. Chemical used in textile manufacturing.
- Sec. 107561. Ethoxylated tristyrylphenol phosphate potassium salt.
- Sec. 107562. Sodium polycarboxylate, aqueous solution.
- Sec. 107563. Aqueous emulsion of a mixture of amine soaps and miscellaneous other additives.
- Sec. 107564. Aqueous dispersion of a mixture of fatty amine and amide soaps and miscellaneous other additives.
- Sec. 107565. Aqueous dispersion of a mixture of fatty amine and amide soaps and miscellaneous other additives.
- Sec. 107566. Photographic gelatin.
- Sec. 107567. Ice fountains (class 1.4G).
- Sec. 107568. Magic candles containing magnesium powder.
- Sec. 107569. Party snappers (Class 1.4G).
- Sec. 107570. Fenpyroximate 5SC.
- Sec. 107571. Pyrifluquinazon 20SC.
- Sec. 107572. Imidacloprid and Muscalure formulations.
- Sec. 107573. Formulations of acephate and bifenthrin.
- Sec. 107574. Fipronil.
- Sec. 107575. Aluminum phosphide.
- Sec. 107576. Magnaphos formulations.
- Sec. 107577. Formulated oxamyl.
- Sec. 107578. Formulated fungicides.
- Sec. 107579. Certain fungicides.
- Sec. 107580. Prothioconazole, Fluopyram, and Trifloxystrobin fungicides.
- Sec. 107581. Prothioconazole, Metalaxyl, and Tebuconazole fungicides.
- Sec. 107582. Mancozeb and Chlorothalonil formulations.
- Sec. 107583. Mixtures of Picarbutrox and application adjuvants.
- Sec. 107584. Mixtures of Tetraconazole and application adjuvants.
- Sec. 107585. Mancozeb and Azoxystrobin formulations.
- Sec. 107586. Mixtures of Cymoxanil and fumed dioxosilane.
- Sec. 107587. Microthiol formulations.
- Sec. 107588. Formulations of thiencarbazone-methyl, Iodosulfuron-methyl-sodium, and dicamba.
- Sec. 107589. Thiencarbazone-methyl, Isoxadifenethyl, and Tembotrione herbicides.
- Sec. 107590. Herbicides used on grasses.
- Sec. 107591. Thiencarbazone-methyl, Isoxaflutole, and Cyprosulfamide herbicides.
- Sec. 107592. Thiencarbazone-methyl and Iodosulfuron-methylsodium herbicides.
- Sec. 107593. Thiencarbazone-methyl and Mefenpyr-diethyl herbicides.
- Sec. 107594. Thifensulfuron-methyl and Tribenuron-methyl formulations.
- Sec. 107595. Tribenuron-methyl formulations.
- Sec. 107596. Chlorsulfuron and metsulfuron-methyl formulations.
- Sec. 107597. Thifensulfuron-methyl and Fluroxypyr formulations.
- Sec. 107598. Acifluofen formulations.
- Sec. 107599. S-Metolachlor and Mestrione herbicides.
- Sec. 107600. Metribuzin formulations.
- Sec. 107601. Pendimethaline and Metribuzine formulations.
- Sec. 107602. Formulations of S-Metolachlor and Metribuzin.
- Sec. 107603. Thifensulfuron-methyl and Tribenuron-methyl formulations.
- Sec. 107604. Metsulfuron-methyl formulations.
- Sec. 107605. Chlorimuron-ethyl formulations.

- Sec. 107606. Mixtures of Bromoxynil octanoate and Bromoxynil heptanoate.
- Sec. 107607. Sulfometuron-methyl and Metsulfuron-methyl formulations.
- Sec. 107608. Chlorimuron-ethyl and Tribenuron-methyl formulations.
- Sec. 107609. Formulations containing Tiafenacil.
- Sec. 107610. Diuron 80.
- Sec. 107611. Flazasulfuron herbicides.
- Sec. 107612. Thifensulfuron-methyl formulations.
- Sec. 107613. Herbicide for farm and ranch use.
- Sec. 107614. Propanil formulations.
- Sec. 107615. Thifensulfuron formulations.
- Sec. 107616. Tolpyralate and Nicosulfuron herbicides.
- Sec. 107617. Mixtures of magnesium salts and application adjuvants.
- Sec. 107618. Nisin formulations.
- Sec. 107619. Certain fixatives.
- Sec. 107620. Fuel oil additives: cold flow improvers containing poly(ethylene-co-ethenyl acetate).
- Sec. 107621. Fuel oil additives: cold flow improvers containing fumarate vinyl acetate co-polymer.
- Sec. 107622. Crude oil additives: cold flow improvers containing fumarate vinyl acetate copolymer.
- Sec. 107623. Pour point depressants.
- Sec. 107624. Fuel oil additives: cold flow improvers containing poly (ethylene-co-ethenyl acetate and vinyl 2-ethyl hexanoate).
- Sec. 107625. Poly(isobutylene) hydroformylation products.
- Sec. 107626. Input for rubber products.
- Sec. 107627. Mixtures of oligomers as general antioxidants for rubber tires.
- Sec. 107628. Benzene, 2,4-diisocyanato-1,3,5-tris(1-methylethyl)-, homopolymer.
- Sec. 107629. Aromatic amine antioxidants.
- Sec. 107630. Antioxidant blends.
- Sec. 107631. Antioxidant blends to protect polymers.
- Sec. 107632. Synthetic hydrotalcite coated with fatty acid and magnesium stearate.
- Sec. 107633. Silica scorch retarders and polymerization inhibitors.
- Sec. 107634. Synthetic hydrotalcite.
- Sec. 107635. Light stabilizers for construction products.
- Sec. 107636. Light stabilizer for plastics.
- Sec. 107637. Preparations of bis(2,4-dichlorobenzoyl) peroxide 50 percent paste.
- Sec. 107638. Distilled tall oils.
- Sec. 107639. Pyridine, alkyl derivatives.
- Sec. 107640. Polyisocyanate crosslinking agents.
- Sec. 107641. Bonding agent mixtures.
- Sec. 107642. Liquid, chemically modified amine complex of boron trifluoride.
- Sec. 107643. Phthalocyanine derivative.
- Sec. 107644. Mixtures of Cocamidopropyl betaine, glycol distearate, Laureth-4, and water.
- Sec. 107645. Mixtures of tall oil mono-, di-, and triglycerides.
- Sec. 107646. Tallow-bis(2-hydroxyethyl) amines.
- Sec. 107647. Additive mixtures for metalworking fluids.
- Sec. 107648. Naphthenic acids.
- Sec. 107649. Hydroxytyrosol powders.
- Sec. 107650. Secondary alcohol ethoxylates.
- Sec. 107651. Ethylene glycol dimerate.
- Sec. 107652. Two-part liquid silicone kits.

- Sec. 107653. Hydrophobic precipitated silica.
- Sec. 107654. Silane, trimethoxyethyl-, hydrolysis products.
- Sec. 107655. 1,1,1-Trimethyl-N-(trimethylsilyl)silanamine hydrolysis products.
- Sec. 107656. Waterborne epoxy curing agents.
- Sec. 107657. Preparations based on 1-phenylcosane-1,3-dione.
- Sec. 107658. Mixtures of 2-Mercaptopropionic acid, methyl ester, O-ethyl dithiocarbonate.
- Sec. 107659. Epoxy curing agents.
- Sec. 107660. Aliphatic amine curing agents.
- Sec. 107661. Non-halogenated flame retardants.
- Sec. 107662. Ligaphob N 90.
- Sec. 107663. Organomodified siloxane.
- Sec. 107664. Methyl palmitate-stearate, hydrogenated.
- Sec. 107665. Olfine E1010.
- Sec. 107666. Certain non-halogenated flame retardants.
- Sec. 107667. Flame retardants.
- Sec. 107668. Preparations based on acetyl hexapeptide-8 and pentapeptide-18.
- Sec. 107669. Lithium silicon oxide.
- Sec. 107670. Branched olefin from propylene polymerization.
- Sec. 107671. Polypropylene pellets.
- Sec. 107672. Propylene-ethylene copolymer.
- Sec. 107673. Ethylene-propylene copolymers.
- Sec. 107674. Benzene alkylated with polypropylene.
- Sec. 107675. Chlorinated polyolefin.
- Sec. 107676. Adsorbent resin.
- Sec. 107677. Vinyl chloride-hydroxypropyl acrylate copolymer.
- Sec. 107678. Vinyl chloride ethylene copolymer with hydrophic properties.
- Sec. 107679. Fluids with boiling points above 170 °C.
- Sec. 107680. Formulations of functionalized perfluoropolyether.
- Sec. 107681. Perfluoropolyether-urethane acrylate.
- Sec. 107682. PVDF homopolymer/PVDF/CTFE copolymer mixtures.
- Sec. 107683. Chemically modified PVDF.
- Sec. 107684. Fluoropolymer, fluoroethylene-alkyl vinyl ether alternative copolymers.
- Sec. 107685. Copolymer of vinyl acetate and higher vinyl esters.
- Sec. 107686. Food-grade vinyl acetate copolymer.
- Sec. 107687. Vinyl chloride ethylene with enhanced properties.
- Sec. 107688. Vinyl acetate ethylene copolymer with enhanced properties.
- Sec. 107689. Food-grade polyvinyl acetate homopolymers.
- Sec. 107690. Acrylic acid/vinylsulphonate random copolymers.
- Sec. 107691. Poly(methyl methacrylate) microspheres.
- Sec. 107692. Methyl methacrylate crosspolymer microspheres.
- Sec. 107693. Styrene acrylate copolymer with enhanced properties.
- Sec. 107694. Copolymer for dental use.
- Sec. 107695. Vinyl phosphonic acid, acrylic acid copolymer, 20 percent solution in water.
- Sec. 107696. Polyacrylate 33.
- Sec. 107697. AA/AMPS copolymer.
- Sec. 107698. Flocculant dry polyacrylamides.
- Sec. 107699. Sorbitol, propylene oxide, ethylene oxide polymer.
- Sec. 107700. Trimethoxysilylpropyl carbamate-terminated polyether.
- Sec. 107701. Dimethoxy(methyl)silylmethyl carbamate-terminated polyether.
- Sec. 107702. Curing agent is used in two- or three-parts epoxy systems.
- Sec. 107703. Polyethylene glycol 450.
- Sec. 107704. Medicinal intermediate for investigational use.

- Sec. 107705. Aqueous solutions of carboxylic acid-copolymer-salt in water.
- Sec. 107706. Aqueous solutions of a modified polymer bearing hydrophilic and hydrophobic groups.
- Sec. 107707. Dimethylamine/epichlorohydrin/ethylenediamine copolymer.
- Sec. 107708. Linear hydroxyl-terminated aliphatic polycarb diol.
- Sec. 107709. Short hollow PET fibers.
- Sec. 107710. Polytetrahydrofuran.
- Sec. 107711. Crystalline polyesters.
- Sec. 107712. Liquid crystal polymers.
- Sec. 107713. Branched polyesters.
- Sec. 107714. High molecular weight co-polyester.
- Sec. 107715. High molecular weight co-polyester.
- Sec. 107716. Polyester-polyamide dispersants.
- Sec. 107717. Nylon-12 micro-spheres.
- Sec. 107718. Short nylon-66 fibers.
- Sec. 107719. Short nylon 6 fibers, colored.
- Sec. 107720. Short triangular nylon 6 fibers.
- Sec. 107721. Short star-shaped nylon 6 fibers.
- Sec. 107722. Short heart-shaped nylon 6 fibers.
- Sec. 107723. PA510 polymer compounds.
- Sec. 107724. MXD6 polymer compounds.
- Sec. 107725. PA10T polymer compounds.
- Sec. 107726. PA10T/10I polymer compounds.
- Sec. 107727. Polyurethane aqueous resins.
- Sec. 107728. Aqueous resin.
- Sec. 107729. Aliphatic polyisocyanate.
- Sec. 107730. IPDI and HDI based aliphatic polyisocyanate.
- Sec. 107731. HDI/Trimethylol hexyllactone crosspolymer micro-spheres.
- Sec. 107732. HDI/PPG/Polycaprolactone crosspolymer micro-spheres.
- Sec. 107733. Aromatic isocyanate prepolymer.
- Sec. 107734. Blocked polyisocyanate containing solvent.
- Sec. 107735. Polyisocyanate adduct for powder coatings.
- Sec. 107736. Blocked polyisocyanate for use in can and coil applications.
- Sec. 107737. Polydimethylsiloxane.
- Sec. 107738. Silicone resins.
- Sec. 107739. Methoxyfunctional methyl-phenyl polysiloxane.
- Sec. 107740. Hydrogenpolysiloxane.
- Sec. 107741. Methyl silicone resins.
- Sec. 107742. Epoxy functional polydimethylsiloxane.
- Sec. 107743. Polymethylhydrogensiloxane.
- Sec. 107744. Vinyl terminated siloxanes.
- Sec. 107745. Silicone hybrid resin (solvent free).
- Sec. 107746. Hydrogenated polycyclopentadiene resin.
- Sec. 107747. Water dispersable HDI based polyisocyanate.
- Sec. 107748. Cyanate ester resins for high-end electronic, aerospace, and industrial applications.
- Sec. 107749. Polyethyleneimine, component used in manufacturing medical devices.
- Sec. 107750. Polyhexanide.
- Sec. 107751. Ethylene-norbornene copolymer.
- Sec. 107752. Cellulose powder.
- Sec. 107753. Polymaltotriose.
- Sec. 107754. Chitosan.
- Sec. 107755. Plastic drinking straws.
- Sec. 107756. Garden hoses.

- Sec. 107757. Plastic fittings of perfluoroalkoxy.
- Sec. 107758. Low density polyethylene (LDPE) sheeting.
- Sec. 107759. Biaxially oriented dielectric polypropylene film.
- Sec. 107760. Biaxially oriented polypropylene (BOPP) capacitor-grade film.
- Sec. 107761. Polyester capacitor-grade film.
- Sec. 107762. Acid form membranes.
- Sec. 107763. Melamine resin foam.
- Sec. 107764. Infant bathtubs and basins, of plastics.
- Sec. 107765. Boxes, cases, crates, and similar articles of plastics.
- Sec. 107766. Nozzles, black, of polypropylene.
- Sec. 107767. Tip/cap combinations of polyethylene.
- Sec. 107768. Bottles made of LDPE.
- Sec. 107769. Plastic nasal irrigator caps for neti pots.
- Sec. 107770. Toy character bottle toppers.
- Sec. 107771. Melamine platters, other than those presented in sets.
- Sec. 107772. Melamine plates, other than those presented in sets.
- Sec. 107773. Melamine bowls not presented in sets.
- Sec. 107774. Melamine trays not presented in sets.
- Sec. 107775. Plastic measuring cups and spoons in sets.
- Sec. 107776. Liquid measuring cups.
- Sec. 107777. Self-anchoring beverage containers.
- Sec. 107778. PVC infant bathtub mats.
- Sec. 107779. Reversible playmats.
- Sec. 107780. Hangers.
- Sec. 107781. Infant bath rinsing cups.
- Sec. 107782. Bathtub spout covers.
- Sec. 107783. Infant teethers.
- Sec. 107784. Lighted dog fetch toys.
- Sec. 107785. Certain thermoplastic nylon 3-gang switch wallplates.
- Sec. 107786. Manual plastic disposable cutlery dispensers.
- Sec. 107787. Ear bulb syringes of clear silicone.
- Sec. 107788. PVC inflatable pillows.
- Sec. 107789. Self-inflatable queen air mattresses.
- Sec. 107790. Plastic clip fasteners.
- Sec. 107791. Self-venting spouts for diesel exhaust fluid.
- Sec. 107792. Plastic pet carriers.
- Sec. 107793. Plastic mixing tips.
- Sec. 107794. Cable ties of plastics.
- Sec. 107795. Flexible camera mountings.
- Sec. 107796. Three-piece camera mount sets.
- Sec. 107797. Magnetic swivel clips for cameras.
- Sec. 107798. Helmet camera mounts.
- Sec. 107799. Short extension poles for use with cameras.
- Sec. 107800. Long extension poles for cameras.
- Sec. 107801. Swivel mounts for cameras.
- Sec. 107802. Tripod camera mounts.
- Sec. 107803. Bulk hydraulic hoses.
- Sec. 107804. Brake hydraulic hoses.
- Sec. 107805. Bulk fabric/metal-reinforced rubber hoses.
- Sec. 107806. Disposable gloves.
- Sec. 107807. Reusable gloves.
- Sec. 107808. Dog and cat apparel.
- Sec. 107809. Polycarbonate vanity cases.
- Sec. 107810. Aluminum vanity cases.

- Sec. 107811. Suitcases with outer surface of aluminum with built-in zipper locks.
- Sec. 107812. Laminated recycled reusable shopping tote bags.
- Sec. 107813. Reusable shopping style tote bags.
- Sec. 107814. Waterproof tote bags.
- Sec. 107815. Waterproof duffel bags.
- Sec. 107816. Waterproof zippered bags, without handles, of plastic sheeting.
- Sec. 107817. Waterproof backpacks.
- Sec. 107818. Waterproof waist packs.
- Sec. 107819. Guitar cases.
- Sec. 107820. Jewelry boxes.
- Sec. 107821. Silicone rubber camera cases with straps.
- Sec. 107822. Leather gloves with flip mitts for hunting.
- Sec. 107823. Men's leather gloves valued at \$18 or more per pair.
- Sec. 107824. Belts of calf skin.
- Sec. 107825. Bamboo engineered flooring: 12.5–12.9 mm thick.
- Sec. 107826. Bamboo engineered flooring: 14.1–14.5 mm thick.
- Sec. 107827. Bamboo engineered flooring: 15.7–16.1 mm thick.
- Sec. 107828. Strand bamboo flooring: 12.5–12.9 mm thick.
- Sec. 107829. Strand bamboo flooring: 14.1–14.5 mm thick.
- Sec. 107830. Strand bamboo flooring: 10.9–11.3 mm thick.
- Sec. 107831. Chopsticks made of bamboo.
- Sec. 107832. Drying racks of wood.
- Sec. 107833. Bamboo skewers.
- Sec. 107834. Wood blinds with louvered slats.
- Sec. 107835. 100 percent cotton woven crimped unbleached fabric.
- Sec. 107836. Woven fabrics of cotton, containing 85 percent or more by weight of cotton, not more than 200 grams per square meter.
- Sec. 107837. 100 percent cotton woven bleached fabric pieces, open weave.
- Sec. 107838. Incontinence underpad fabrics of cotton.
- Sec. 107839. Woven fabrics of cotton with an average yarn number between 55 and 60.
- Sec. 107840. Woven fabric of cotton of yarn number 69 or higher.
- Sec. 107841. Woven fabrics of cotton with an average yarn number exceeding 68.
- Sec. 107842. Incontinence underpad fabrics, cotton, plain weave, of yarn number 42 or lower.
- Sec. 107843. Incontinence underpad fabrics, cotton, plain weave, of yarn number between 43 and 68.
- Sec. 107844. Incontinence underpad fabrics, bleached.
- Sec. 107845. Incontinence underpad fabrics, printed.
- Sec. 107846. Untwisted filament polyvinyl alcohol yarn, measuring 1,100 to 1,330 decitex.
- Sec. 107847. Untwisted filament polyvinyl alcohol yarn.
- Sec. 107848. Polypropylene (PP) monofilament.
- Sec. 107849. Acrylic fiber tow with an average decitex of 0.9.
- Sec. 107850. Black polyester bi-component fibers.
- Sec. 107851. Acrylic staple fibers with an average decitex of 2.2, fiber length of 100 mm.
- Sec. 107852. Modacrylic staple fibers not processed for spinning.
- Sec. 107853. Short polypropylene fibers.
- Sec. 107854. Polyoxadiazole fibers.
- Sec. 107855. Artificial staple fibers of viscose rayon, 38–42 mm in length.
- Sec. 107856. Artificial fibers of viscose rayon for the manufacture of feminine hygiene products.

- Sec. 107857. Flame retardant rayon fibers, measuring 4.78 decitex.
- Sec. 107858. Flame retardant rayon fibers, measuring 4.55 decitex.
- Sec. 107859. Flame retardant rayon fibers, measuring 4.4 decitex.
- Sec. 107860. Other flame retardant rayon fibers.
- Sec. 107861. Cellulosic man-made viscose rayon staple fibers, measuring 1.3–1.5 decitex.
- Sec. 107862. Viscose rayon staple fibers, measuring 1.5–1.67 decitex, with a fiber length of 38–42 mm.
- Sec. 107863. Cellulosic man-made viscose rayon staple fibers, measuring 1.67–2 decitex.
- Sec. 107864. Viscose rayon staple fibers, measuring 1–2 decitex, with a fiber length of 4–8 mm.
- Sec. 107865. Viscose staple fibers used in textile, medical, or hygiene applications.
- Sec. 107866. Viscose rayon staple fibers, measuring 1.51–2 decitex, with a fiber length of 8–16 mm.
- Sec. 107867. Viscose rayon staple fibers, measuring 1–1.5 decitex, with a fiber length of 8–16 mm.
- Sec. 107868. Flame retardant viscose rayon staple fibers, with a decitex of 4.7 mm and a fiber length of 51–60 mm.
- Sec. 107869. Viscose rayon staple fibers for nonwoven production.
- Sec. 107870. Black viscose rayon staple fibers.
- Sec. 107871. Acrylic or modacrylic staple fibers with a decitex of 3–5.6.
- Sec. 107872. Made up hand-cast string-drawn fishing nets.
- Sec. 107873. Knitted carpets containing 75 percent or more of cotton, with a rubber backing.
- Sec. 107874. Knitted carpets containing 75 percent or more by weight of polyester, with a rubber backing.
- Sec. 107875. Faux leather fabrics.
- Sec. 107876. Grass catcher bags.
- Sec. 107877. Oxygenation membrane capillary material.
- Sec. 107878. Textile knitted fabrics composed of micromodal and elastane.
- Sec. 107879. Textile technical knitted fabrics combining technical cotton and elastane.
- Sec. 107880. Textile knit fabrics of modal, cashmere, and spandex.
- Sec. 107881. Women’s and girls’ dresses, knitted or crocheted, of synthetic fibers infused with minerals.
- Sec. 107882. Women’s and girls’ skirts and divided skirts of synthetic fibers infused with minerals.
- Sec. 107883. Women’s and girls’ knit cardigans or pullovers containing 70 percent or more of silk.
- Sec. 107884. Men’s and boys’ knit cardigans or pullovers of linen.
- Sec. 107885. Babies’ knit sweaters, pullovers, sweatshirts, waistcoats (vests), and cardigans, of artificial fibers.
- Sec. 107886. Women’s and girls’ tops, knitted or crocheted, of man-made fibers infused with minerals.
- Sec. 107887. Men’s and boy’s tops, knitted or crocheted, of man-made fibers infused with minerals.
- Sec. 107888. Men’s 3 mm wetsuits.
- Sec. 107889. Men’s 5.5 and 6.5 mm wetsuits.
- Sec. 107890. Men’s 3.5 mm wetsuits.
- Sec. 107891. Men’s 4.5 mm wetsuits.
- Sec. 107892. Women’s 3 mm wetsuits.
- Sec. 107893. Women’s 3.5 mm wetsuits.
- Sec. 107894. Women’s 4.5 mm wetsuits.

- Sec. 107895. Women's 5.5 and 6.5 mm wetsuits.
- Sec. 107896. Insulated handmuffs of knit polyester.
- Sec. 107897. Men's stockingfoot wader bottom subassemblies, of compressed neoprene.
- Sec. 107898. Men's stockingfoot wader bottom subassemblies, of non-compressed neoprene.
- Sec. 107899. Fishing wader pocket pouch assemblies.
- Sec. 107900. Martial arts uniforms.
- Sec. 107901. Women's or girls' linen woven blouses, shirts and shirt-blouses, and sleeveless tank styles.
- Sec. 107902. Women's or girls' linen woven washsuits, sunsuits, or one-piece playsuits.
- Sec. 107903. Women's or girls' linen woven coveralls or jumpsuits.
- Sec. 107904. Women's shawls and similar goods, 100 percent silk.
- Sec. 107905. Winter cycling gloves.
- Sec. 107906. Lock pocket tents.
- Sec. 107907. Dark room tents.
- Sec. 107908. Bi-component microfiber tube mop refills.
- Sec. 107909. Microfiber duster refills.
- Sec. 107910. RFID mop pads.
- Sec. 107911. Microfiber cleaning cloths.
- Sec. 107912. Microfiber mop pads.
- Sec. 107913. Golf bag body flats.
- Sec. 107914. Bathtub elbow rests.
- Sec. 107915. Door swings.
- Sec. 107916. Under bed restraints.
- Sec. 107917. Bath kneeler.
- Sec. 107918. Two-piece camera mount kits.
- Sec. 107919. Sleeve covers.
- Sec. 107920. Men's cycling shoes valued over \$18 per pair.
- Sec. 107921. Women's cycling shoes valued over \$16 per pair.
- Sec. 107922. Men's golf shoes with outers and uppers of rubber or plastics, valued over \$20 per pair.
- Sec. 107923. Golf shoes other than for men, with outers and uppers of rubber or plastics, valued over \$20 per pair.
- Sec. 107924. Winter cycling boots for men.
- Sec. 107925. Winter cycling boots for women.
- Sec. 107926. Children's footwear valued over \$15 per pair.
- Sec. 107927. Women's protective active footwear, valued over \$25 per pair, 15.35–25.4 cm in height.
- Sec. 107928. Cheer shoes covering the ankle.
- Sec. 107929. Sideline cheer shoes.
- Sec. 107930. Men's athletic footwear, valued under \$9 per pair.
- Sec. 107931. Athletic footwear for women, valued not over \$9 per pair.
- Sec. 107932. Athletic footwear for children, valued not over \$8 per pair.
- Sec. 107933. Men's golf shoes, with outer soles and uppers of rubber or plastics, not covering the ankle, valued \$15 per pair or over.
- Sec. 107934. Golf shoes other than for men, with outer soles and uppers of rubber or plastics, not covering the ankle, valued \$15 per pair or over.
- Sec. 107935. Men's rubber/plastic footwear, valued not over \$5 per pair.
- Sec. 107936. Women's rubber/plastic footwear, valued not over \$6 per pair.
- Sec. 107937. Cheer shoes with sole less than 12 mm.
- Sec. 107938. Men's golf shoes with outers and uppers of rubber or plastics, valued over \$19 per pair.

- Sec. 107939. Golf shoes other than for men, outer soles and uppers of rubber or plastics, valued over \$19 per pair.
- Sec. 107940. Men's golf shoes, outer soles of rubber, plastics, leather or composition leather and uppers of leather (except pigskin uppers).
- Sec. 107941. Women's leather footwear, lined with pigskin with zipper, valued \$47-\$60 per pair.
- Sec. 107942. Women's leather footwear, lined with pigskin, valued \$31-\$40 per pair.
- Sec. 107943. Women's slip-on cow/calf hair footwear, valued \$50-\$60 per pair.
- Sec. 107944. Women's leather footwear lined with sheepskin.
- Sec. 107945. Women's leather slip-on footwear lined with sheep leather.
- Sec. 107946. Women's leather slip-on footwear lined with pigskin.
- Sec. 107947. Women's leather footwear, lined with pigskin, valued \$21-\$27 per pair.
- Sec. 107948. Women's footwear with leather uppers, lined with pigskin, closed toe or heel with functional zippers on sides.
- Sec. 107949. Women's footwear with leather uppers, lined with pigskin with adjustable laces.
- Sec. 107950. Competitive cheer shoes with leather uppers.
- Sec. 107951. Women's footwear with leather uppers, with strap and buckle, valued \$27-\$40 per pair.
- Sec. 107952. Children's leather upper athletic footwear, valued not over \$9 per pair.
- Sec. 107953. Men's athletic type footwear with uppers of textile materials of vegetable fibers and outer soles of rubber or plastic with textile flocking.
- Sec. 107954. Athletic footwear for men, with a bellows tongue, valued over \$6.50 but not over \$12 per pair.
- Sec. 107955. Athletic footwear for women, with a bellows tongue, valued over \$6.50 but not over \$12 per pair.
- Sec. 107956. Athletic footwear for children, bellows tongue, valued over \$6.50 but not over \$12 per pair.
- Sec. 107957. Athletic footwear for men, valued over \$6.50 but not over \$9 per pair.
- Sec. 107958. Athletic footwear for children, valued over \$6.50 but not over \$9 per pair.
- Sec. 107959. Cheer shoes with uppers of textile materials.
- Sec. 107960. Women's footwear with textile uppers and 50 percent or more of the surface area of which is leather.
- Sec. 107961. Women's footwear with textile uppers, open toes or heels, valued \$15-\$30 per pair.
- Sec. 107962. Men's textile upper footwear, with open toes or open heels, valued not over \$12 per pair.
- Sec. 107963. Women's textile upper footwear, with open toes or open heels, valued not over \$12 per pair.
- Sec. 107964. Children's textile upper footwear, with open toes or open heels, valued not over \$12 per pair.
- Sec. 107965. Oxford-style work footwear with steel safety toe and static dissipating protection.
- Sec. 107966. Oxford footwear with textile uppers and composite toe, valued over \$20 per pair.
- Sec. 107967. Men's mid-cut footwear with a textile upper and a protective toe cap.
- Sec. 107968. Women's footwear with leather soles and textile uppers, open toes or heels, valued \$12-\$24 per pair.

- Sec. 107969. Footwear for women valued over \$20 but not over \$24 per pair.
- Sec. 107970. Women's footwear with leather soles and textile uppers, valued \$15-\$20 per pair.
- Sec. 107971. Women's footwear with leather soles and textile uppers, valued \$20-\$25 per pair.
- Sec. 107972. Women's footwear with cork soles and textile uppers.
- Sec. 107973. Men's footwear with felt soles, not covering the ankle, valued \$20 per pair or higher.
- Sec. 107974. Women's and girls' footwear with cork uppers, valued less than \$25 per pair.
- Sec. 107975. Women's footwear with cow/calf hair uppers, valued \$35-\$40 per pair, covering the ankle.
- Sec. 107976. Women's footwear with cow/calf hair uppers, valued \$35-\$40 per pair, not covering the ankle.
- Sec. 107977. Women's footwear with cow/calf hair uppers, valued \$19-\$25 per pair.
- Sec. 107978. Women's footwear with cow/calf hair uppers, valued \$50-\$55 per pair.
- Sec. 107979. Women's footwear, leather soles and rubber/plastic uppers, valued \$16-\$18 per pair.
- Sec. 107980. Women's footwear with cow/calf hair uppers, valued \$19-\$34 per pair.
- Sec. 107981. Footwear for women, valued over \$50 but not over \$60 per pair.
- Sec. 107982. Calf hair upper footwear.
- Sec. 107983. Gaiters of man-made fibers.
- Sec. 107984. Hats of vegetable fibers.
- Sec. 107985. Hairnets.
- Sec. 107986. Cotton knit hats, valued \$8 or less.
- Sec. 107987. Babies' woven cotton hats.
- Sec. 107988. Hats of man-made fiber, valued \$5-\$25.
- Sec. 107989. Waterproof and insulated hats with ear flaps, valued over \$15.
- Sec. 107990. Fishing wading staffs.
- Sec. 107991. Plastic plants for aquariums, not glued or bound.
- Sec. 107992. Natural stone ledger tile of sandstone.
- Sec. 107993. Marble mosaic and pebble tiles.
- Sec. 107994. Natural stone limestone tiles.
- Sec. 107995. Natural stone marble tiles.
- Sec. 107996. Waterjet natural stone mosaic tile.
- Sec. 107997. Marble entertaining and serveware.
- Sec. 107998. Articles of marble for kitchen and dining room.
- Sec. 107999. Natural stone ledger tiles of travertine.
- Sec. 108000. Travertine decorative tile.
- Sec. 108001. Limestone decorative tiles.
- Sec. 108002. Blank, embossed, and printed stoneware coaster disks and trivets.
- Sec. 108003. Rolled green glass sheets.
- Sec. 108004. Framed rear-view mirrors.
- Sec. 108005. Wall mirrors, unframed.
- Sec. 108006. Wall mirrors, framed.
- Sec. 108007. Stemware (crystalline) drinking glasses valued over \$0.30 but not over \$3 each, other than those presented in sets.
- Sec. 108008. Double-walled insulated glass tumblers.
- Sec. 108009. Diamond-shaped stemmed wine glasses.
- Sec. 108010. Twisted-center stemless wine glass.
- Sec. 108011. Crystalline drinking glasses, without stems, not in sets.

- Sec. 108012. Double-walled insulated glass bowls.
- Sec. 108013. Leaf-shaped glass decanters.
- Sec. 108014. Set of four appetizer plates made of glass with steel caddy holder, valued at \$2 each.
- Sec. 108015. Spice rack with glass jars and wooden lids valued not over \$3 each.
- Sec. 108016. Glass lens blanks for infrared applications.
- Sec. 108017. Hair accessories of glass beads, imitation pearls, and imitation stones, valued less than \$7.
- Sec. 108018. Filter bags with acid-resistant coating, of woven fiberglass laminated to ePTFE, weighing at least 325 g/m² but not over 350 g/m².
- Sec. 108019. Fiberglass replacement wicks for outdoor garden torch.
- Sec. 108020. Filter bags of woven fiberglass fabric laminated to an ePTFE, with a polytetrafluoroethylene coated backing, not acid resistant, weighing at least 721 g/m² but not over 771 g/m².
- Sec. 108021. Silver catalyst.
- Sec. 108022. Silver round blanks.
- Sec. 108023. Ferroboron alloy.
- Sec. 108024. Cast iron nonmalleable threaded main body combo castings for residential fuel oil tanks.
- Sec. 108025. Cast iron nonmalleable threaded vent caps for residential fuel oil tanks.
- Sec. 108026. Cast iron nonmalleable threaded bushings for residential fuel oil tanks.
- Sec. 108027. Cast iron nonmalleable threaded tank adapters for residential fuel oil tanks.
- Sec. 108028. Cast iron nonmalleable threaded fill alarm main body for residential fuel oil tanks.
- Sec. 108029. Cast iron nonmalleable threaded fill box caps for residential fuel oil tanks.
- Sec. 108030. Cast iron nonmalleable threaded leg flanges for residential fuel oil tanks.
- Sec. 108031. Portable gas cooking stoves.
- Sec. 108032. Portable outdoor cookers.
- Sec. 108033. Self-anchored beverage containers.
- Sec. 108034. Stainless steel handmade kitchen sinks.
- Sec. 108035. Loose frame baskets.
- Sec. 108036. Two-story fire escape ladders.
- Sec. 108037. Three-story fire escape ladders.
- Sec. 108038. Work support stands of steel.
- Sec. 108039. Locking fixtures of iron or steel.
- Sec. 108040. Stainless steel phone handle-and-stand accessories.
- Sec. 108041. Circular and S-shaped stainless steel carabiners.
- Sec. 108042. Pieces of refined unwrought copper cathode 99.9999 percent pure.
- Sec. 108043. Ultra-thin and wide-width aluminum foil.
- Sec. 108044. Etched capacitor aluminum foil of a thickness 0.018–0.126 mm.
- Sec. 108045. Stove top coffee makers.
- Sec. 108046. Aluminum shower caddies.
- Sec. 108047. Step stools of aluminum.
- Sec. 108048. Aluminum ladders.
- Sec. 108049. Circular and S-shaped aluminum carabiners.
- Sec. 108050. Stationary sprinklers of zinc.
- Sec. 108051. Tungsten waste and scrap.

- Sec. 108052. Cobalt alloys.
- Sec. 108053. Certain gallium (Ga).
- Sec. 108054. Niobium (columbium) rings no thicker than 20 mm.
- Sec. 108055. Tungsten secondary raw material.
- Sec. 108056. Gear-driven bolt cutters and pipe cutters.
- Sec. 108057. Rotary cutters.
- Sec. 108058. Food graters.
- Sec. 108059. Hand tools for applying plastic clip fasteners to garments.
- Sec. 108060. Steel workstations with vises adjustable by foot pedal.
- Sec. 108061. Fixed carbide cutter and roller cone drill bits.
- Sec. 108062. Rotary food graters.
- Sec. 108063. Coffee presses.
- Sec. 108064. Vacuum insulated coffee servers with a brew-through lid.
- Sec. 108065. Vacuum insulated coffee servers with no lid.
- Sec. 108066. Vacuum insulated coffee servers with fitted hinged lid.
- Sec. 108067. Commercial vacuum insulated coffee servers with sight gauge.
- Sec. 108068. Commercial vacuum insulated coffee servers with plastic base.
- Sec. 108069. Commercial vacuum insulated coffee servers with plastic base and stand.
- Sec. 108070. Craft knives with fixed pen-like or retractable blades.
- Sec. 108071. Craft knives.
- Sec. 108072. Blades for craft knives with non-fixed blades.
- Sec. 108073. Ergonomic pinking shears.
- Sec. 108074. Spring-action scissors.
- Sec. 108075. Electronic locks for lockers.
- Sec. 108076. Luggage locks of base metal, packaged for retail sale.
- Sec. 108077. Key-operated door handles, push-pull-rotate.
- Sec. 108078. Vent mounted magnetic mobile phone holder for automobiles.
- Sec. 108079. Dash mounted magnetic mobile phone holder for automobiles.
- Sec. 108080. Windshield mounted magnetic mobile phone holder for automobiles.
- Sec. 108081. Steel latches with plastic plungers.
- Sec. 108082. Non-key-operated door handles.
- Sec. 108083. Curtain rings.
- Sec. 108084. Brackets.
- Sec. 108085. Curtain rods.
- Sec. 108086. Curtain rod hardware.
- Sec. 108087. Curtain tiebacks.
- Sec. 108088. Curtain rod finials.
- Sec. 108089. Curved shower rods.
- Sec. 108090. Shower hooks and rings.
- Sec. 108091. Straight shower rods.
- Sec. 108092. Steel window rods.
- Sec. 108093. Antitheft steel cases with digital locks.
- Sec. 108094. Stainless steel hose kits.
- Sec. 108095. Stainless steel hoses.
- Sec. 108096. Wrist watch strap buckles not over 18 mm.
- Sec. 108097. Wrist watch strap buckles over 18 mm.
- Sec. 108098. Used cylinder heads.
- Sec. 108099. Cylinder heads used solely or principally with certain engines.
- Sec. 108100. Engine blocks.
- Sec. 108101. Swirler assemblies for turbines.
- Sec. 108102. Barrels for fuel mixing.
- Sec. 108103. Injector assemblies for certain turbines.
- Sec. 108104. Stem assemblies for certain turbines.

- Sec. 108105. Tip assemblies for non-gas turbines.
- Sec. 108106. High pressure fuel pumps.
- Sec. 108107. Dry scroll vacuum pumps 364x333x485 mm.
- Sec. 108108. Dry scroll vacuum pumps 297x260x420 mm.
- Sec. 108109. Dry scroll vacuum pumps 254x260x420 mm.
- Sec. 108110. Dry scroll vacuum pumps 181x140x358 mm.
- Sec. 108111. Turbomolecular vacuum pumps.
- Sec. 108112. Rotary vane vacuum pumps valued over \$500 each.
- Sec. 108113. Vacuum diffusion pumps valued over \$900 each.
- Sec. 108114. Hand- or foot-operated air pumps.
- Sec. 108115. Roof vent fans.
- Sec. 108116. 12-Amp corded electric leaf blowers.
- Sec. 108117. Cordless battery powered leaf blowers not exceeding 20 volts.
- Sec. 108118. Cordless battery powered leaf blowers between 20 and 60 V.
- Sec. 108119. Fan assemblies for cab climate systems.
- Sec. 108120. Aquarium air pumps.
- Sec. 108121. Heat pumps for residential use.
- Sec. 108122. Heat pumps (outdoor units) for split air conditioner systems.
- Sec. 108123. High-wall indoor units.
- Sec. 108124. Single-zone outdoor units.
- Sec. 108125. Mini heat pumps for split air conditioner systems.
- Sec. 108126. Multi-zone outdoor unit ductless systems.
- Sec. 108127. Indoor units of split air conditioner systems.
- Sec. 108128. Ductless 18000 BTU heat pumps, single zone inverter.
- Sec. 108129. Single-phase heat pump.
- Sec. 108130. Steel vacuum pitchers with plastic hinged lid.
- Sec. 108131. Oil filters.
- Sec. 108132. Battery powered nasal irrigators.
- Sec. 108133. Struts to absorb vibration.
- Sec. 108134. Table saws (25.4 cm.), operable corded and cordless.
- Sec. 108135. Sliding miter saws (25.4 cm) with laser, corded and cordless.
- Sec. 108136. Electromechanical rotary hammers, corded and cordless.
- Sec. 108137. Electromechanical hammer impact drivers, corded and cordless.
- Sec. 108138. Rotary hammer drill tools with self-contained electric motor.
- Sec. 108139. Drill driver tools with self-contained electric motor.
- Sec. 108140. Extruders.
- Sec. 108141. Three-dimensional drawing pens.
- Sec. 108142. Professional grade three-dimensional drawing pens.
- Sec. 108143. Electric multi-functional blower vacuums.
- Sec. 108144. Autosamplers (multisamplers) for liquid chromatographs.
- Sec. 108145. Autosamplers (vialsamplers) for liquid chromatographs.
- Sec. 108146. Hydraulic hammer assembly.
- Sec. 108147. Segmented bladder-operated molds, with more than 25-inch rim diameter.
- Sec. 108148. Used valves for directional control.
- Sec. 108149. Keg spears with pressure release valves.
- Sec. 108150. Multiport distribution controllers.
- Sec. 108151. Subsea modular trees.
- Sec. 108152. Flow selector unit-multi-port 6-branch engine crankshafts.
- Sec. 108153. Engine crankshafts.
- Sec. 108154. Turbocharger journal bearings.
- Sec. 108155. Mid-range bearing housings.
- Sec. 108156. Heavy duty bearing housings.
- Sec. 108157. Fixed ration gear boxes.
- Sec. 108158. Track drive gear boxes.

- Sec. 108159. Swing bearing assembly.
- Sec. 108160. Gears for use in machinery or within engines.
- Sec. 108161. 14Y stepper motors.
- Sec. 108162. Air door actuators.
- Sec. 108163. Servo motors.
- Sec. 108164. DC brushed rhombic winding NdFeb magnet motors, with output under 18.65 W.
- Sec. 108165. DC brushed rhombic winding NdFeB magnet motors.
- Sec. 108166. DC brushed rhombic winding AlNiCo magnet motors, with output under 18.65 W.
- Sec. 108167. DC brushless rhombic winding NdFeB magnet motors, with output under 18.65 W.
- Sec. 108168. DC brushed rhombic winding NdFeB magnet motors, with output over 18.65 but not over 37.5 W.
- Sec. 108169. DC brushed rhombic winding AlNiCo magnet motors, with output over 18.65 W but not over 37.5 W.
- Sec. 108170. DC brushless slotless rhombic winding NdFeB magnet motors output over 18.65 W but not over 37.5 W.
- Sec. 108171. DC brushed rhombic winding NdFeB magnet motors output over 37.5 W but not over 74.6 W.
- Sec. 108172. DC brushless slotless rhombic winding NdFeB magnet motors output over 37.5 W but not over 74.6 W.
- Sec. 108173. Motors.
- Sec. 108174. DC motors of an output exceeding 74.6 W but not exceeding 735 W.
- Sec. 108175. DC motors, of an output exceeding 74.6 W but not exceeding 735 W.
- Sec. 108176. DC brushed rhombic winding NdFeB magnet motors output over 74.6 W but not over 735 W.
- Sec. 108177. DC brushless slotless rhombic winding NdFeB magnet motors output over 74.6 W but not over 735 W.
- Sec. 108178. DC motors of an output exceeding 750 W but not exceeding 14.92 kW.
- Sec. 108179. DC electric motor for non-aircraft gas turbines.
- Sec. 108180. AC alternators.
- Sec. 108181. AC alternators with copper windings.
- Sec. 108182. Wound stators and rotor assemblies.
- Sec. 108183. Rotors.
- Sec. 108184. Stators for washing machines, with a 27-tooth design.
- Sec. 108185. Stators for washing machines, with an 18-tooth design.
- Sec. 108186. Rotors for washing machines, with a height of 60.8 mm.
- Sec. 108187. Rotors for washing machines, with a height of 49 mm.
- Sec. 108188. 6 V lead-acid storage batteries.
- Sec. 108189. 12 V lead-acid storage batteries, used for the auxiliary source of power.
- Sec. 108190. Lead-acid storage batteries, used for wheelchairs.
- Sec. 108191. 12 V lead-acid storage batteries, rated at less than 15 ampere-hours.
- Sec. 108192. 12 V lead-acid storage batteries, rated at 15 ampere-hours or more.
- Sec. 108193. Cell box assemblies, weighing 15 kg or more but not over 18 kg.
- Sec. 108194. Cell box assemblies, weighing 30 kg or more but not over 36 kg.
- Sec. 108195. Cell box assemblies, weighing 36 kg or more but not over 49 kg.
- Sec. 108196. Cell box assemblies NX.

- Sec. 108197. Food processors with a capacity greater than 2.9 liters but not exceeding 3.1 liters.
- Sec. 108198. Food processors with a capacity greater than 1.6 liters but not exceeding 2.2 liters.
- Sec. 108199. Cordless hand blenders.
- Sec. 108200. Cordless hand mixers.
- Sec. 108201. Corded hand blenders.
- Sec. 108202. Burr coffee grinders.
- Sec. 108203. Electric food processors with bowl scraper.
- Sec. 108204. Electric food processors with snap-locking lid.
- Sec. 108205. Electric juice extractors.
- Sec. 108206. Electric drink mixers.
- Sec. 108207. Spiralizing food processors with a capacity equal to or greater than 2.36 liters but not exceeding 2.64 liters.
- Sec. 108208. Spiralizing food processors with a capacity equal to or greater than 2.83 liters but not exceeding 3.07 liters.
- Sec. 108209. Dicing food processors.
- Sec. 108210. Compact food processor with smoothie function.
- Sec. 108211. Juice extractors.
- Sec. 108212. Integrated baby food making systems.
- Sec. 108213. Electric juice mixers and grinders.
- Sec. 108214. Ultrasonic humidifiers.
- Sec. 108215. Automatic litterboxes, valued no more than \$100.
- Sec. 108216. Electric toothbrushes.
- Sec. 108217. Ultrasonic cool/warm mist humidifiers with aromatherapy.
- Sec. 108218. 2-in-1 can opener.
- Sec. 108219. Food spiralizing devices.
- Sec. 108220. Ceramic bowls.
- Sec. 108221. Food grinders for certain electromechanical stand food mixers.
- Sec. 108222. Pasta press extruders for certain stand food mixers.
- Sec. 108223. Stainless steel bowls for certain electromechanical stand food mixers, with capacity greater than 4.2 liters but not exceeding 4.8 liters.
- Sec. 108224. Stainless steel bowls for certain electromechanical stand food mixers, with capacity greater than 2.8 liters but not exceeding 3.4 liters.
- Sec. 108225. Stainless steel bowls for certain electromechanical stand food mixers, with capacity greater than 5.6 liters but not exceeding 8.6 liters.
- Sec. 108226. Pasta rollers and cutters for stand food mixers.
- Sec. 108227. Glass bowls for certain electromechanical stand food mixers.
- Sec. 108228. Body trimmers for detailed hair trimming.
- Sec. 108229. Hair clipper sets.
- Sec. 108230. Rechargeable trimmers for trimming human hair.
- Sec. 108231. PCB assemblies for clippers and trimmers.
- Sec. 108232. LED bicycle wheel spoke lights.
- Sec. 108233. Bicycle rear lights.
- Sec. 108234. Portable electric lamps.
- Sec. 108235. Space heaters.
- Sec. 108236. Microwave ovens with capacity not exceeding 22.5 liters.
- Sec. 108237. Microwave ovens with capacity exceeding 22.5 liters but not exceeding 31 liters.
- Sec. 108238. Low-profile microwave ovens with electronic opening mechanism and integral range hood.

- Sec. 108239. Low-profile microwave ovens with push button opening mechanism and integral range hood.
- Sec. 108240. Low-profile microwave ovens with electronic opening mechanism and without a range hood.
- Sec. 108241. Searing grills.
- Sec. 108242. Automatic drip coffee makers.
- Sec. 108243. Espresso machines.
- Sec. 108244. Coffee makers with dishwasher safe removable parts.
- Sec. 108245. Single-service coffee makers with milk frothers.
- Sec. 108246. Electric coffee makers with dual dispensers.
- Sec. 108247. Electric coffee makers for brewing capsules.
- Sec. 108248. Automatic or manual pour over coffee makers.
- Sec. 108249. Removable reservoir coffeemakers.
- Sec. 108250. Single serve coffee makers.
- Sec. 108251. 2-way coffee makers with a 12-cup carafe and a pod brewer.
- Sec. 108252. Rapid cold brew and hot coffee makers.
- Sec. 108253. Electric kettles.
- Sec. 108254. Electric toasters with even-toast feature.
- Sec. 108255. Electric toasters with 6.5 inch slots.
- Sec. 108256. Electric toasters with 37 mm wide slots, with an under-base cord wrap.
- Sec. 108257. 2- and 4-slot toasters, not having a button to keep toaster contents warm after toasting.
- Sec. 108258. 2-slot toasters, with a button to keep toaster content warm after toasting.
- Sec. 108259. Electric toasters with double-slice slots.
- Sec. 108260. Electric toasters with 37 mm wide slots, with a retractable cord.
- Sec. 108261. Electric pressure cookers rated more than 800 W but not more than 1,000 W, with a capacity of not less than 5 liters.
- Sec. 108262. Electric pressure cookers rated more than 1,200 W but not more than 1,400 W, with a capacity of less than 5 liters.
- Sec. 108263. Electric pressure cookers rated more than 1,000 W but not more than 1,200 W, with a capacity of less than 5 liters.
- Sec. 108264. Contoured heating pads.
- Sec. 108265. Slow cookers with non-stick ceramic coated stoneware.
- Sec. 108266. Heating pads.
- Sec. 108267. Programmable slow cookers with digital display.
- Sec. 108268. 8-Quart electric slow cookers.
- Sec. 108269. Programmable slow cookers.
- Sec. 108270. Electric slow cookers with locking lid.
- Sec. 108271. Double flip waffle makers with removable grids.
- Sec. 108272. Ice cream waffle cone and bowl makers.
- Sec. 108273. Electric breakfast sandwich makers.
- Sec. 108274. Pressure cookers.
- Sec. 108275. 10-quart programmable slow cookers.
- Sec. 108276. Polished stainless steel 1.5-quart tea kettles.
- Sec. 108277. Egg bite makers.
- Sec. 108278. Vacuum steel insulated coffee carafes, of a kind used with deep ultraviolet lithography machines.
- Sec. 108279. Vacuum steel insulated carafes for household coffee machines, of a kind used with deep ultraviolet lithography machines.
- Sec. 108280. Vacuum steel bodies with inner and outer steel layers.
- Sec. 108281. Lamp-holder housings of plastic.
- Sec. 108282. 660 W, 125 V, lamp-holder with two 15 amp outlets.

- Sec. 108283. Combination duplex receptacle/outlet and USB charger, 15–20 amp, 125 V.
- Sec. 108284. Range and dryer receptacles.
- Sec. 108285. Residential grade receptacles.
- Sec. 108286. Residential and commercial USB receptacles.
- Sec. 108287. Power strips.
- Sec. 108288. Surge protectors.
- Sec. 108289. Programmable controllers for architectural lighting.
- Sec. 108290. Electronic modular control panels for generators.
- Sec. 108291. Power distribution modules and programmable controllers.
- Sec. 108292. Glass capacitive touchscreen assemblies with LCD.
- Sec. 108293. Lamps containing deuterium gas without radio-frequency identification (RFID).
- Sec. 108294. Lamps containing deuterium gas with radio-frequency identification (RFID).
- Sec. 108295. Fiber channel coaxial cables of silver-plated copper conductors and expanded ePTFE dielectrics.
- Sec. 108296. Insulated coaxial cables, of a kind used with deep ultraviolet lithography machines.
- Sec. 108297. Coaxial cables insulated with ePTFE, vapor sealed, of a kind used with deep ultraviolet lithography machines.
- Sec. 108298. Coaxial cables insulated with ePTFE, non-vapor sealed, of a kind used with deep ultraviolet lithography machines.
- Sec. 108299. Low speed automotive ethernet USB harnesses.
- Sec. 108300. High speed autolink cable USB harnesses.
- Sec. 108301. Insulated electric conductors, of a kind used with extreme ultraviolet lithography machines.
- Sec. 108302. Insulated electric conductors, of a kind used with deep ultraviolet lithography machines.
- Sec. 108303. Insulated electric conductors, of a kind used with optical instruments.
- Sec. 108304. Rings, blocks, and other insulating fittings of quartz.
- Sec. 108305. Front tire splash guards for vehicles.
- Sec. 108306. Rear tire splash guards for vehicles.
- Sec. 108307. Automatic gear boxes.
- Sec. 108308. Suspension systems (struts) for off-highway trucks.
- Sec. 108309. Suspension system stabilizer bars.
- Sec. 108310. Tie rod assemblies.
- Sec. 108311. Used axle housings.
- Sec. 108312. Used parts for power trains.
- Sec. 108313. Front windshield covers.
- Sec. 108314. Expansion chambers.
- Sec. 108315. Bicycle racks for car roofs.
- Sec. 108316. High pressure fuel injector rails.
- Sec. 108317. Stand-up bicycles, having both wheels exceeding 63.5 cm in diameter.
- Sec. 108318. Elliptical cycles, with wheels not exceeding 63.5 cm in diameter.
- Sec. 108319. Bicycle frames, other than of steel, valued \$600 or less.
- Sec. 108320. Internal gear bicycle hubs, other than two or three speeds.
- Sec. 108321. Bicycle pedals other than clipless pedals.
- Sec. 108322. Clipless bicycle pedals and parts thereof.
- Sec. 108323. Carbon fiber bicycle seatposts.
- Sec. 108324. Bicycle handlebar tape, other than silicon or leather tape.
- Sec. 108325. Trailer cycles.
- Sec. 108326. Dropper seatposts.

- Sec. 108327. Bicycle fenders.
- Sec. 108328. Bicycle handlebars.
- Sec. 108329. Multi-functional steel carts.
- Sec. 108330. Non-mechanically propelled industrial hand truck.
- Sec. 108331. Moving dollies.
- Sec. 108332. Paragliders, paraglider wings and paraglider harnesses.
- Sec. 108333. Sailing catamarans and power catamarans.
- Sec. 108334. Projection lenses.
- Sec. 108335. Mounted optical lenses.
- Sec. 108336. Objective lenses for broadcast cameras.
- Sec. 108337. Objective lenses for cinema cameras.
- Sec. 108338. Magnifying spectacles.
- Sec. 108339. LCD television panel assemblies, with a video display measuring over 175.26 cm.
- Sec. 108340. LCD television panel assemblies, with a video display measuring over 149.86 cm but not over 175.26 cm.
- Sec. 108341. LCD television panel assemblies, with a video display measuring over 139.7 cm but not over 149.86 cm.
- Sec. 108342. LCD television panel assemblies, with a video display measuring over 137.16 cm but not over 139.7 cm.
- Sec. 108343. Housings designed for infrared lenses.
- Sec. 108344. Electronic temperature indicators, weighing 14.2 g.
- Sec. 108345. Electronic temperature indicators, weighing 64.4 g.
- Sec. 108346. Electronic temperature indicators, weighing 430 g.
- Sec. 108347. Global cargo trackers, weighing 660 g.
- Sec. 108348. Temperature data monitors, weighing 115 g.
- Sec. 108349. Temperature data monitors, weighing 138.9 g.
- Sec. 108350. Temperature data monitors, weighing 133.2 g.
- Sec. 108351. Parts and accessories of bicycle speedometers.
- Sec. 108352. Wired remote controllers.
- Sec. 108353. Analog/digital wrist watches.
- Sec. 108354. Mechanical wrist watches.
- Sec. 108355. Mechanical wrist watches with leather or other band.
- Sec. 108356. Analog pocket watches.
- Sec. 108357. Projection alarm clocks, non-atomic.
- Sec. 108358. Projection atomic alarm clocks.
- Sec. 108359. Analog wall clocks without thermometer, hygrometer, or barometer gauges.
- Sec. 108360. Analog clocks with thermometer and hygrometer.
- Sec. 108361. Atomic analog wall clocks.
- Sec. 108362. Atomic digital clocks.
- Sec. 108363. Analog kitchen timers.
- Sec. 108364. Wrist watch movements having over one jewel and less than 7 jewels.
- Sec. 108365. Watch movements having over 7 jewels and under 17 jewels.
- Sec. 108366. Watch cases or "bodies" over 41 mm in diameter.
- Sec. 108367. Watch cases or "bodies" not over 41 mm in diameter.
- Sec. 108368. Watch case bezels, backs, and centers.
- Sec. 108369. Watch case parts.
- Sec. 108370. Stainless steel watch bracelets.
- Sec. 108371. Watch dials.
- Sec. 108372. Watch crowns.
- Sec. 108373. Watch hands.
- Sec. 108374. Acoustic guitars.
- Sec. 108375. Console digital pianos.

- Sec. 108376. Grand digital pianos.
- Sec. 108377. Electronic 61-key keyboards.
- Sec. 108378. Electric guitars and acoustic/electric guitars.
- Sec. 108379. Memory foam travel pillows.
- Sec. 108380. Lighting for wall installation.
- Sec. 108381. Decorative bathroom fan assemblies (lighting fixtures) assemblies.
- Sec. 108382. Metal household floor lamps.
- Sec. 108383. Solar powered pathway lights, each measuring between 36.8 cm and 42 cm in height.
- Sec. 108384. Solar powered pathway lights, each measuring between 45 cm and 48 cm in height.
- Sec. 108385. Exterior exit viewing lights, dual beam.
- Sec. 108386. LED flameless candles.
- Sec. 108387. Aquarium LED light strands.
- Sec. 108388. LED light modules for bathroom fans/lights.
- Sec. 108389. Aquarium LED light sticks.
- Sec. 108390. Aquarium LED light strips.
- Sec. 108391. Decorative votive candle holders.
- Sec. 108392. Candle jar shades.
- Sec. 108393. Non-electrical lighting.
- Sec. 108394. Outdoor garden or patio torches of bamboo construction.
- Sec. 108395. Outdoor garden or patio torches of non-bamboo construction.
- Sec. 108396. Indoor oil lamps with base of glass or metal.
- Sec. 108397. Outdoor garden torches for tabletop use.
- Sec. 108398. Glass lens arrays for spotlights.
- Sec. 108399. Lamp shades.
- Sec. 108400. Galvanized steel LED downlight housing frames.
- Sec. 108401. Aluminum cylinders for LED lighting fixtures.
- Sec. 108402. Galvanized steel brackets and plates for LED lighting fixtures.
- Sec. 108403. Aluminum LED downlight reflectors.
- Sec. 108404. Outdoor garden torch replacement canisters.
- Sec. 108405. Iris subassemblies for moving lights.
- Sec. 108406. Zoom modules for automated moving lights.
- Sec. 108407. Golf club heads for fairway woods.
- Sec. 108408. Golf club shafts for putters.
- Sec. 108409. Steel golf club shafts, other than for putters.
- Sec. 108410. Golf club shaft assemblies.
- Sec. 108411. Graphite driver golf club shafts, extra stiff flex.
- Sec. 108412. Graphite hybrid golf club shafts, extra stiff flex.
- Sec. 108413. Graphite irons golf club shafts, extra stiff flex.
- Sec. 108414. Graphite driver golf club shafts, regular, senior, adult, or ladies flex.
- Sec. 108415. Graphite golf club driver shafts, stiff flex.
- Sec. 108416. Graphite hybrid golf club shafts, regular, senior, adult, or ladies flex.
- Sec. 108417. Graphite hybrid golf club shafts, stiff flex.
- Sec. 108418. Graphite irons golf club shafts, regular, senior, adult, or ladies flex.
- Sec. 108419. Graphite irons golf club shafts, stiff flex.
- Sec. 108420. Pickleball paddles.
- Sec. 108421. Pickleballs.
- Sec. 108422. Exercise cycles.
- Sec. 108423. Stationary trainers.

- Sec. 108424. Multimodality fitness equipment, without integrated contact grip heart rate monitor.
- Sec. 108425. Multimodality fitness equipment with integrated power sensor to measure the user's upper body power input.
- Sec. 108426. Parts and accessories for treadmills.
- Sec. 108427. Parts and accessories for ellipticals.
- Sec. 108428. Parts and accessories for stationary exercise cycles.
- Sec. 108429. Parts and accessories for weight training equipment.
- Sec. 108430. Parts and accessories for certain exercise equipment machines.
- Sec. 108431. Lateral elliptical machines.
- Sec. 108432. Adjustable-weight kettlebells.
- Sec. 108433. Adjustable-weight barbell.
- Sec. 108434. Exercise cycles with dual-position handgrips.
- Sec. 108435. Exercise cycles with single handgrips.
- Sec. 108436. Upright exercise cycles.
- Sec. 108437. Recumbent exercise cycles with touchscreen consoles.
- Sec. 108438. Leaning exercise cycles.
- Sec. 108439. Rod gyms, with vertical bench.
- Sec. 108440. Rod and resistance gyms, with flat benches.
- Sec. 108441. Foldable treadmills, with LCD consoles with control keypads.
- Sec. 108442. Foldable treadmills, with touchscreen consoles measuring 44.5 cm or less.
- Sec. 108443. Indoor cycling machines with wireless data touchscreen displays.
- Sec. 108444. Indoor cycling machines with LCD consoles and two water bottle holders.
- Sec. 108445. Indoor cycling machines with LCD consoles and single water bottle holder.
- Sec. 108446. Recumbent elliptical machines.
- Sec. 108447. Fitness equipment combining the functions of an elliptical and a stair stepper, weight over 90 kgs.
- Sec. 108448. Foldable treadmills with touchscreen console greater than 44.4 cm.
- Sec. 108449. Interactive indoor cycling exercise cycles.
- Sec. 108450. Multimodality fitness equipment, with integrated contact grip heart rate monitors.
- Sec. 108451. Fishing reels valued not over \$2.70 each, pre-spooled, with rod and fishing line.
- Sec. 108452. Fishing reels valued not over \$2.70 each.
- Sec. 108453. Hard artificial crankbaits.
- Sec. 108454. Collapsible big game decoys.
- Sec. 108455. Vacuum steel hinged lid pitchers, not exceeding 1 liter.
- Sec. 108456. Vacuum insulated drinkware having a capacity exceeding 1 liter but not exceeding 2 liters.
- Sec. 108457. Vacuum insulated drinkware having a capacity exceeding 2 liters but not exceeding 4 liters.
- Sec. 108458. Vacuum glass lined steel coffee servers over 2 liters.
- Sec. 108459. Vacuum glass lined steel coffee servers over 2 liters with lever dispensing.

Subtitle B—Existing Duty Suspensions and Reductions

- Sec. 108460. Extension of certain existing duty suspensions and reductions and other modifications.

Subtitle C—Effective Date and Technical Corrections Authority

Sec. 108461. Effective date.

Sec. 108462. Authority to make technical and conforming changes.

1 **SEC. 100001. SHORT TITLE.**

2 This division may be cited as the “American Worker
3 and Trade Competitiveness Act”.

4 **TITLE I—TRADE ADJUSTMENT**
5 **ASSISTANCE**

6 **SEC. 101001. SHORT TITLE.**

7 This title may be cited as the “Trade Adjustment As-
8 sistance Modernization Act of 2022”.

9 **SEC. 101002. APPLICATION OF PROVISIONS RELATING TO**
10 **TRADE ADJUSTMENT ASSISTANCE.**

11 (a) **EFFECTIVE DATE; APPLICABILITY.**—Except as
12 otherwise provided in this title, the provisions of chapters
13 2 through 6 of title II of the Trade Act of 1974, as in
14 effect on June 30, 2021, and as amended by this title,
15 shall—

16 (1) take effect on the date of the enactment of
17 this Act; and

18 (2) apply with respect to petitions for certifi-
19 cation filed under chapter 2, 3, 4, or 6 of title II of
20 the Trade Act of 1974 on or after such date of en-
21 actment.

22 (b) **REFERENCE.**—Except as otherwise provided in
23 this title, whenever in this title an amendment or repeal
24 is expressed in terms of an amendment to, or repeal of,

1 a provision of chapters 2 through 6 of title II of the Trade
2 Act of 1974, the reference shall be considered to be made
3 to a provision of any such chapter, as in effect on June
4 30, 2021.

5 (c) REPEAL OF SNAPBACK.—Section 406 of the
6 Trade Adjustment Assistance Reauthorization Act of
7 2015 (Public Law 114–27; 129 Stat. 379) is repealed.

8 **Subtitle A—Trade Adjustment** 9 **Assistance for Workers**

10 **SEC. 101101. FILING PETITIONS.**

11 Section 221(a)(1) of the Trade Act of 1974 (19
12 U.S.C. 2271(a)(1)) is amended—

13 (1) by amending subparagraph (A) to read as
14 follows:

15 “(A) One or more workers in the group of
16 workers.”; and

17 (2) in subparagraph (C), by striking “or a
18 State dislocated worker unit” and inserting “a State
19 dislocated worker unit, or workforce intermediaries,
20 including labor-management organizations that carry
21 out re-employment and training services”.

22 **SEC. 101102. GROUP ELIGIBILITY REQUIREMENTS.**

23 (a) IN GENERAL.—Section 222(a)(2) of the Trade
24 Act of 1974 (19 U.S.C. 2272(a)(2)) is amended—

25 (1) in subparagraph (A)—

1 (A) in clause (i), by inserting “, failed to
2 increase, or will decrease absolutely due to a
3 scheduled or imminently anticipated, long-term
4 decrease in or reallocation of the production ca-
5 pacity of the firm” after “absolutely”; and

6 (B) in clause (iii)—

7 (i) by striking “to the decline” and in-
8 serting “to any decline or absence of in-
9 crease”; and

10 (ii) by striking “or” at the end;

11 (2) in subparagraph (B)(ii), by striking the pe-
12 riod at the end and inserting “; or”; and

13 (3) by adding at the end the following:

14 “(C)(i) the sales or production, or both, of such
15 firm have decreased;

16 “(ii)(I) exports of articles produced or services
17 supplied by such workers’ firm have decreased; or

18 “(II) imports of articles or services necessary
19 for the production of articles or services supplied by
20 such firm have decreased; and

21 “(iii) the decrease in exports or imports de-
22 scribed in clause (ii) contributed to such workers’
23 separation or threat of separation and to the decline
24 in the sales or production of such firm.”.

1 (b) REPEAL.—Section 222 of the Trade Act of 1974
2 (19 U.S.C. 2272) is amended—

3 (1) in subsections (a) and (b), by striking “im-
4 portantly” each place it appears; and

5 (2) in subsection (c)—

6 (A) by striking paragraph (1); and

7 (B) by redesignating paragraphs (2)
8 through (4) as paragraphs (1) through (3), re-
9 spectively.

10 (c) ELIGIBILITY OF STAFFED WORKERS AND TELE-
11 WORKERS.—Section 222 of the Trade Act of 1974 (19
12 U.S.C. 2272), as amended by subsection (b), is further
13 amended by adding at the end the following:

14 “(f) TREATMENT OF STAFFED WORKERS AND TELE-
15 WORKERS.—

16 “(1) IN GENERAL.—For purposes of subsection
17 (a), workers in a firm include staffed workers and
18 teleworkers.

19 “(2) DEFINITIONS.—In this subsection:

20 “(A) STAFFED WORKER.—The term
21 ‘staffed worker’ means a worker who performs
22 work under the operational control of a firm
23 that is the subject of a petition filed under sec-
24 tion 221, even if the worker is directly em-
25 ployed by another firm.

1 “(B) TELEWORKER.—The term ‘tele-
2 worker’ means a worker who works remotely
3 but who reports to the location listed for a firm
4 in a petition filed under section 221.”.

5 **SEC. 101103. APPLICATION OF DETERMINATIONS OF ELIGI-**
6 **BILITY TO WORKERS EMPLOYED BY SUCCES-**
7 **SORS-IN-INTEREST.**

8 Section 223 of the Trade Act of 1974 (19 U.S.C.
9 2273) is amended by adding at the end the following:

10 “(f) TREATMENT OF WORKERS OF SUCCESSORS-IN-
11 INTEREST.—If the Secretary certifies a group of workers
12 of a firm as eligible to apply for adjustment assistance
13 under this chapter, a worker of a successor-in-interest to
14 that firm shall be covered by the certification to the same
15 extent as a worker of that firm.”.

16 **SEC. 101104. PROVISION OF BENEFIT INFORMATION TO**
17 **WORKERS.**

18 Section 225 of the Trade Act of 1974 (19 U.S.C.
19 2275) is amended—

20 (1) in subsection (a), by inserting after the sec-
21 ond sentence the following new sentence: “The Sec-
22 retary shall make every effort to provide such infor-
23 mation and assistance to workers in their native lan-
24 guage.”; and

25 (2) in subsection (b)—

1 (A) by redesignating paragraph (2) as
2 paragraph (3);

3 (B) by inserting after paragraph (1) the
4 following:

5 “(2) The Secretary shall provide a second notice to
6 a worker described in paragraph (1) before the worker has
7 exhausted all rights to any unemployment insurance to
8 which the worker is entitled (other than additional com-
9 pensation described in section 231(a)(3)(B) funded by a
10 State and not reimbursed from Federal funds).”;

11 (C) in paragraph (3), as redesignated by
12 paragraph (1), by striking “newspapers of gen-
13 eral circulation” and inserting “appropriate
14 print or digital outlets”; and

15 (D) by adding at the end the following:

16 “(4) For purposes of providing sustained outreach re-
17 garding the benefits available under this chapter to work-
18 ers covered by a certification made under this subchapter,
19 the Secretary may take any necessary actions, including
20 the following:

21 “(A) Collecting the email addresses and tele-
22 phone numbers of such workers from the employers
23 of such workers to provide sustained outreach to
24 such workers.

1 “(B) Partnering with the certified or recognized
2 union, a community-based worker organization, or
3 other duly authorized representatives of such work-
4 ers.

5 “(C) Hiring peer support workers to perform
6 sustained outreach to other workers covered by that
7 certification.

8 “(D) Using advertising methods and public in-
9 formation campaigns, including social media, in ad-
10 dition to notice published in print or digital outlets
11 under paragraph (3).”.

12 **SEC. 101105. QUALIFYING REQUIREMENTS FOR WORKERS.**

13 (a) MODIFICATION OF CONDITIONS.—

14 (1) IN GENERAL.—Section 231(a) of the Trade
15 Act of 1974 (19 U.S.C. 2291(a)) is amended—

16 (A) by striking paragraph (2);

17 (B) by redesignating paragraphs (3), (4),
18 and (5) as paragraphs (2), (3), and (4), respec-
19 tively; and

20 (C) in paragraph (4) (as redesignated), by
21 striking “paragraphs (1) and (2)” each place it
22 appears and inserting “paragraph (1)”.

23 (2) CONFORMING AMENDMENTS.—(A) Section
24 232 of the Trade Act of 1974 (19 U.S.C. 2292) is
25 amended by striking “section 231(a)(3)(B)” each

1 place it appears and inserting “section
2 231(a)(2)(B)”.

3 (B) Section 233(a) of the Trade Act of 1974
4 (19 U.S.C. 2293(a)) is amended—

5 (i) in paragraph (1), by striking “section
6 231(a)(3)(A)” and inserting “section
7 231(a)(2)(A)”; and

8 (ii) in paragraph (2)—

9 (I) by striking “adversely affected em-
10 ployment” and all that follows through
11 “(A) within” and inserting “adversely af-
12 fected employment within”;

13 (II) by striking “, and” and inserting
14 a period; and

15 (III) by striking subparagraph (B).

16 (b) WAIVERS OF TRAINING REQUIREMENTS.—Sec-
17 tion 231(c)(1) of the Trade Act of 1974 (19 U.S.C.
18 2291(c)(1)) is amended—

19 (1) by redesignating subparagraphs (A), (B),
20 and (C) as subparagraphs (C), (D), and (E), respec-
21 tively; and

22 (2) by inserting before subparagraph (C) (as re-
23 designated) the following:

1 “(A) RECALL.—The worker has been noti-
2 fied that the worker will be recalled by the firm
3 from which the separation occurred.

4 “(B) RETIREMENT.—The worker is within
5 2 years of meeting all requirements for entitle-
6 ment to either—

7 “(i) old-age insurance benefits under
8 title II of the Social Security Act (42
9 U.S.C. 401 et seq.) (except for application
10 therefor); or

11 “(ii) a private pension sponsored by
12 an employer or labor organization.”.

13 **SEC. 101106. MODIFICATION TO TRADE READJUSTMENT AL-**
14 **LOWANCES.**

15 Section 233 of the Trade Act of 1974 (19 U.S.C.
16 2293) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (2), by inserting after
19 “104-week period” the following: “(or, in the
20 case of an adversely affected worker who re-
21 quires a program of prerequisite education or
22 remedial education (as described in section
23 236(a)(5)(D)) in order to complete training ap-
24 proved for the worker under section 236, the
25 130-week period)”;

1 (B) in paragraph (3), by striking “65 addi-
2 tional weeks in the 78-week period” and insert-
3 ing “78 additional weeks in the 91-week pe-
4 riod”; and

5 (C) in the flush text, by striking “78-week
6 period” and inserting “91-week period”;

7 (2) by striking subsection (d); and

8 (3) by amending subsection (f) to read as fol-
9 lows:

10 “(f) PAYMENT OF TRADE READJUSTMENT ALLOW-
11 ANCES TO COMPLETE TRAINING.—Notwithstanding any
12 other provision of this section, in order to assist an ad-
13 versely affected worker to complete training approved for
14 the worker under section 236 that includes a program of
15 prerequisite education or remedial education (as described
16 in section 236(a)(5)(D)), and in accordance with regula-
17 tions prescribed by the Secretary, payments may be made
18 as trade readjustment allowances for up to 26 additional
19 weeks in the 26-week period that follows the last week of
20 entitlement to trade readjustment allowances otherwise
21 payable under this chapter.”.

22 **SEC. 101107. AUTOMATIC EXTENSION OF TRADE READJUST-**
23 **MENT ALLOWANCES.**

24 (a) IN GENERAL.—Part I of subchapter B of chapter
25 2 of title II of the Trade Act of 1974 (19 U.S.C. 2291

1 et seq.) is amended by inserting after section 233 the fol-
2 lowing new section:

3 **“SEC. 233A. AUTOMATIC EXTENSION OF TRADE READJUST-**
4 **MENT ALLOWANCES.**

5 “(a) IN GENERAL.—Notwithstanding the limitations
6 under section 233(a), the Secretary shall extend the period
7 during which trade readjustment allowances are payable
8 to an adversely affected worker who completes training ap-
9 proved under section 236 by the Secretary during a period
10 of heightened unemployment with respect to the State in
11 which such worker seeks benefits, for the shorter of—

12 “(1) the 26-week period beginning on the date
13 of completion of such training; or

14 “(2) the period ending on the date on which the
15 adversely affected worker secures employment.

16 “(b) JOB SEARCH REQUIRED.—A worker shall only
17 be eligible for an extension under subsection (a) if the
18 worker is complying with the job search requirements as-
19 sociated with unemployment insurance in the applicable
20 State.

21 “(c) PERIOD OF HEIGHTENED UNEMPLOYMENT DE-
22 FINED.—In this section, the term ‘period of heightened
23 unemployment’ with respect to a State means a 90-day
24 period during which, in the determination of the Sec-

1 retary, either of the following average rates equals or ex-
2 ceeds 5.5 percent:

3 “(1) The average rate of total unemployment in
4 such State (seasonally adjusted) for the period con-
5 sisting of the most recent 3-month period for which
6 data for all States are published before the close of
7 such period.

8 “(2) The average rate of total unemployment in
9 all States (seasonally adjusted) for the period con-
10 sisting of the most recent 3-month period for which
11 data for all States are published before the close of
12 such period.”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 for the Trade Act of 1974 is amended by inserting after
15 the item relating to section 233 the following:

 “Sec. 233A. Automatic extension of trade readjustment allowances.”.

16 **SEC. 101108. EMPLOYMENT AND CASE MANAGEMENT SERV-**
17 **ICES.**

18 Section 235 of the Trade Act of 1974 (19 U.S.C.
19 2295) is amended—

20 (1) in paragraph (3)—

21 (A) by inserting after “regional areas” the
22 following: “(including information about reg-
23 istered apprenticeship programs, on-the-job
24 training opportunities, and other work-based
25 learning opportunities)”; and

1 (B) by inserting after “suitable training”
2 the following: “, information regarding the
3 track record of a training provider’s ability to
4 successfully place participants into suitable em-
5 ployment”;

6 (2) by redesignating paragraph (8) as para-
7 graph (10); and

8 (3) by inserting after paragraph (7) the fol-
9 lowing:

10 “(8) Information related to direct job place-
11 ment, including facilitating the extent to which em-
12 ployers within the community commit to employing
13 workers who would benefit from the employment and
14 case management services under this section.

15 “(9) Sustained outreach to groups of workers
16 likely to be certified as eligible for adjustment assist-
17 ance under this chapter and members of certified
18 worker groups who have not yet applied for or been
19 enrolled in benefits or services under this chapter,
20 especially such groups and members from under-
21 served communities.”.

22 **SEC. 101109. TRAINING.**

23 Section 236 of the Trade Act of 1974 (19 U.S.C.
24 2296(a)) is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (1)(D), by inserting “,
2 with a demonstrated ability to place partici-
3 pants into employment” before the comma at
4 the end;

5 (B) in paragraph (3), by adding at the end
6 before the period the following: “, except that
7 every effort shall be made to ensure that em-
8 ployment opportunities are available upon the
9 completion of training”; and

10 (C) in paragraph (5)—

11 (i) in subparagraph (G), by striking “,
12 and” and inserting a comma;

13 (ii) in subparagraph (H)(ii), by strik-
14 ing the period at the end and inserting “,
15 and”; and

16 (iii) by adding at the end before the
17 flush text the following:

18 “(I) pre-apprenticeship training.”; and

19 (2) by adding at the end the following:

20 “(h) REIMBURSEMENT FOR OUT-OF-POCKET TRAIN-
21 ING EXPENSES.—If the Secretary approves training for
22 a worker under paragraph (1) of subsection (a), the Sec-
23 retary may reimburse the worker for out-of-pocket ex-
24 penses relating to training program described in para-
25 graph (5) of that subsection that were incurred by the

1 worker on and after the date of the worker's total or par-
2 tial separation and before the date on which the certifi-
3 cation of eligibility under section 222 that covers the work-
4 er is issued.”.

5 **SEC. 101110. JOB SEARCH, RELOCATION, AND CHILD AND**
6 **OTHER DEPENDENT CARE ALLOWANCES.**

7 (a) **JOB SEARCH ALLOWANCES.**—Section 237 of the
8 Trade Act of 1974 (19 U.S.C. 2297) is amended—

9 (1) in subsection (a)(1), by striking “may use
10 funds made available to the State to carry out sec-
11 tions 235 through 238” and inserting “shall use,
12 from funds made available to the State to carry out
13 sections 235 through 238A, such amounts as may be
14 necessary”;

15 (2) in subsection (a)(2), in the matter pre-
16 ceding subparagraph (A), by striking “may grant”
17 and inserting “shall grant”; and

18 (3) in subsection (b)—

19 (A) in paragraph (1), by striking “not
20 more than 90 percent” and inserting “100 per-
21 cent”;

22 (B) in paragraph (2), by striking “\$1,250”
23 and inserting “\$2,000 (subject to adjustment
24 under paragraph (4))”; and

25 (C) by adding at the end the following;

1 “(4) ADJUSTMENT OF MAXIMUM ALLOWANCE
2 LIMITATION FOR INFLATION.—

3 “(A) IN GENERAL.—The Secretary of
4 Labor shall adjust the maximum allowance limi-
5 tation under paragraph (2) on the date that is
6 30 days after the date of the enactment of this
7 paragraph, and at the beginning of each fiscal
8 year thereafter, to reflect the percentage (if
9 any) of the increase in the average of the Con-
10 sumer Price Index for the preceding 12-month
11 period compared to the Consumer Price Index
12 for fiscal year 2020.

13 “(B) SPECIAL RULES FOR CALCULATION
14 OF ADJUSTMENT.—In making an adjustment
15 under subparagraph (A), the Secretary—

16 “(i) shall round the amount of any in-
17 crease in the Consumer Price Index to the
18 nearest dollar; and

19 “(ii) may ignore any such increase of
20 less than 1 percent.

21 “(C) CONSUMER PRICE INDEX DEFINED.—
22 For purposes of this paragraph, the term ‘Con-
23 sumer Price Index’ means the Consumer Price
24 Index for All Urban Consumers published by

1 the Bureau of Labor Statistics of the Depart-
2 ment of Labor.”.

3 (b) RELOCATION ALLOWANCES.—Section 238 of the
4 Trade Act of 1974 (19 U.S.C. 2298) is amended—

5 (1) in subsection (a)(1), by striking “may use
6 funds made available to the State to carry out sec-
7 tions 235 through 238” and inserting “shall use,
8 from funds made available to the State to carry out
9 sections 235 through 238A, such amounts as may be
10 necessary”;

11 (2) in subsection (a)(2), in the matter pre-
12 ceding subparagraph (A), by striking “may be grant-
13 ed” and inserting “shall be granted”;

14 (3) in subsection (b)—

15 (A) in paragraph (1), by striking “not
16 more than 90 percent” and inserting “100 per-
17 cent”; and

18 (B) in paragraph (2), by striking “\$1,250”
19 and inserting “\$2,000 (subject to adjustment
20 under subsection (d))”; and

21 (4) by adding at the end the following:

22 “(d) ADJUSTMENT OF MAXIMUM PAYMENT LIMITA-
23 TION FOR INFLATION.—

24 “(1) IN GENERAL.—The Secretary of Labor
25 shall adjust the maximum payment limitation under

1 subsection (b)(2) on the date that is 30 days after
2 the date of the enactment of this subsection, and at
3 the beginning of each fiscal year thereafter, to re-
4 flect the percentage (if any) of the increase in the
5 average of the Consumer Price Index for the pre-
6 ceding 12-month period compared to the Consumer
7 Price Index for fiscal year 2020.

8 “(2) SPECIAL RULES FOR CALCULATION OF AD-
9 JUSTMENT.—In making an adjustment under para-
10 graph (1), the Secretary—

11 “(A) shall round the amount of any in-
12 crease in the Consumer Price Index to the near-
13 est dollar; and

14 “(B) may ignore any such increase of less
15 than 1 percent.

16 “(3) CONSUMER PRICE INDEX DEFINED.—For
17 purposes of this subsection, the term ‘Consumer
18 Price Index’ means the Consumer Price Index for
19 All Urban Consumers published by the Bureau of
20 Labor Statistics of the Department of Labor.”.

21 (c) CHILD AND OTHER DEPENDENT CARE ALLOW-
22 ANCES.—

23 (1) IN GENERAL.—Part II of subchapter B of
24 chapter 2 of title II of the Trade Act of 1974 (19

1 U.S.C. 2295 et seq.) is amended by adding at the
2 end the following:

3 **“SEC. 238A. CHILD AND OTHER DEPENDENT CARE ALLOW-**
4 **ANCES.**

5 “(a) CHILD AND OTHER DEPENDENT CARE ALLOW-
6 ANCES AUTHORIZED.—

7 “(1) IN GENERAL.—Each State shall use, from
8 funds made available to the State to carry out sec-
9 tions 235 through 238A, such amounts as may be
10 necessary to allow an adversely affected worker cov-
11 ered by a certification issued under subchapter A of
12 this chapter to file an application for a child and
13 other dependent care allowance with the Secretary,
14 and the Secretary may grant the child care allow-
15 ance, subject to the terms and conditions of this sec-
16 tion.

17 “(2) CONDITIONS FOR GRANTING ALLOW-
18 ANCE.—A child and other dependent care allowance
19 shall be granted if the allowance will assist an ad-
20 versely affected worker to attend training or seek
21 suitable employment, by providing for the care of
22 one or more of the minor dependents of the worker.

23 “(b) AMOUNT OF ALLOWANCE.—Any child and other
24 dependent care allowance granted to a worker under sub-

1 section (a) shall not exceed \$2,000 per minor dependent
2 per year.

3 “(c) ADJUSTMENT OF MAXIMUM ALLOWANCE LIMITATION FOR INFLATION.—

4
5 “(1) IN GENERAL.—The Secretary of Labor
6 shall adjust the maximum allowance limitation under
7 subsection (b) on the date that is 30 days after the
8 date of the enactment of this subsection, and at the
9 beginning of each fiscal year thereafter, to reflect
10 the percentage (if any) of the increase in the average
11 of the Consumer Price Index for the preceding 12-
12 month period compared to the Consumer Price
13 Index for fiscal year 2020.

14 “(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In making an adjustment under para-
15 graph (1), the Secretary—

16
17 “(A) shall round the amount of any in-
18 crease in the Consumer Price Index to the near-
19 est dollar; and

20 “(B) may ignore any such increase of less
21 than 1 percent.

22 “(3) CONSUMER PRICE INDEX DEFINED.—For
23 purposes of this subsection, the term ‘Consumer
24 Price Index’ means the Consumer Price Index for

1 All Urban Consumers published by the Bureau of
2 Labor Statistics of the Department of Labor.”.

3 (2) CONFORMING AMENDMENTS.—

4 (A) LIMITATIONS ON ADMINISTRATIVE EX-
5 PENSES AND EMPLOYMENT AND CASE MANAGE-
6 MENT SERVICES.—Section 235A of the Trade
7 Act of 1974 (19 U.S.C. 2295a) is amended in
8 the matter preceding paragraph (1) by striking
9 “through 238” and inserting “through 238A”.

10 (B) TRAINING.—Section 236(a)(2) of the
11 Trade Act of 1974 (19 U.S.C. 2296(a)(2)) is
12 amended—

13 (i) in subparagraph (A), by striking
14 “and 238” and inserting “238, and
15 238A”;

16 (ii) in subparagraph (B), by striking
17 “and 238” each place it appears and in-
18 serting “238, and 238A”;

19 (iii) in subparagraph (C)(i), by strik-
20 ing “and 238” and inserting “238, and
21 238A”;

22 (iv) in subparagraph (C)(v), by strik-
23 ing “and 238” and inserting “238, and
24 238A”; and

1 (v) in subparagraph (E), by striking
2 “and 238” each place it appears and in-
3 serting “238, and 238A”.

4 (3) CLERICAL AMENDMENT.—The table of con-
5 tents for the Trade Act of 1974 is amended by add-
6 ing after the item relating to section 238 the fol-
7 lowing new item:

“Sec. 238A. Child and other dependent care allowances.”.

8 **SEC. 101111. AGREEMENTS WITH STATES.**

9 (a) COORDINATION.—Section 239(f) of the Trade Act
10 of 1974 (19 U.S.C. 2311(f)) is amended—

11 (1) by striking “(f) Any agreement” and insert-
12 ing the following:

13 “(f)(1) Any agreement”; and

14 (2) by adding at the end the following:

15 “(2) In arranging for training programs to be
16 carried out under this chapter, each cooperating
17 State agency shall, among other factors, take into
18 account and measure the progress of the extent to
19 which such programs—

20 “(A) achieve a satisfactory rate of comple-
21 tion and placement in jobs that provide a living
22 wage and that increase economic security;

23 “(B) assist workers in developing the
24 skills, networks, and experiences necessary to
25 advance along a career path;

1 “(C) assist workers from underserved com-
2 munities to establish a work history, dem-
3 onstrate success in the workplace, and develop
4 the skills that lead to entry into and retention
5 in unsubsidized employment; and

6 “(D) adequately serve individuals who face
7 the greatest barriers to employment, including
8 people with low incomes, people of color, immi-
9 grants, persons with disabilities, and formerly
10 incarcerated individuals.

11 “(3) Each cooperating State agency shall facili-
12 tate joint cooperation between training programs,
13 representatives of workers, employers, and commu-
14 nities, especially in underserved rural and urban re-
15 gions, to ensure a fair and engaging workplace that
16 balances the priorities and well-being of workers
17 with the needs of businesses.

18 “(4) Each cooperating State agency shall seek,
19 including through agreements and training programs
20 described in this subsection, to ensure the reemploy-
21 ment of adversely affected workers upon completion
22 of training as described in section 236.”.

23 (b) ADMINISTRATION.—Section 239(g) of the Trade
24 Act of 1974 (19 U.S.C. 2311(g)) is amended—

25 (1) by redesignating—

1 (A) paragraphs (1) through (4) as para-
2 graphs (3) through (6), respectively; and

3 (B) paragraph (5) as paragraph (8);

4 (2) by inserting before paragraph (3) (as redesi-
5 gnated) the following:

6 “(1) review each layoff of more than 5 workers
7 in a firm to determine whether trade played a role
8 in the layoff and whether workers in such firm are
9 potentially eligible to receive benefits under this
10 chapter,

11 “(2) perform sustained outreach to firms to fa-
12 cilitate and assist with filing petitions under section
13 221 and collecting necessary supporting informa-
14 tion,”;

15 (3) in paragraph (3) (as redesignated), by strik-
16 ing “who applies for unemployment insurance of”
17 and inserting “identified under paragraph (1) of un-
18 employment insurance benefits and”;

19 (4) in paragraph (4) (as redesignated), by in-
20 serting “and assist with” after “facilitate”;

21 (5) in paragraph (6) (as redesignated), by strik-
22 ing “and” at the end;

23 (6) by inserting after paragraph (6) (as redesi-
24 gnated) the following:

1 “(7) perform sustained outreach to workers
2 from underserved communities and to firms that em-
3 ploy a majority or a substantial percentage of work-
4 ers from underserved communities and develop a
5 plan, in consultation with the Secretary, for address-
6 ing common barriers to receiving services that such
7 workers have faced,”;

8 (7) in paragraph (8) (as redesignated), by strik-
9 ing “funds provided to carry out this chapter are in-
10 sufficient to make such services available, make ar-
11 rangements to make such services available through
12 other Federal programs” and inserting “support
13 services are needed beyond what this chapter can
14 provide, make arrangements to coordinate such serv-
15 ices available through other Federal programs”;

16 (8) by adding at the end the following:

17 “(9) develop a strategy to engage with local
18 workforce development institutions, including local
19 community colleges and other educational institu-
20 tions, and

21 “(10) develop a comprehensive strategy to pro-
22 vide agency staffing to support the requirements of
23 paragraphs (1) through (9).”.

1 (c) STAFFING.—Section 239 of the Trade Act of
2 1974 (19 U.S.C. 2311) is amended by striking subsection
3 (k) and inserting the following:

4 “(k) STAFFING.—An agreement entered into under
5 this section shall provide that the cooperating State or co-
6 operating State agency shall require that any individual
7 engaged in functions (other than functions that are not
8 inherently governmental) to carry out the trade adjust-
9 ment assistance program under this chapter shall be a
10 State employee covered by a merit system of personnel ad-
11 ministration.”.

12 **SEC. 101112. REEMPLOYMENT TRADE ADJUSTMENT ASSIST-**
13 **ANCE PROGRAM.**

14 Section 246(a) of the Trade Act of 1974 (19 U.S.C.
15 2318(a)) is amended—

16 (1) in paragraph (3)(B)(ii), by striking
17 “\$50,000” and inserting “\$70,000 (subject to ad-
18 justment under paragraph (8))”;

19 (2) in paragraph (5)(B)(i), by striking
20 “\$10,000” and inserting “\$20,000 (subject to ad-
21 justment under paragraph (8))”; and

22 (3) by adding at the end the following:

23 “(8) ADJUSTMENT OF SALARY LIMITATION AND
24 TOTAL AMOUNT OF PAYMENTS FOR INFLATION.—

1 “(A) IN GENERAL.—The Secretary of
2 Labor shall adjust the salary limitation under
3 paragraph (3)(B)(ii) and the amount under
4 paragraph (5)(B)(i) on the date that is 30 days
5 after the date of the enactment of this para-
6 graph, and at the beginning of each fiscal year
7 thereafter, to reflect the percentage (if any) of
8 the increase in the average of the Consumer
9 Price Index for the preceding 12-month period
10 compared to the Consumer Price Index for fis-
11 cal year 2020.

12 “(B) SPECIAL RULES FOR CALCULATION
13 OF ADJUSTMENT.—In making an adjustment
14 under subparagraph (A), the Secretary—

15 “(i) shall round the amount of any in-
16 crease in the Consumer Price Index to the
17 nearest dollar; and

18 “(ii) may ignore any such increase of
19 less than 1 percent.

20 “(C) CONSUMER PRICE INDEX DEFINED.—
21 For purposes of this paragraph, the term ‘Con-
22 sumer Price Index’ means the Consumer Price
23 Index for All Urban Consumers published by
24 the Bureau of Labor Statistics of the Depart-
25 ment of Labor.”.

1 **SEC. 101113. EXTENSION OF TRADE ADJUSTMENT ASSIST-**
2 **ANCE TO PUBLIC AGENCY WORKERS.**

3 (a) DEFINITIONS.—Section 247 of the Trade Act of
4 1974 (19 U.S.C. 2319) is amended—

5 (1) in paragraph (3)—

6 (A) in the matter preceding subparagraph
7 (A), by striking “The” and inserting “Subject
8 to section 222(d)(5), the”; and

9 (B) in subparagraph (A), by striking “or
10 service sector firm” and inserting “, service sec-
11 tor firm, or public agency”; and

12 (2) by adding at the end the following:

13 “(20) The term ‘public agency’ means a depart-
14 ment or agency of a State or local government or of
15 the Federal Government.”.

16 (b) GROUP ELIGIBILITY REQUIREMENTS.—Section
17 222 of the Trade Act of 1974 (19 U.S.C. 2272), as
18 amended by subsections (b) and (c) of section 101102, is
19 further amended—

20 (1) by redesignating subsections (c), (d), (e),
21 and (f) as subsections (d), (e), (f), and (g), respec-
22 tively;

23 (2) by inserting after subsection (b) the fol-
24 lowing:

25 “(c) ADVERSELY AFFECTED WORKERS IN PUBLIC
26 AGENCIES.—A group of workers in a public agency shall

1 be certified by the Secretary as eligible to apply for adjust-
2 ment assistance under this chapter pursuant to a petition
3 filed under section 221 if the Secretary determines that—

4 “(1) a significant number or proportion of the
5 workers in the public agency have become totally or
6 partially separated, or are threatened to become to-
7 tally or partially separated;

8 “(2) the public agency has acquired from a for-
9 eign country services like or directly competitive with
10 services which are supplied by such agency; and

11 “(3) the acquisition of services described in
12 paragraph (2) contributed to such workers’ separa-
13 tion or threat of separation.”;

14 (3) in subsection (d) (as redesignated), by add-
15 ing at the end the following:

16 “(5) REFERENCE TO FIRM.—For purposes of
17 subsections (a) and (b), the term ‘firm’ does not in-
18 clude a public agency.”; and

19 (4) in paragraph (2) of subsection (e) (as redesi-
20 gnated), by striking “subsection (a) or (b)” and in-
21 serting “subsection (a), (b), or (c)”.

22 **SEC. 101114. DEFINITIONS.**

23 (a) **EXTENSION OF ADJUSTMENT ASSISTANCE FOR**
24 **WORKERS TO TERRITORIES.**—Section 247(7) of the
25 Trade Act of 1974 (19 U.S.C. 2319(7)) is amended—

1 (1) by inserting “, Guam, the Virgin Islands of
2 the United States, American Samoa, the Common-
3 wealth of the Northern Mariana Islands,” after
4 “District of Columbia”; and

5 (2) by striking “such Commonwealth.” and in-
6 serting “such territories.”.

7 (b) **UNDERSERVED COMMUNITY.**—Section 247 of the
8 Trade Act of 1974 (19 U.S.C. 2319), as amended by sec-
9 tion 101113(a), is further amended by adding at the end
10 the following:

11 “(21) The term ‘underserved community’
12 means a community with populations sharing a par-
13 ticular characteristic that have been systematically
14 denied a full opportunity to participate in aspects of
15 economic, social, or civic life, such as Black, Latino,
16 and Indigenous and Native American persons, Asian
17 Americans and Pacific Islanders, other persons of
18 color, members of other minority communities, per-
19 sons with disabilities, persons who live in rural
20 areas, and other populations otherwise adversely af-
21 fected by persistent poverty or inequality.”.

22 **SEC. 101115. REQUIREMENTS FOR CERTAIN TERRITORIES.**

23 Section 248 of the Trade Act of 1974 (19 U.S.C.
24 2320) is amended by adding at the end the following:

1 “(c) REQUIREMENTS FOR CERTAIN TERRITORIES.—
2 The Secretary shall establish such requirements as may
3 be necessary and appropriate to modify the requirements
4 of this chapter, including requirements relating to eligi-
5 bility for trade readjustment allowances and limitations on
6 administrative expenditures, to address the particular cir-
7 cumstances of Guam, the Virgin Islands of the United
8 States, American Samoa, and the Commonwealth of the
9 Northern Mariana Islands in implementing and carrying
10 out this chapter.”.

11 **SEC. 101116. SUBPOENA POWER.**

12 Section 249 of the Trade Act of 1974 (19 U.S.C.
13 2321) is amended—

14 (1) in subsection (a), by adding at the end the
15 following: “The authority under the preceding sen-
16 tence includes the authority of States to require, by
17 subpoena, a firm to provide information on workers
18 employed by, or totally or partially separated from,
19 the firm that is necessary to make a determination
20 under this chapter or to provide outreach to work-
21 ers, including the names and address of workers.”;
22 and

23 (2) by adding at the end the following:

1 “(c) ENFORCEMENT OF SUBPOENAS BY STATES.—
2 A State may enforce compliance with a subpoena issued
3 under subsection (a)—

4 “(1) as provided for under State law; and

5 “(2) by petitioning an appropriate United
6 States district court for an order requiring compli-
7 ance with the subpoena.”.

8 **Subtitle B—Trade Adjustment** 9 **Assistance for Firms**

10 **SEC. 101201. PETITIONS AND DETERMINATIONS.**

11 Section 251 of the Trade Act of 1974 (19 U.S.C.
12 2341) is amended—

13 (1) in the second sentence of subsection (a), by
14 striking “Upon” and inserting “Not later than 15
15 days after”;

16 (2) by amending subsection (c) to read as fol-
17 lows:

18 “(c)(1) The Secretary shall certify a firm (including
19 any agricultural firm or service sector firm) as eligible to
20 apply for adjustment assistance under this chapter if the
21 Secretary determines—

22 “(A)(i) that a significant number or proportion
23 of the workers in such firm have become totally or
24 partially separated, or are threatened to become to-
25 tally or partially separated, or

1 “(ii) that—

2 “(I) sales or production, or both, of the
3 firm have decreased absolutely or failed to in-
4 crease,

5 “(II) sales or production, or both, of an ar-
6 ticle or service that accounted for not less than
7 25 percent of the total sales or production of
8 the firm during the 12-month period preceding
9 the most recent 12-month period for which data
10 are available have decreased absolutely or failed
11 to increase,

12 “(III) sales or production, or both, of the
13 firm during the most recent 12-month period
14 for which data are available have decreased or
15 failed to increase compared to—

16 “(aa) the average annual sales or pro-
17 duction for the firm during the 24-month
18 period preceding that 12-month period, or

19 “(bb) the average annual sales or pro-
20 duction for the firm during the 36-month
21 period preceding that 12-month period,
22 and

23 “(IV) sales or production, or both, of an
24 article or service that accounted for not less
25 than 25 percent of the total sales or production

1 of the firm during the most recent 12-month
2 period for which data are available have de-
3 creased or failed to increase compared to—

4 “(aa) the average annual sales or pro-
5 duction for the article or service during the
6 24-month period preceding that 12-month
7 period, or

8 “(bb) the average annual sales or pro-
9 duction for the article or service during the
10 36-month period preceding that 12-month
11 period, and

12 “(B)(i) increases of imports of articles or serv-
13 ices like or directly competitive with articles which
14 are produced or services which are supplied by such
15 firm contributed to such total or partial separation,
16 or threat thereof, or to such decline or failure to in-
17 crease in sales or production, or

18 “(ii) decreases in exports of articles produced or
19 services supplied by such firm, or imports of articles
20 or services necessary for the production of articles or
21 services supplied by such firm, contributed to such
22 total or partial separation, or threat thereof, or to
23 such decline in sales or production.

24 “(2) For purposes of paragraph (1)(B):

1 “(A) Any firm which engages in exploration or
2 drilling for oil or natural gas shall be considered to
3 be a firm producing oil or natural gas.

4 “(B) Any firm that engages in exploration or
5 drilling for oil or natural gas, or otherwise produces
6 oil or natural gas, shall be considered to be pro-
7 ducing articles directly competitive with imports of
8 oil and with imports of natural gas.”; and

9 (3) in subsection (d)—

10 (A) by striking “this section,” and insert-
11 ing “this section.”; and

12 (B) by striking “but in any event” and all
13 that follows and inserting the following: “If the
14 Secretary does not make a determination with
15 respect to a petition within 55 days after the
16 date on which an investigation is initiated
17 under subsection (a) with respect to the peti-
18 tion, the Secretary shall be deemed to have cer-
19 tified the firm as eligible to apply for adjust-
20 ment assistance under this chapter.”.

21 **SEC. 101202. APPROVAL OF ADJUSTMENT PROPOSALS.**

22 Section 252 of the Trade Act of 1974 (19 U.S.C.
23 2342) is amended—

24 (1) in the second sentence of subsection (a), by
25 adding at the end before the period the following:

1 “and an assessment of the potential employment
2 outcomes of such proposal”;

3 (2) in subsection (b)(1)(B), by striking “gives
4 adequate consideration to” and inserting “is in”;

5 (3) by redesignating subsection (c) as sub-
6 section (d); and

7 (4) by inserting after subsection (b) the fol-
8 lowing:

9 “(c) AMOUNT OF ASSISTANCE.—

10 “(1) IN GENERAL.—A firm may receive adjust-
11 ment assistance under this chapter with respect to
12 the firm’s economic adjustment proposal in an
13 amount not to exceed \$300,000, subject to adjust-
14 ment under paragraph (2) and the matching re-
15 quirement under paragraph (3).

16 “(2) ADJUSTMENT OF ASSISTANCE LIMITATION
17 FOR INFLATION.—

18 “(A) IN GENERAL.—The Secretary of
19 Commerce shall adjust the technical assistance
20 limitation under paragraph (1) on the date that
21 is 30 days after the date of the enactment of
22 this paragraph, and at the beginning of each
23 fiscal year thereafter, to reflect the percentage
24 (if any) of the increase in the average of the
25 Consumer Price Index for the preceding 12-

1 month period compared to the Consumer Price
2 Index for fiscal year 2020.

3 “(B) SPECIAL RULES FOR CALCULATION
4 OF ADJUSTMENT.—In making an adjustment
5 under subparagraph (A), the Secretary—

6 “(i) shall round the amount of any in-
7 crease in the Consumer Price Index to the
8 nearest dollar; and

9 “(ii) may ignore any such increase of
10 less than 1 percent.

11 “(C) CONSUMER PRICE INDEX DEFINED.—
12 For purposes of this paragraph, the term ‘Con-
13 sumer Price Index’ means the Consumer Price
14 Index for All Urban Consumers published by
15 the Bureau of Labor Statistics of the Depart-
16 ment of Labor.

17 “(3) MATCHING REQUIREMENT.—A firm may
18 receive adjustment assistance under this chapter
19 only if the firm provides matching funds in an
20 amount equal to the amount of adjustment assist-
21 ance received under paragraph (1).”.

22 **SEC. 101203. TECHNICAL ASSISTANCE.**

23 Section 253(a)(3) of the Trade Act of 1974 (19
24 U.S.C. 2343(a)(3)) is amended by adding at the end be-

1 fore the period the following: “, including assistance to
2 provide skills training programs to employees of the firm”.

3 **SEC. 101204. DEFINITIONS.**

4 Section 259 of the Trade Act of 1974 (19 U.S.C.
5 2351) is amended by adding at the end the following:

6 “(3) **UNDERSERVED COMMUNITY.**—The term
7 ‘underserved community’ has the meaning given that
8 term in section 247.”.

9 **SEC. 101205. PLAN FOR SUSTAINED OUTREACH TO POTEN-**
10 **TIALY-ELIGIBLE FIRMS.**

11 (a) **IN GENERAL.**—Chapter 3 of title II of the Trade
12 Act of 1974 (19 U.S.C. 2341 et seq.) is amended by add-
13 ing at the end the following:

14 **“SEC. 263. PLAN FOR SUSTAINED OUTREACH TO POTEN-**
15 **TIALY-ELIGIBLE FIRMS.**

16 “(a) **IN GENERAL.**—The Secretary shall develop a
17 plan to provide sustained outreach to firms that may be
18 eligible for adjustment assistance under this chapter.

19 “(b) **MATTERS TO BE INCLUDED.**—The plan re-
20 quired by paragraph (1) shall include the following:

21 “(1) Outreach to the United States Inter-
22 national Trade Commission and to such firms in in-
23 dustries with increased imports identified in the
24 Commission’s annual report regarding the operation

1 of the trade agreements program under section
2 163(c).

3 “(2) Outreach to such firms in the service sec-
4 tor.

5 “(3) Outreach to such firms that are small
6 businesses.

7 “(4) Outreach to such firms that are minority-
8 or women-owned firms.

9 “(5) Outreach to such firms that employ a ma-
10 jority or a substantial percentage of workers from
11 underserved communities.

12 “(c) UPDATES.—The Secretary shall update the plan
13 required under this section on an annual basis.

14 “(d) SUBMISSION TO CONGRESS.—The Secretary
15 shall submit the plan and each update to the plan required
16 under this section to Congress.”.

17 (b) CLERICAL AMENDMENT.—The table of contents
18 for the Trade Act of 1974 is amended by inserting after
19 the item relating to section 262 the following new item:

“Sec. 263. Plan for sustained outreach to potentially-eligible firms.”.

1 **Subtitle C—Trade Adjustment As-**
2 **sistance for Communities and**
3 **Community Colleges**

4 **SEC. 101301. TRADE ADJUSTMENT ASSISTANCE FOR COM-**
5 **MUNITIES.**

6 (a) IN GENERAL.—Chapter 4 of title II of the Trade
7 Act of 1974 (19 U.S.C. 2371 et seq.) is amended—

8 (1) by inserting after the chapter heading the
9 following:

10 **“Subchapter B—Trade Adjustment Assistance**
11 **for Community Colleges and Career**
12 **Training”;** and

13 (2) by redesignating sections 271 and 272 as
14 sections 279 and 279A, respectively; and

15 (3) by inserting before subchapter B (as des-
16 ignated by paragraph (1)) the following:

17 **“Subchapter A—Trade Adjustment Assistance**
18 **for Communities**

19 **“SEC. 271. DEFINITIONS.**

20 “In this subchapter:

21 “(1) AGRICULTURAL COMMODITY PRODUCER.—
22 The term ‘agricultural commodity producer’ has the
23 meaning given that term in section 291.

24 “(2) COMMUNITY.—The term ‘community’
25 means—

1 “(A) a city or other political subdivision of
2 a State, including a special purpose unit of a
3 State or local government engaged in economic
4 or infrastructure development activities, or a
5 consortium of political subdivisions;

6 “(B) an Economic Development District
7 designated by the Economic Development Ad-
8 ministration of the Department of Commerce;
9 or

10 “(C) an Indian Tribe.

11 “(3) ELIGIBLE COMMUNITY.—The term ‘eligible
12 community’ means a community that is impacted by
13 trade under section 273(a)(2) and is determined to
14 be eligible for assistance under this subchapter.

15 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
16 tity’ means—

17 “(A) an eligible community;

18 “(B) an institution of higher education or
19 a consortium of institutions of higher education;
20 or

21 “(C) a public or private nonprofit organi-
22 zation or association acting in cooperation with
23 officials of a political subdivision of a State.

24 “(4) SECRETARY.—The term ‘Secretary’ means
25 the Secretary of Commerce.

1 “(5) UNDERSERVED COMMUNITY.—The term
2 ‘underserved community’ has the meaning given that
3 term in section 247.

4 **“SEC. 272. ESTABLISHMENT OF TRADE ADJUSTMENT AS-**
5 **SISTANCE FOR COMMUNITIES PROGRAM.**

6 “The Secretary, acting through the Assistant Sec-
7 retary for Economic Development, shall, not later than
8 180 days after the date of enactment of this subchapter,
9 establish a program to provide communities impacted by
10 trade with assistance in accordance with the requirements
11 of this subchapter.

12 **“SEC. 273. ELIGIBILITY; NOTIFICATION OF ELIGIBILITY.**

13 “(a) ELIGIBILITY.—

14 “(1) IN GENERAL.—A community shall be eligi-
15 ble for assistance under this subchapter if the com-
16 munity is a community impacted by trade under
17 paragraph (2).

18 “(2) COMMUNITY IMPACTED BY TRADE.—A
19 community is impacted by trade if it meets each of
20 the following requirements:

21 “(A) One or more of the following certifi-
22 cations are made with respect to the commu-
23 nity:

24 “(i) By the Secretary of Labor, that a
25 group of workers located in the community

1 is eligible to apply for assistance under
2 section 223.

3 “(ii) By the Secretary of Commerce,
4 that a firm located in the community is eli-
5 gible to apply for adjustment assistance
6 under section 251.

7 “(iii) By the Secretary of Agriculture,
8 that a group of agricultural commodity
9 producers located in the community is eli-
10 gible to apply for adjustment assistance
11 under section 293.

12 “(B) The community—

13 “(i) applies for assistance not later
14 than 180 days after the date on which the
15 most recent certification described in sub-
16 paragraph (A) is made; or

17 “(ii) in the case of a community with
18 respect to which one or more such certifi-
19 cations were made on or after January 1,
20 1994, and before the date of the enactment
21 of this subchapter, applies for assistance
22 not later than September 30, 2024.

23 “(C) The community—

24 “(i) has a per capita income of 80
25 percent or less of the national average;

1 “(ii) has an unemployment rate that
2 is, for the most recent 24-month period for
3 which data are available, at least 1 percent
4 greater than the national average unem-
5 ployment rate; or

6 “(iii) is significantly affected by a loss
7 of, or threat to, the jobs associated with
8 any certification described in subparagraph
9 (A), or the community is undergoing tran-
10 sition of its economic base as a result of
11 changing trade patterns, as determined by
12 the Secretary.

13 “(b) NOTIFICATION OF ELIGIBILITY.—If one or more
14 certifications described in subsection (a)(2)(A) are made
15 with respect to a community, the applicable Secretary with
16 respect to such certification shall concurrently, notify the
17 Governor of the State in which the community is located
18 of the ability of the community to apply for assistance
19 under this section.

20 **“SEC. 274. GRANTS TO ELIGIBLE COMMUNITIES.**

21 “(a) IN GENERAL.—The Secretary may—

22 “(1) upon the application of an eligible commu-
23 nity, award a grant under this section to the com-
24 munity to assist in developing or updating a stra-

1 strategic plan that meets the requirements of section
2 275; or

3 “(2) upon the application of an eligible entity,
4 award an implementation grant under this section to
5 the entity to assist in implementing projects included
6 in a strategic plan that meets the requirements of
7 section 275.

8 “(b) SPECIAL PROVISIONS.—

9 “(1) REVOLVING LOAN FUND GRANTS.—

10 “(A) IN GENERAL.—The Secretary shall
11 maintain the proper operation and financial in-
12 tegrity of revolving loan funds established by el-
13 igible entities with assistance under this section.

14 “(B) EFFICIENT ADMINISTRATION.—The
15 Secretary may—

16 “(i) at the request of an eligible enti-
17 ty, amend and consolidate grant agree-
18 ments governing revolving loan funds to
19 provide flexibility with respect to lending
20 areas and borrower criteria; and

21 “(ii) assign or transfer assets of a re-
22 volving loan fund to third party for the
23 purpose of liquidation, and the third party
24 may retain assets of the fund to defray
25 costs related to liquidation.

1 “(C) TREATMENT OF ACTIONS.—An action
2 taken by the Secretary under this subsection
3 with respect to a revolving loan fund shall not
4 constitute a new obligation if all grant funds
5 associated with the original grant award have
6 been disbursed to the recipient.

7 “(2) USE OF FUNDS IN PROJECTS CON-
8 STRUCTED UNDER PROJECT COST.—

9 “(A) IN GENERAL.—In the case of a grant
10 for a construction project under this section, if
11 the Secretary determines, before closeout of the
12 project, that the cost of the project, based on
13 the designs and specifications that were the
14 basis of the grant, has decreased because of de-
15 creases in costs, the Secretary may approve the
16 use of the excess funds (or a portion of the ex-
17 cess funds) to improve the project.

18 “(B) OTHER USES OF EXCESS FUNDS.—
19 Any amount of excess funds remaining after ap-
20 plication of subparagraph (A) may be used by
21 the Secretary for providing assistance under
22 this section.

23 “(c) COORDINATION.—If an eligible institution (as
24 such term is defined in section 279) located in an eligible
25 community is seeking a grant under section 279 at the

1 same time the community is seeking an implementation
2 grant under subsection (a)—

3 “(1) the Secretary, upon receipt of such infor-
4 mation from the Secretary of Labor as required
5 under section 279(e), shall notify the community
6 that the institution is seeking a grant under section
7 279; and

8 “(2) the community shall provide to the Sec-
9 retary, in coordination with the institution, a de-
10 scription of how the community will integrate
11 projects included in the strategic plan with the spe-
12 cific project for which the institution submits the
13 grant proposal under section 279.

14 “(d) LIMITATION.—The total amount of grants
15 awarded with respect to an eligible community under this
16 section for fiscal years 2022 through 2026 may not exceed
17 \$25,000,000.

18 “(e) PRIORITY.—The Secretary shall, in awarding
19 grants under this section, provide higher levels of funding
20 with respect to eligible communities that have a history
21 of economic distress and long-term unemployment, as de-
22 termined by the Secretary.

23 “(f) GEOGRAPHIC DIVERSITY.—

24 “(1) IN GENERAL.—The Secretary shall, in
25 awarding grants under this section, ensure that

1 grants are awarded with respect to eligible commu-
2 nities from geographically diverse areas.

3 “(2) GEOGRAPHIC REGION REQUIREMENT.—

4 The Secretary shall, in meeting the requirement
5 under paragraph (1), award a grant under this sec-
6 tion for each of the fiscal years 2022 through 2026
7 to at least one eligible community located in each ge-
8 ographic region for which regional offices of the
9 Economic Development Administration of the De-
10 partment of Commerce are responsible, to the extent
11 that the Secretary receives an application from at
12 least one eligible community in each such geographic
13 region.

14 **“SEC. 275. STRATEGIC PLANS.**

15 “(a) IN GENERAL.—A strategic plan meets the re-
16 quirements of this section if—

17 “(1) the consultation requirements of sub-
18 section (b) are met with respect to the development
19 of the plan;

20 “(2) the plan meets the requirements of sub-
21 section (c); and

22 “(3) the plan is approved in accordance with
23 the requirements of subsection (d).

24 “(b) CONSULTATION.—

1 “(1) IN GENERAL.—To the extent practicable,
2 an eligible community shall consult with the entities
3 described in paragraph (2) in developing the stra-
4 tegic plan.

5 “(2) ENTITIES DESCRIBED.—The entities de-
6 scribed in this paragraph are public and private en-
7 tities located in or serving the eligible community,
8 including—

9 “(A) local, county, or State government
10 agencies;

11 “(B) firms, including small- and medium-
12 sized firms;

13 “(C) local workforce investment boards;

14 “(D) labor organizations, including State
15 labor federations and labor-management initia-
16 tives, representing workers in the community;

17 “(E) educational institutions, local edu-
18 cational agencies, and other training providers;

19 and

20 “(F) local civil rights organizations and
21 community-based organizations, including orga-
22 nizations representing underserved commu-
23 nities.

24 “(c) CONTENTS.—The strategic plan may contain, as
25 applicable to the community, the following:

1 “(1) A description and analysis of the capacity
2 of the eligible community to achieve economic ad-
3 justment to the impact of trade.

4 “(2) An analysis of the economic development
5 challenges and opportunities facing the community,
6 including the strengths and weaknesses of the econ-
7 omy of the community.

8 “(3) An assessment of—

9 “(A) the commitment of the community to
10 carry out the strategic plan on a long-term
11 basis;

12 “(B) the participation and input of mem-
13 bers of the community who are dislocated from
14 employment due to the impact of trade; and

15 “(C) the extent to which underserved com-
16 munities have been impacted by trade.

17 “(4) A description of how underserved commu-
18 nities will benefit from the strategic plan.

19 “(5) A description of the role of the entities de-
20 scribed in subsection (b)(2) in developing the stra-
21 tegic plan.

22 “(6) A description of projects under the stra-
23 tegic plan to facilitate the community’s economic ad-
24 justment to the impact of trade, including projects
25 to—

1 “(A) develop public facilities, public serv-
2 ices, jobs, and businesses (including establishing
3 a revolving loan fund);

4 “(B) provide for planning and technical as-
5 sistance;

6 “(C) provide for training;

7 “(D) provide for the demolition of vacant
8 or abandoned commercial, industrial, or resi-
9 dential property;

10 “(E) redevelop brownfields;

11 “(F) establish or support land banks;

12 “(G) support energy conservation; and

13 “(H) support historic preservation.

14 “(7) A strategy for continuing the community’s
15 economic adjustment to the impact of trade after the
16 completion of such projects.

17 “(8) A description of the educational and train-
18 ing programs and the potential employment opportu-
19 nities available to workers in the community, includ-
20 ing for workers under the age of 25, and the future
21 employment needs of the community.

22 “(9) An assessment of—

23 “(A) the cost of implementing the strategic
24 plan; and

1 “(B) the timing of funding required by the
2 community to implement the strategic plan.

3 “(10) A description of the methods of financing
4 to be used to implement the strategic plan, includ-
5 ing—

6 “(A) an implementation grant received
7 under section 274 or under other authorities;

8 “(B) a loan, including the establishment of
9 a revolving loan fund; or

10 “(C) other types of financing.

11 “(11) An assessment of how the community will
12 address unemployment among agricultural com-
13 modity producers, if applicable.

14 “(d) APPROVAL; CEDS EQUIVALENT.—

15 “(1) APPROVAL.—The Secretary shall approve
16 the strategic plan developed by an eligible commu-
17 nity under this section if the Secretary determines
18 that the strategic plan meets the requirements of
19 this section.

20 “(2) CEDS OR EQUIVALENT.—The Secretary
21 may deem an eligible community’s Comprehensive
22 Economic Development Strategy that substantially
23 meets the requirements of this section to be an ap-
24 proved strategic plan for purposes of this sub-
25 chapter.

1 “(e) ALLOCATION.—Of the funds appropriated to
2 carry out this chapter for each of the fiscal years 2022
3 through 2026, the Secretary may make available not more
4 than \$50,000,000 to award grants under section
5 274(a)(1).

6 **“SEC. 276. COORDINATION OF FEDERAL RESPONSE AND**
7 **OTHER ADDITIONAL TECHNICAL ASSIST-**
8 **ANCE.**

9 “(a) IN GENERAL.—The Secretary shall coordinate
10 the Federal response with respect to an eligible community
11 that is awarded an implementation grant under section
12 274(a)(2) to implement the community’s strategic plan
13 that meets the requirements of section 275 by—

14 “(1) identifying and consulting, as appropriate,
15 with any other Federal, State, regional, or local gov-
16 ernment agency;

17 “(2) assisting the community to access assist-
18 ance from other available Federal sources as nec-
19 essary to fulfill the community’s strategic plan devel-
20 oped under section 275; and

21 “(3) ensuring that such assistance is provided
22 in a targeted, integrated manner.

23 “(b) TRANSFER OF FUNDS.—

24 “(1) TRANSFER OF FUNDS TO OTHER FEDERAL
25 AGENCIES.—Subject to paragraph (3), funds appro-

1 priated to carry out this chapter may be transferred
2 between Federal agencies, if the funds are used for
3 the purposes for which the funds are specifically ap-
4 propriated.

5 “(2) TRANSFER OF FUNDS FROM OTHER FED-
6 ERAL AGENCIES.—

7 “(A) IN GENERAL.—Subject to paragraph
8 (3) and subparagraph (B), for the purposes of
9 this chapter, the Secretary may accept transfers
10 of funds from other Federal agencies if the
11 funds are used for the purposes for which (and
12 in accordance with the terms under which) the
13 funds are specifically appropriated.

14 “(B) USE OF FUNDS.—The transferred
15 funds—

16 “(i) shall remain available until ex-
17 pended; and

18 “(ii) may, to the extent necessary to
19 carry out this chapter, be transferred to
20 and merged by the Secretary with the ap-
21 propriations for salaries and expenses.

22 “(3) AVAILABILITY.—The transfer authorities
23 provided by this subsection shall not apply with re-
24 spect to amounts made available by an appropria-
25 tions Act.

1 “(c) **ADDITIONAL TECHNICAL ASSISTANCE.**—In ad-
2 dition to the coordination and assistance described in sub-
3 section (a), the Secretary shall provide technical assistance
4 for communities—

5 “(1) to identify significant impediments to eco-
6 nomic development that result from the impact of
7 trade on the community, including in the course of
8 developing a strategic plan under section 275; and

9 “(2) to access assistance under other available
10 sources, including State, local, territorial, or private
11 sources, to implement projects that diversify and
12 strengthen the economy in the community.

13 **“SEC. 277. GENERAL PROVISIONS.**

14 “(a) **REGULATIONS.**—

15 “(1) **IN GENERAL.**—The Secretary shall, sub-
16 ject to paragraph (3), promulgate such regulations
17 as may be necessary to carry out this subchapter, in-
18 cluding with respect to—

19 “(A) administering the awarding of grants
20 under section 274, including establishing guide-
21 lines for the submission and evaluation of grant
22 applications under such section; and

23 “(B) establishing guidelines for the evalua-
24 tion of strategic plans developed to meet the re-
25 quirements of section 275.

1 “(2) CONSULTATIONS.—The Secretary shall
2 consult with the Committee on Ways and Means of
3 the House of Representatives and the Committee on
4 Finance of the Senate not later than 90 days prior
5 to promulgating any final rule or regulation under
6 this subsection.

7 “(3) RELATIONSHIP TO EXISTING REGULA-
8 TIONS.—The Secretary, to the maximum extent
9 practicable, shall—

10 “(A) rely on and apply regulations promul-
11 gated to carry out other economic development
12 programs of the Department of Commerce in
13 carrying out this subchapter; and

14 “(B) provide guidance regarding the man-
15 ner and extent to which such other economic
16 development programs relate to this subchapter.

17 “(b) RESOURCES.—The Secretary shall allocate such
18 resources as may be necessary to provide sufficiently indi-
19 vidualized assistance to each eligible community that re-
20 ceives a grant under section 274(a) or seeks technical as-
21 sistance under section 276(c) to develop and implement
22 a strategic plan that meets the requirements of section
23 275.”.

24 (b) CLERICAL AMENDMENT.—The table of contents
25 for the Trade Act of 1974 is amended by striking the

1 items relating to chapter 4 of title II and inserting the
2 following:

“CHAPTER 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

“SUBCHAPTER A—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

“Sec. 271. Definitions.

“Sec. 272. Establishment of trade adjustment assistance for communities program.

“Sec. 273. Eligibility; notification of eligibility.

“Sec. 274. Grants to eligible communities.

“Sec. 275. Strategic plans.

“Sec. 276. Coordination of Federal response and other additional technical assistance.

“Sec. 277. General provisions.

“SUBCHAPTER B—COMMUNITY COLLEGE AND CAREER TRAINING GRANT PROGRAM

“Sec. 279. Community College and Career Training Grant Program.

“Sec. 279A. Authorization of appropriations.”.

3 **SEC. 101302. TRADE ADJUSTMENT ASSISTANCE FOR COM-**
4 **MUNITY COLLEGES AND CAREER TRAINING.**

5 Section 279 of the Trade Act of 1974, as redesign-
6 nated by section 101301(a)(2), is amended as follows:

7 (1) In subsection (a)—

8 (A) in paragraph (1), by striking “eligible
9 institutions” and inserting “eligible entities”;

10 and

11 (B) in paragraph (2)—

12 (i) in the matter preceding subpara-
13 graph (A), by striking “eligible institution”
14 and inserting “eligible entity”; and

15 (ii) in subparagraph (B)—

16 (I) by striking “\$1,000,000” and
17 inserting “\$2,500,000”;

1 (II) by striking “(B)” and insert-
2 ing “(B)(i) in the case of an eligible
3 institution,”;

4 (III) by striking the period at the
5 end and inserting “; or”; and

6 (IV) by adding at the end the fol-
7 lowing:

8 “(ii) in the case of a consortium of eligible
9 institutions, a grant under this section in excess
10 of \$15,000,000.”.

11 (2) In subsection (b), by adding at the end the
12 following:

13 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
14 tity’ means an eligible institution or a consortium of
15 eligible institutions.

16 “(4) UNDERSERVED COMMUNITY.—The term
17 ‘underserved community’ has the meaning given that
18 term in section 247.”.

19 (3) In subsection (c)—

20 (A) by striking “eligible institution” each
21 place it appears and inserting “eligible entity”;
22 and

23 (B) in paragraph (5)(A)(i)—

24 (i) in subclause (I), by striking “and”
25 at the end; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(III) any opportunities to sup-
4 port industry or sector partnerships to
5 develop or expand quality academic
6 programs and curricula; and”.

7 (4) In subsection (d), by striking “eligible insti-
8 tution” each place it appears and inserting “eligible
9 entity”.

10 (5) By redesignating subsection (e) as sub-
11 section (h) and inserting after subsection (d) the fol-
12 lowing:

13 “(e) USE OF FUNDS.—

14 “(1) IN GENERAL.—An eligible entity shall use
15 a grant awarded under this section to establish and
16 scale career training programs, including career and
17 technical education programs, and career pathways
18 and supports for students participating in such pro-
19 grams.

20 “(2) STUDENT SUPPORT AND EMERGENCY
21 SERVICES.—Not less than 15 percent of the amount
22 of a grant awarded to an eligible entity under this
23 section shall be used to carry out student support
24 services, which may include the following:

1 “(A) Supportive services, including
2 childcare, transportation, mental health serv-
3 ices, or substance use disorder prevention and
4 treatment, assistance in obtaining health insur-
5 ance coverage, housing, and other benefits, as
6 appropriate.

7 “(B) Connecting students to State or Fed-
8 eral means-tested benefits programs.

9 “(C) The provision of direct financial as-
10 sistance to help students facing financial hard-
11 ships that may impact enrollment in or comple-
12 tion of a program supported by such funds.

13 “(D) Navigation, coaching, mentorship,
14 and case management services, including pro-
15 viding information and outreach to the popu-
16 lation described in subparagraph (C) to take
17 part in such a program.

18 “(E) Providing access to necessary sup-
19 plies, materials, technological devices, or re-
20 quired equipment, and other supports necessary
21 to participate in such a program.

22 “(f) PLAN FOR OUTREACH TO UNDERSERVED COM-
23 MUNITIES.—

24 “(1) IN GENERAL.—In awarding grants under
25 this section, the Secretary shall—

1 “(A) ensure that eligible institutions effec-
2 tively serve individuals from underserved com-
3 munities; and

4 “(B) develop a plan to ensure that grants
5 provided under this subchapter effectively serve
6 individuals from underserved communities.

7 “(2) UPDATES.—The Secretary shall update
8 the plan required by paragraph (1)(B) on an annual
9 basis.

10 “(3) SUBMISSION TO CONGRESS.—The Sec-
11 retary shall submit the plan required by paragraph
12 (1)(B) and each update to the plan required by
13 paragraph (2) to Congress.

14 “(g) GEOGRAPHIC DIVERSITY.—The Secretary shall,
15 in awarding grants under this section, ensure that grants
16 are awarded with respect to eligible entities from geo-
17 graphically diverse areas.”.

18 **Subtitle D—Trade Adjustment**
19 **Assistance for Farmers**

20 **SEC. 101401. DEFINITIONS.**

21 Section 291 of the Trade Act of 1974 (19 U.S.C.
22 2401) is amended—

23 (1) by striking paragraph (3);

24 (2) by redesignating paragraphs (4) through

25 (7) as paragraphs (3) through (6), respectively; and

1 (3) by adding at the end the following:

2 “(7) UNDERSERVED COMMUNITY.—The term
3 ‘underserved community’ has the meaning given that
4 term in section 247.”.

5 **SEC. 101402. GROUP ELIGIBILITY REQUIREMENTS.**

6 Section 292 of the Trade Act of 1974 (19 U.S.C.
7 2401a) is amended—

8 (1) in subsection (c)—

9 (A) in paragraph (1)—

10 (i) by striking “85 percent of” each
11 place it appears; and

12 (ii) in subparagraph (D), by adding
13 “and” at the end;

14 (B) in paragraph (2), by striking “(2)”
15 and inserting “(2)(A)(i)”;

16 (C) by redesignating paragraph (3) as
17 clause (ii) of paragraph (2)(A) (as designated
18 by subparagraph (B));

19 (D) in clause (ii) of paragraph (2)(A) (as
20 redesignated by subparagraph (C))—

21 (i) by striking “importantly”; and

22 (ii) by striking the period at the end
23 and inserting “; or”; and

24 (E) in paragraph (2), by adding at the end
25 the following:

1 “(B)(i) the volume of exports of the agricultural
2 commodity produced by the group in the marketing
3 year with respect to which the group files the peti-
4 tion decreased compared to the average volume of
5 such exports during the 3 marketing years preceding
6 such marketing year; and

7 “(ii) the decrease in such exports contributed to
8 the decrease in the national average price, quantity
9 of production, or value of production of, or cash re-
10 cepts for, the agricultural commodity, as described
11 in paragraph (1).”; and

12 (2) in subsection (e)(3), by adding at the end
13 before the period the following: “or exports”.

14 **SEC. 101403. BENEFIT INFORMATION TO AGRICULTURAL**
15 **COMMODITY PRODUCERS.**

16 Section 295(a) of the Trade Act of 1974 (19 U.S.C.
17 2401d(a)) is amended by adding at the end the following:
18 “The Secretary shall develop a plan to conduct targeted
19 sustained outreach and offer assistance to agricultural
20 commodity producers from underserved communities”.

21 **SEC. 101404. QUALIFYING REQUIREMENTS AND BENEFITS**
22 **FOR AGRICULTURAL COMMODITY PRO-**
23 **DUCERS.**

24 Section 296 of the Trade Act of 1974 (19 U.S.C.
25 2401e) is amended—

1 (1) in subsection (a)(1)(A), by striking “90
2 days” and inserting “120 days”;

3 (2) in subsection (b)—

4 (A) in paragraph (3)(B), by striking
5 “\$4,000” and inserting “\$12,000”; and

6 (B) in paragraph (4)(C), by striking
7 “\$8,000” and inserting “\$24,000”;

8 (3) in subsection (c), by striking “\$12,000” and
9 inserting “\$36,000”; and

10 (4) by adding at the end the following new sub-
11 section:

12 “(e) ADJUSTMENTS FOR INFLATION.—

13 “(1) IN GENERAL.—The Secretary of Agri-
14 culture shall adjust each dollar amount limitation
15 described in this section on the date that is 30 days
16 after the date of the enactment of this subsection,
17 and at the beginning of each fiscal year thereafter,
18 to reflect the percentage (if any) of the increase in
19 the average of the Consumer Price Index for the
20 preceding 12-month period compared to the Con-
21 sumer Price Index for fiscal year 2020.

22 “(2) SPECIAL RULES FOR CALCULATION OF AD-
23 JUSTMENT.—In making an adjustment under para-
24 graph (1), the Secretary—

1 “(A) shall round the amount of any in-
2 crease in the Consumer Price Index to the near-
3 est dollar; and

4 “(B) may ignore any such increase of less
5 than 1 percent.

6 “(3) CONSUMER PRICE INDEX DEFINED.—For
7 purposes of this subsection, the term ‘Consumer
8 Price Index’ means the Consumer Price Index for
9 All Urban Consumers published by the Bureau of
10 Labor Statistics of the Department of Labor.”.

11 **Subtitle E—Authorizations of** 12 **Appropriations and Other Matters**

13 **SEC. 101501. EXTENSION OF TRADE ADJUSTMENT ASSIST-** 14 **ANCE PROGRAM.**

15 (a) EXTENSION OF TERMINATION PROVISIONS.—
16 Section 285 of the Trade Act of 1974 (19 U.S.C. 2271
17 note) is amended by striking “2021” each place it appears
18 and inserting “2028”.

19 (b) TRAINING FUNDS.—Section 236(a)(2)(A) of the
20 Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) , as amend-
21 ed by section 133110(c)(2)(B), is further amended—

22 (1) by striking “shall not exceed \$450,000,000”
23 and inserting the following: “shall not exceed—
24 “(i) \$450,000,000”;

1 (2) by striking the period at the end and insert-
2 ing “; and”; and

3 (3) by adding at the end the following:

4 “(ii) \$1,000,000,000 for each of the fiscal years 2022
5 through 2028.”.

6 (c) REEMPLOYMENT TRADE ADJUSTMENT ASSIST-
7 ANCE.—Section 246(b)(1) of the Trade Act of 1974 (19
8 U.S.C. 2318(b)(1)) is amended by striking “2021” and
9 inserting “2028”.

10 (d) AUTHORIZATIONS OF APPROPRIATIONS.—

11 (1) TRADE ADJUSTMENT ASSISTANCE FOR
12 WORKERS.—Section 245 of the Trade Act of 1974
13 (19 U.S.C. 2317) is amended—

14 (A) in subsection (a), by striking “2021”
15 and inserting “2028”; and

16 (B) by adding at the end the following:

17 “(d) RESERVATION BY THE SECRETARY.—Of the
18 funds appropriated to carry out this chapter for any fiscal
19 year, the Secretary of Labor may reserve not more than
20 1 percent for administration (in addition to amounts oth-
21 erwise available for such purposes), technical assistance,
22 grants for pilots and demonstrations, and the evaluation
23 of activities carried out under this chapter.”.

24 (2) TRADE ADJUSTMENT ASSISTANCE FOR
25 FIRMS.—Section 255(a) of the Trade Act of 1974

1 (19 U.S.C. 2345(a)) is amended in the first sentence
2 by adding at the end before the period the following:
3 “and \$50,000,000 for each of the fiscal years 2022
4 through 2028”.

5 (3) TRADE ADJUSTMENT ASSISTANCE FOR COM-
6 MUNITIES.—

7 (A) IN GENERAL.—There is authorized to
8 be appropriated for each of fiscal years 2022
9 through 2026 \$1,000,000,000 to carry out sub-
10 chapter A of chapter 4 of title II of the Trade
11 Act of 1974, as added by section 101301 of this
12 Act.

13 (B) SALARIES AND EXPENSES.—Of the
14 amounts appropriated pursuant to the author-
15 ization under subparagraph (A) for each of fis-
16 cal years 2022 through 2026, not more than
17 \$40,000,000 is authorized to be made available
18 for the salaries and expenses of personnel ad-
19 ministering subchapter A of chapter 4 of title
20 II of the Trade Act of 1974.

21 (C) SUPPLEMENT AND NOT SUPPLANT.—
22 Amounts appropriated pursuant to the author-
23 ization under subparagraph (A) for each of the
24 fiscal years 2022 through 2026 shall be used to
25 supplement, and not supplant, other Federal,

1 State, regional, and local government funds
2 made available to provide economic development
3 assistance for communities.

4 (4) TRADE ADJUSTMENT ASSISTANCE FOR COM-
5 MUNITY COLLEGES AND CAREER TRAINING.—

6 (A) IN GENERAL.—There is authorized to
7 be appropriated for each of fiscal years 2022
8 through 2028 \$1,300,000,000 to carry out sub-
9 chapter B of chapter 4 of title II of the Trade
10 Act of 1974, as designated by section 101301
11 of this Act.

12 (B) RESERVATION BY THE SECRETARY.—
13 Of the funds appropriated to carry out sub-
14 chapter B of chapter 4 of title II of the Trade
15 Act of 1974 for each of fiscal years 2002
16 through 2028, the Secretary of Labor may re-
17 serve not more than 5 percent for administra-
18 tion of the program, including providing tech-
19 nical assistance, sustained outreach to eligible
20 institutions effectively serving minority or low-
21 income populations, grants for pilots and dem-
22 onstrations, and a rigorous third-party evalua-
23 tion of the program.

1 (5) TRADE ADJUSTMENT ASSISTANCE FOR
2 FARMERS.—Section 298 of the Trade Act of 1974
3 (19 U.S.C. 2401g(a)) is amended—

4 (A) in subsection (a)—

5 (i) by striking “\$90,000,000” and in-
6 serting “\$50,000,000”; and

7 (ii) by striking “2021” and inserting
8 “2028”; and

9 (B) by adding at the end the following:

10 “(c) RESERVATION BY THE SECRETARY.—Of the
11 funds appropriated to carry out this chapter for any fiscal
12 year, the Secretary of Agriculture may not reserve more
13 than 5 percent for technical assistance, pilots and dem-
14 onstrations, and the evaluation of activities carried out
15 under this chapter.”.

16 **SEC. 101502. APPLICABILITY OF TRADE ADJUSTMENT AS-**
17 **SISTANCE PROVISIONS.**

18 (a) WORKERS CERTIFIED BEFORE DATE OF ENACT-
19 MENT.—

20 (1) IN GENERAL.—Except as provided in para-
21 graphs (2) and (3), a worker certified as eligible for
22 adjustment assistance under section 222 of the
23 Trade Act of 1974 before the date of the enactment
24 of this Act shall be eligible, on and after such date
25 of enactment, to receive benefits only under the pro-

1 visions of chapter 2 of title II of the Trade Act of
2 1974, as in effect on such date of enactment, or as
3 such provisions may be amended after such date of
4 enactment.

5 (2) COMPUTATION OF MAXIMUM BENEFITS.—
6 Benefits received by a worker described in para-
7 graph (1) under chapter 2 of title II of the Trade
8 Act of 1974 before the date of the enactment of this
9 Act shall be included in any determination of the
10 maximum benefits for which the worker is eligible
11 under the provisions of chapter 2 of title II of the
12 Trade Act of 1974, as in effect on the date of the
13 enactment of this Act, or as such provisions may be
14 amended after such date of enactment.

15 (3) AUTHORITY TO MAKE ADJUSTMENTS TO
16 BENEFITS.—For the 90-day period beginning on the
17 date of the enactment of this Act, the Secretary is
18 authorized to make any adjustments to benefits to
19 workers described in paragraph (1) that the Sec-
20 retary determines to be necessary and appropriate in
21 applying and administering the provisions of chapter
22 2 of title II of the Trade Act of 1974, as in effect
23 on the date of the enactment of this Act, or as such
24 provisions may be amended after such date of enact-
25 ment, in a manner that ensures parity of treatment

1 between the benefits of such workers and the bene-
2 fits of workers certified after such date of enact-
3 ment.

4 (b) WORKERS NOT CERTIFIED PURSUANT TO CER-
5 TAIN PETITIONS FILED BEFORE DATE OF ENACT-
6 MENT.—

7 (1) CERTIFICATIONS OF WORKERS NOT CER-
8 TIFIED BEFORE DATE OF ENACTMENT.—

9 (A) CRITERIA IF A DETERMINATION HAS
10 NOT BEEN MADE.—If, as of the date of the en-
11 actment of this Act, the Secretary of Labor has
12 not made a determination with respect to
13 whether to certify a group of workers as eligible
14 to apply for adjustment assistance under sec-
15 tion 222 of the Trade Act of 1974 pursuant to
16 a petition described in subparagraph (C), the
17 Secretary shall make that determination based
18 on the requirements of section 222 of the Trade
19 Act of 1974, as in effect on such date of enact-
20 ment.

21 (B) RECONSIDERATION OF DENIALS OF
22 CERTIFICATIONS.—If, before the date of the en-
23 actment of this Act, the Secretary made a de-
24 termination not to certify a group of workers as
25 eligible to apply for adjustment assistance

1 under section 222 of the Trade Act of 1974
2 pursuant to a petition described in subpara-
3 graph (C), the Secretary shall—

4 (i) reconsider that determination; and

5 (ii) if the group of workers meets the
6 requirements of section 222 of the Trade
7 Act of 1974, as in effect on such date of
8 enactment, certify the group of workers as
9 eligible to apply for adjustment assistance.

10 (C) PETITION DESCRIBED.—A petition de-
11 scribed in this subparagraph is a petition for a
12 certification of eligibility for a group of workers
13 filed under section 221 of the Trade Act of
14 1974 on or after January 1, 2021, and before
15 the date of the enactment of this Act.

16 (2) ELIGIBILITY FOR BENEFITS.—

17 (A) IN GENERAL.—Except as provided in
18 subparagraph (B), a worker certified as eligible
19 to apply for adjustment assistance under sec-
20 tion 222 of the Trade Act of 1974 pursuant to
21 a petition described in paragraph (1)(C) shall
22 be eligible, on and after the date of the enact-
23 ment of this Act, to receive benefits only under
24 the provisions of chapter 2 of title II of the
25 Trade Act of 1974, as in effect on such date of

1 enactment, or as such provisions may be
2 amended after such date of enactment.

3 (B) COMPUTATION OF MAXIMUM BENE-
4 FITS.—Benefits received by a worker described
5 in paragraph (1) under chapter 2 of title II of
6 the Trade Act of 1974 before the date of the
7 enactment of this Act shall be included in any
8 determination of the maximum benefits for
9 which the worker is eligible under the provisions
10 of chapter 2 of title II of the Trade Act of
11 1974, as in effect on the date of the enactment
12 of this Act, or as such provisions may be
13 amended after such date of enactment.

14 (c) CONFORMING AMENDMENTS.—

15 (1) TRADE ACT OF 2002.—Section 151 of the
16 Trade Act of 2002 (19 U.S.C. note prec. 2271) is
17 amended by striking subsections (a), (b), and (c).

18 (2) TRADE AND GLOBALIZATION ADJUSTMENT
19 ASSISTANCE ACT OF 2009.—Section 1891 of the
20 Trade and Globalization Adjustment Assistance Act
21 of 2009 (19 U.S.C. 2271 note) is repealed.

22 (3) TRADE ADJUSTMENT ASSISTANCE EXTEN-
23 SION ACT OF 2011.—The Trade Adjustment Assist-
24 ance Extension Act of 2011 is amended—

1 (A) in section 201 (19 U.S.C. note prec.
2 2271), by striking subsections (b) and (c); and

3 (B) in section 231(a) (19 U.S.C. 2271
4 note), by striking paragraphs (1)(B) and (2).

5 (4) TRADE ADJUSTMENT ASSISTANCE REAU-
6 THORIZATION ACT OF 2015.—The Trade Adjustment
7 Assistance Reauthorization Act of 2015 is amend-
8 ed—

9 (A) in section 402 (19 U.S.C. note prec.
10 2271), by striking subsections (b) and (c); and

11 (B) in section 405(a)(1) (19 U.S.C.
12 2319(a)(1)), by striking subparagraph (B).

13 (d) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—

14 (1) CERTIFICATION OF FIRMS NOT CERTIFIED
15 BEFORE DATE OF ENACTMENT.—

16 (A) CRITERIA IF A DETERMINATION HAS
17 NOT BEEN MADE.—If, as of the date of the en-
18 actment of this Act, the Secretary of Commerce
19 has not made a determination with respect to
20 whether to certify a firm as eligible to apply for
21 adjustment assistance under section 251 of the
22 Trade Act of 1974 pursuant to a petition de-
23 scribed in subparagraph (C), the Secretary shall
24 make that determination based on the require-

1 ments of section 251 of the Trade Act of 1974,
2 as in effect on such date of enactment.

3 (B) RECONSIDERATION OF DENIAL OF
4 CERTAIN PETITIONS.—If, before the date of the
5 enactment of this Act, the Secretary made a de-
6 termination not to certify a firm as eligible to
7 apply for adjustment assistance under section
8 251 of the Trade Act of 1974 pursuant to a pe-
9 tition described in subparagraph (C), the Sec-
10 retary shall—

11 (i) reconsider that determination; and

12 (ii) if the firm meets the requirements
13 of section 251 of the Trade Act of 1974,
14 as in effect on such date of enactment, cer-
15 tify the firm as eligible to apply for adjust-
16 ment assistance.

17 (C) PETITION DESCRIBED.—A petition de-
18 scribed in this subparagraph is a petition for a
19 certification of eligibility filed by a firm or its
20 representative under section 251 of the Trade
21 Act of 1974 on or after January 1, 2021, and
22 before the date of the enactment of this Act.

23 (2) CERTIFICATION OF FIRMS THAT DID NOT
24 SUBMIT PETITIONS BETWEEN JANUARY 1, 2021, AND
25 DATE OF ENACTMENT.—

1 (A) IN GENERAL.—The Secretary of Com-
2 merce shall certify a firm described in subpara-
3 graph (B) as eligible to apply for adjustment
4 assistance under section 251 of the Trade Act
5 of 1974, as in effect on the date of the enact-
6 ment of this Act, if the firm or its representa-
7 tive files a petition for a certification of eligi-
8 bility under section 251 of the Trade Act of
9 1974 not later than 90 days after such date of
10 enactment.

11 (B) FIRM DESCRIBED.—A firm described
12 in this subparagraph is a firm that the Sec-
13 retary determines would have been certified as
14 eligible to apply for adjustment assistance if—

15 (i) the firm or its representative had
16 filed a petition for a certification of eligi-
17 bility under section 251 of the Trade Act
18 of 1974 on a date during the period begin-
19 ning on January 1, 2021, and ending on
20 the day before the date of the enactment
21 of this Act; and

22 (ii) the provisions of chapter 3 of title
23 II of the Trade Act of 1974, as in effect
24 on such date of enactment, had been in ef-

1 fect on that date during the period de-
2 scribed in clause (i).

3 **Subtitle F—Health Care Tax Credit**

4 **SEC. 101601. PERMANENT CREDIT FOR HEALTH INSURANCE** 5 **COSTS.**

6 (a) **IN GENERAL.**—Subparagraph (B) of section
7 35(b)(1) of the Internal Revenue Code of 1986 is amended
8 by striking “, and before January 1, 2022” and inserting
9 a period.

10 (b) **INCREASE IN CREDIT PERCENTAGE.**—Subsection
11 (a) of section 35 of the Internal Revenue Code of 1986
12 is amended by striking “72.5 percent” and inserting “80
13 percent”.

14 (c) **CONFORMING AMENDMENTS.**—Subsections (b)
15 and (e)(1) of section 7527 of the Internal Revenue Code
16 of 1986 are each amended by striking “72.5 percent” and
17 inserting “80 percent”.

18 (d) **EFFECTIVE DATE.**—The amendments made by
19 this section shall apply to coverage months beginning after
20 December 31, 2021.

1 **TITLE II—IMPROVEMENTS TO**
2 **TRADE REMEDIES LAWS**
3 **Subtitle A—Successive**
4 **Investigations**

5 **SEC. 102001. ESTABLISHMENT OF SPECIAL RULES FOR DE-**
6 **TERMINATION OF MATERIAL INJURY IN THE**
7 **CASE OF SUCCESSIVE ANTIDUMPING AND**
8 **COUNTERVAILING DUTY INVESTIGATIONS.**

9 (a) IN GENERAL.—Section 771(7) of the Tariff Act
10 of 1930 (19 U.S.C. 1677(7)) is amended—

11 (1) by redesignating subparagraphs (E)
12 through (J) as subparagraphs (F) through (K), re-
13 spectively;

14 (2) in subparagraph (I), as redesignated by
15 paragraph (1)—

16 (A) by striking “subparagraph (G)(ii)” and
17 inserting “subparagraph (H)(ii)”; and

18 (B) by striking “subparagraph (F)” and
19 inserting “subparagraph (G)”; and

20 (3) by inserting after subparagraph (D) the fol-
21 lowing:

22 “(E) SPECIAL RULES FOR SUCCESSIVE IN-
23 VESTIGATIONS.—

24 “(i) IN GENERAL.—

1 “(I) EVALUATION OF IMPACT ON
2 DOMESTIC INDUSTRY.—In evaluating
3 the impact of imports of the merchan-
4 dise on producers of domestic like
5 products under subparagraph (C)(iii),
6 the Commission shall—

7 “(aa) consider the condition
8 of the domestic industry as found
9 in a recently completed investiga-
10 tion;

11 “(bb) consider the effect of
12 a concurrent investigation or re-
13 cently completed investigation on
14 trade and the financial perform-
15 ance of the domestic industry;
16 and

17 “(cc) take into account the
18 considerations described in items
19 (aa) and (bb), include in the
20 record any prior injury deter-
21 minations by the Commission
22 with respect to imports of the
23 merchandise.

24 “(II) EFFECT OF RECENT IM-
25 PROVEMENT ON MATERIAL INJURY

1 DETERMINATION.—For the purposes
2 of this subparagraph, the Commission
3 may not find that there is no material
4 injury or threat of material injury to
5 a domestic industry solely based on
6 recent improvements in the industry’s
7 performance, such as an increase in
8 sales, market share, or profitability of
9 domestic producers, that are related
10 to relief granted pursuant to a con-
11 current investigation or recently com-
12 pleted investigation.

13 “(ii) RETROACTIVE APPLICATION OF
14 FINAL DETERMINATION.—In making any
15 finding under section 705(b)(4)(A) or
16 735(b)(4)(A) in a successive investigation,
17 the Commission shall determine that a
18 concurrent investigation or recently com-
19 pleted investigation contributes to the like-
20 lihood that the remedial effect of the coun-
21 tervailing duty order to be issued under
22 section 706 or the antidumping duty order
23 to be issued under section 736 will be seri-
24 ously undermined.”

1 (b) DEFINITIONS.—Section 771 of the Tariff Act of
2 1930 (19 U.S.C. 1677) is amended by adding at the end
3 the following:

4 “(37) TREATMENT OF SUCCESSIVE INVESTIGA-
5 TIONS.—For purposes of sections 702(f), 732(f),
6 and 784, as well as paragraph (7)(E) of this section:

7 “(A) CONCURRENT INVESTIGATION.—The
8 term ‘concurrent investigation’ means an ongo-
9 ing investigation in which an affirmative deter-
10 mination under section 703(a) or 733(a) has
11 been made by the Commission with respect to
12 imports of a same class or kind of merchandise
13 that are the same or similar to imports of a
14 same class or kind of merchandise from another
15 country that are the subject of a successive in-
16 vestigation.

17 “(B) RECENTLY COMPLETED INVESTIGA-
18 TION.—The term ‘recently completed investiga-
19 tion’ means a completed investigation in which
20 an affirmative determination under section
21 705(b) or 735(b) was issued by the Commission
22 with respect to imports of a class or kind of
23 merchandise that are the same or similar to im-
24 ports of a class or kind of merchandise from
25 another country that are the subject of a suc-

1 cessive investigation not more than 2 years be-
2 fore the date of initiation of the successive in-
3 vestigation.

4 “(C) SUCCESSIVE INVESTIGATION.—The
5 term ‘successive investigation’ means an inves-
6 tigation that has been initiated by the admin-
7 istering authority following a petition filed pur-
8 suant to section 702(f) or 732(f).”.

9 **SEC. 102002. INITIATION OF SUCCESSIVE ANTIDUMPING**
10 **AND COUNTERVAILING DUTY INVESTIGA-**
11 **TIONS.**

12 (a) COUNTERVAILING DUTY INVESTIGATION.—Sec-
13 tion 702 of the Tariff Act of 1930 (19 U.S.C. 1671a) is
14 amended by adding at the end the following:

15 “(f) INITIATION BY ADMINISTERING AUTHORITY OF
16 SUCCESSIVE COUNTERVAILING DUTY INVESTIGATION.—
17 A successive investigation shall be initiated—

18 “(1) under subsection (a), if—

19 “(A) the requirements under that sub-
20 section are met with respect to imports of a
21 class or kind of merchandise; and

22 “(B) imports of the same or similar class
23 or kind of merchandise from another country
24 are or have been the subject of a concurrent in-

1 vestigation or recently completed investigation;

2 or

3 “(2) under subsection (b), if—

4 “(A) the determinations under clauses (i)
5 and (ii) of subsection (c)(1)(A) are affirmative
6 with respect to imports of a class or kind of
7 merchandise; and

8 “(B) imports of the same or similar class
9 or kind of merchandise from another country
10 are or have been the subject of a concurrent in-
11 vestigation or recently completed investiga-
12 tion.”.

13 (b) ANTIDUMPING DUTY INVESTIGATION.—Section
14 732 of the Tariff Act of 1930 (19 U.S.C. 1673a) is
15 amended by adding at the end the following:

16 “(f) INITIATION BY ADMINISTERING AUTHORITY OF
17 SUCCESSIVE ANTIDUMPING DUTY INVESTIGATION.—A
18 successive investigation shall be initiated—

19 “(1) under subsection (a), if—

20 “(A) the requirements under that sub-
21 section are met with respect to imports of a
22 class or kind of merchandise; and

23 “(B) imports of the same or similar class
24 or kind of merchandise from another country
25 are or have been the subject of a concurrent in-

1 investigation or recently completed investigation;

2 or

3 “(2) under subsection (b), if—

4 “(A) the determinations under clauses (i)
5 and (ii) of subsection (c)(1)(A) are affirmative
6 with respect to imports of a class or kind of
7 merchandise; and

8 “(B) imports of the same or similar class
9 or kind of merchandise from another country
10 are or have been the subject of a concurrent in-
11 vestigation or recently completed investiga-
12 tion.”.

13 **SEC. 102003. ISSUANCE OF DETERMINATIONS WITH RE-**
14 **SPECT TO SUCCESSIVE ANTIDUMPING AND**
15 **COUNTERVAILING DUTY INVESTIGATIONS.**

16 (a) IN GENERAL.—Subtitle D of title VII of the Tar-
17 iff Act of 1930 (19 U.S.C. 1677 et seq.) is amended by
18 adding at the end the following:

19 **“SEC. 784. DETERMINATIONS RELATING TO SUCCESSIVE IN-**
20 **VESTIGATIONS.**

21 “(a) IN GENERAL.—Notwithstanding any other pro-
22 vision of this title, the administering authority—

23 “(1) with respect to a successive investigation
24 under section 702(f)—

1 “(A) shall issue a preliminary determina-
2 tion under section 703(b) not later than 85
3 days after initiating the investigation;

4 “(B) may not postpone under section
5 703(c) such deadline for the issuance of a pre-
6 liminary determination unless requested by the
7 petitioner;

8 “(C) shall obtain the information required
9 for a determination under section 703(e);

10 “(D) shall make a determination under
11 section 703(e) with respect to the investigation;

12 “(E) shall issue a final determination
13 under section 705(a) not later than 75 days
14 after issuing the preliminary determination
15 under subparagraph (A); and

16 “(F) shall extend the date of the final de-
17 termination under section 705(a) if requested
18 by the petitioner; and

19 “(2) with respect to a successive investigation
20 under section 732(f)—

21 “(A) shall issue a preliminary determina-
22 tion under section 733(b) not later than 140
23 days after initiating the investigation;

24 “(B) may not postpone under section
25 733(c) such deadline for the issuance of a pre-

1 liminary determination unless requested by the
2 petitioner;

3 “(C) shall obtain the information required
4 for a determination under section 733(e);

5 “(D) shall make a determination under
6 section 733(e) with respect to the investigation;

7 “(E) shall issue a final determination
8 under section 735(a) not later than 75 days
9 after issuing the preliminary determination
10 under subparagraph (A); and

11 “(F) may extend the date of the final de-
12 termination under section 735(a)(2).”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 for the Tariff Act of 1930 is amended by inserting after
15 the item relating to section 783 the following:

 “Sec. 784. Determinations relating to successive investigations.”.

16 **Subtitle B—Responding to Market**
17 **Distortions**

18 **SEC. 102101. ADDRESSING CROSS-BORDER SUBSIDIES IN**
19 **COUNTERVAILING DUTY INVESTIGATIONS.**

20 (a) IN GENERAL.—Section 701(d) of the Tariff Act
21 of 1930 (19 U.S.C. 1671(d)) is amended—

22 (1) in the subsection heading, by striking
23 “INTERNATIONAL CONSORTIA” and inserting “SPE-
24 CIAL RULES”;

1 (2) by striking “For purposes” and inserting
2 the following:

3 “(1) INTERNATIONAL CONSORTIA AND MULTI-
4 NATIONAL CORPORATIONS.—For purposes”;

5 (3) in paragraph (1), as so designated, by in-
6 serting after “in their respective home countries,”
7 the following: “or multinational corporations that
8 are engaged in the production of subject merchan-
9 dise receive countervailable subsidies to assist, per-
10 mit, or otherwise enable their production or manu-
11 facturing operations in the country in which the
12 class or kind of merchandise is produced, exported,
13 or sold (or likely to be sold) for importation into the
14 United States,”; and

15 (4) by adding at the end the following:

16 “(2) TRANSNATIONAL SUBSIDIES.—

17 “(A) IN GENERAL.—For purposes of this
18 subtitle, if there is a countervailable subsidy
19 conferred by a government of a country or any
20 public entity within the territory of a country
21 that is not the country in which the class or
22 kind of merchandise is produced, exported, or
23 sold (or likely to be sold) for importation into
24 the United States and the government of the
25 country or any public entity within the territory

1 of the country in which the class or kind of
2 merchandise is produced, exported, or sold (or
3 likely to be sold) for importation into the
4 United States (hereafter in this subparagraph
5 referred to as the ‘subject merchandise coun-
6 try’) facilitates the provision of such subsidy,
7 then the administering authority shall treat the
8 subsidy as having been provided by the govern-
9 ment of the subject merchandise country or a
10 public entity within the territory of the subject
11 merchandise country and shall cumulate all
12 such countervailable subsidies, as well as
13 countervailable subsidies provided directly or in-
14 directly by the government or any public entity
15 within the territory of the subject merchandise
16 country.

17 “(B) APPLICATION.—This paragraph shall
18 be applied in a manner consistent with the
19 international obligations of the United States.”.

20 (b) DEFINITIONS.—Subtitle D of title VII of the Tar-
21 iff Act of 1930 is amended as follows:

22 (1) In section 771 (19 U.S.C. 1677)—

23 (A) in paragraph (5A)—

1 (i) in subparagraph (A), by striking
2 “pursuant to subparagraph (D)” and in-
3 serting “pursuant to subparagraph (E)”;

4 (ii) by redesignating subparagraph
5 (D) as subparagraph (E); and

6 (iii) by inserting after subparagraph
7 (C) the following:

8 “(D) TRANSNATIONAL SUBSIDY.—In de-
9 termining whether a transnational subsidy, in-
10 cluding subsidies described in subparagraph (B)
11 or (C) is a specific subsidy, in law or in fact,
12 the administering authority shall examine the
13 subsidy practice of the government or public en-
14 tity that conferred the subsidy.”;

15 (B) in paragraph (9)—

16 (i) in subparagraph (F), by striking
17 “and” at the end;

18 (ii) in subparagraph (G), by striking
19 the period at the end and inserting “and”;
20 and

21 (iii) by adding at the end the fol-
22 lowing:

23 “(H) in any investigation under subtitle A
24 involving a transnational subsidy, the govern-

1 ment of the country that confers the
2 transnational subsidy.”; and

3 (C) by adding at the end the following:

4 “(38) TRANSNATIONAL SUBSIDY.—The term
5 ‘transnational subsidy’, with respect to subject mer-
6 chandise, means a subsidy conferred by a country
7 that is not the country in which the class or kind of
8 merchandise is produced, exported, or sold (or likely
9 to be sold) for importation into the United States to
10 the producer, exporter, or supplier of the producer
11 or exporter, of the subject merchandise.

12 “(39) MULTINATIONAL CORPORATION.—The
13 term ‘multinational corporation’ means a person,
14 firm, or corporation which owns or controls, directly
15 or indirectly, facilities for the production of subject
16 merchandise in two or more foreign countries.”.

17 (2) In section 771A(a)(1), by striking “in the
18 same country as the authority”.

19 **SEC. 102102. MODIFICATION OF DEFINITION OF ORDINARY**
20 **COURSE OF TRADE TO SPECIFY THAT AN IN-**
21 **SUFFICIENT QUANTITY OF FOREIGN LIKE**
22 **PRODUCTS CONSTITUTES A SITUATION OUT-**
23 **SIDE THE ORDINARY COURSE OF TRADE.**

24 Section 771(15) of the Tariff Act of 1930 (19 U.S.C.
25 1677(15)) is amended by adding at the end the following:

1 “(D) Situations in which the quantity of a
2 foreign like product selected for comparison
3 under paragraph (16) is insufficient to establish
4 that the conditions and practices associated
5 with such sales have been normal in the trade
6 under consideration for a reasonable period of
7 time prior to the exportation of the subject
8 merchandise, and permit a proper comparison
9 to the export price or constructed export
10 price.”.

11 **SEC. 102103. MODIFICATION OF ADJUSTMENTS TO EXPORT**
12 **PRICE AND CONSTRUCTED EXPORT PRICE**
13 **WITH RESPECT TO DUTY DRAWBACK.**

14 Section 772(c)(1)(B) of the Tariff Act of 1930 (19
15 U.S.C. 1677a(c)(1)(B)) is amended—

16 (1) by striking “any”; and

17 (2) by inserting after “United States” the fol-
18 lowing: “, but that amount shall not exceed the per
19 unit amount of such duties contained in the weight-
20 ed average cost of production”.

1 **SEC. 102104. MODIFICATION OF DETERMINATION OF CON-**
2 **STRUCTED VALUE TO INCLUDE DISTORTIONS**
3 **OF COSTS THAT OCCUR IN FOREIGN COUN-**
4 **TRIES.**

5 (a) IN GENERAL.—Section 773(b)(3) of the Tariff
6 Act of 1930 (19 U.S.C. 1677b(b)(3)) is amended—

7 (1) in subparagraph (A), by striking “business”
8 and inserting “trade”; and

9 (2) in the matter following subparagraph (C),
10 by inserting before “For purposes” the following:
11 “For purposes of subparagraph (A), if a particular
12 market situation exists such that the cost of mate-
13 rials and fabrication or other processing of any kind
14 does not accurately reflect the cost of production in
15 the ordinary course of trade, the administering au-
16 thority may use another calculation methodology
17 under this subtitle or any other calculation method-
18 ology.”.

19 (b) MODIFICATION OF DEFINITION OF ORDINARY
20 COURSE OF TRADE TO INCLUDE ADJUSTED COSTS.—Sec-
21 tion 771(15)(C) of the Tariff Act of 1930 (19 U.S.C.
22 1677(15)(C)) is amended—

23 (1) by striking “that the particular market situ-
24 ation prevents” and inserting “that a particular
25 market situation exists that—

26 “(i) prevents”;

1 (2) in clause (i), as designated by paragraph
2 (1), by striking the period at the end and inserting
3 “, relating to normal value determined under sub-
4 section (a) of section 773; or”; and

5 (3) by adding at the end the following:

6 “(ii) distorts certain costs of produc-
7 tion, relating to normal value determined
8 under subsections (b) and (e) of section
9 773.”.

10 **SEC. 102105. SPECIAL RULES FOR CALCULATION OF COST**
11 **OF PRODUCTION AND CONSTRUCTED VALUE**
12 **TO ADDRESS DISTORTED COSTS.**

13 (a) IN GENERAL.—Section 773(f)(3) of the Tariff
14 Act of 1930 (19 U.S.C. 1677b(f)(3)) is amended—

15 (1) by striking “(3) MAJOR INPUT RULE.—If”
16 inserting the following:

17 “(3) MAJOR INPUT RULE.—

18 “(A) IN GENERAL.—If”; and

19 (2) by adding at the end of the following:

20 “(B) MAJOR INPUTS FROM CERTAIN UNAF-
21 FILATED PERSONS.—

22 “(i) IN GENERAL.—In the case of a
23 transaction between the exporter or pro-
24 ducer of the merchandise and any unaffili-
25 ated persons described in clause (ii) involv-

1 ing a major input to the merchandise, the
2 administering authority may value such
3 major input based on the information
4 available as to what the amount would
5 have been if the transaction had occurred
6 between the exporter or producer of the
7 merchandise and any unaffiliated persons
8 other than unaffiliated persons described
9 in clause (ii), if such amount is greater
10 than that reflected in the records of the ex-
11 porter or producer of the merchandise.

12 “(ii) UNAFFILIATED PERSONS DE-
13 SCRIBED.—Unaffiliated persons described
14 in this clause include—

15 “(I) any person in a nonmarket
16 economy country;

17 “(II) any producer, exporter, or
18 supplier of the input described in
19 clause (i) found by the administering
20 authority, or by any investigating au-
21 thority of a third country, to be re-
22 ceiving a subsidy pertaining to an
23 identical or comparable input in the
24 respective country;

1 “(III) any producer, exporter, or
2 supplier of the input described in
3 clause (i) found by the administering
4 authority, or by any investigating au-
5 thority of a third country, to be sell-
6 ing an identical or comparable input
7 for less than fair market value in the
8 respective country;

9 “(IV) a government or public
10 body operating within the territory of
11 the exporting country or in any other
12 country; or

13 “(V) a group of governments or
14 public bodies that collectively account
15 for a meaningful share of the produc-
16 tion of the input in the exporting
17 country or in any other country.”.

18 **Subtitle C—Preventing** 19 **Circumvention**

20 **SEC. 102201. MODIFICATION OF REQUIREMENTS IN CIR-** 21 **CUMVENTION INQUIRIES.**

22 (a) IN GENERAL.—Section 781 of the Tariff Act of
23 1930 (19 U.S.C. 1677j) is amended by striking subsection
24 (f) and inserting the following:

1 “(f) PROCEDURES FOR CONDUCTING CIRCUMVEN-
2 TION INQUIRIES.—

3 “(1) INITIATION BY ADMINISTERING AUTHOR-
4 ITY.—A circumvention inquiry shall be initiated
5 whenever the administering authority determines,
6 from information available to it, that a formal in-
7 quiry is warranted into the question of whether the
8 elements necessary for a determination under this
9 section exist.

10 “(2) INITIATION BY INQUIRY REQUEST.—

11 “(A) IN GENERAL.—A circumvention in-
12 quiry shall be initiated whenever an interested
13 party files an inquiry request that alleges the
14 elements necessary for a determination under
15 this section, accompanied by information rea-
16 sonably available to the requestor supporting
17 those allegations.

18 “(B) RULES.—The administering author-
19 ity shall specify requirements for the contents
20 and service of an inquiry request under sub-
21 paragraph (A).

22 “(3) ACTION WITH RESPECT TO INQUIRY RE-
23 QUEST.—

24 “(A) IN GENERAL.—Not later than 30
25 days after the filing of an inquiry request under

1 paragraph (2)(A), the administering authority
2 shall—

3 “(i) initiate a circumvention inquiry;

4 “(ii) dismiss the inquiry request as in-
5 adequate and notify the requestor in writ-
6 ing of the reasons for the dismissal; or

7 “(iii) notify all interested parties that
8 the inquiry request will be addressed
9 through a determination (other than a de-
10 termination under this section) by the ad-
11 ministering authority as to whether a par-
12 ticular type of merchandise is within the
13 class or kind of merchandise described in
14 an existing finding of dumping or an anti-
15 dumping or countervailing duty order.

16 “(B) EXTENSION.—The administering au-
17 thority may extend the deadline under subpara-
18 graph (A) by a period not to exceed 15 days.

19 “(4) DETERMINATIONS.—

20 “(A) PRELIMINARY DETERMINATIONS.—

21 “(i) IN GENERAL.—Except as pro-
22 vided in clause (ii), not later than 90 days
23 after the date on which the initiation of a
24 circumvention inquiry under paragraph (1)
25 or (3)(A) is published, the administering

1 authority shall make a preliminary deter-
2 mination, based on the information avail-
3 able to it at the time of the determination,
4 of whether there is a reasonable basis to
5 believe or suspect that the merchandise
6 subject to the inquiry is circumventing an
7 existing finding of dumping or an anti-
8 dumping or countervailing duty order.

9 “(ii) EXTENSION.—The administering
10 authority may extend the deadline under
11 clause (i) by a period not to exceed 45
12 days.

13 “(B) FINAL DETERMINATIONS.—

14 “(i) IN GENERAL.—Except as pro-
15 vided in clause (ii), not later than 120
16 days after the date on which the prelimi-
17 nary determination is published under sub-
18 paragraph (A) with respect to a circumven-
19 tion inquiry, the administering authority
20 shall make a final determination of wheth-
21 er the merchandise subject to the inquiry
22 is circumventing an existing finding of
23 dumping or an antidumping or counter-
24 vailing duty order.

1 “(ii) EXTENSION.—The administering
2 authority may extend the deadline under
3 clause (i) by a period not to exceed 60
4 days.

5 “(C) OTHER CLASS OR KIND DETERMINA-
6 TIONS.—If an inquiry request under paragraph
7 (2)(A) is addressed through a class or kind de-
8 termination described in paragraph (3)(C), the
9 administering authority shall make such deter-
10 mination not later than 335 days after the fil-
11 ing of the inquiry request.

12 “(5) RULE OF CONSTRUCTION.—The admin-
13 istering authority may simultaneously initiate a cir-
14 cumvention inquiry under paragraph (1) or (3)(A)
15 and issue a preliminary determination under para-
16 graph (4)(A) if the pattern of circumvention alleged
17 is similar to that of a prior final determination by
18 the administering authority.”.

19 (b) SUSPENSION OF LIQUIDATION AND COLLECTION
20 OF DEPOSITS OF ENTRIES SUBJECT TO CIRCUMVENTION
21 INQUIRY; APPLICATION OF CIRCUMVENTION DETERMINA-
22 TION.—Section 781 of the Tariff Act of 1930 (19 U.S.C.
23 1677j) is further amended by adding at the end the fol-
24 lowing:

1 “(g) SUSPENSION OF LIQUIDATION AND COLLECTION
2 OF DEPOSITS OF ENTRIES SUBJECT TO CIRCUMVENTION
3 INQUIRY.—

4 “(1) IN GENERAL.—If the administering au-
5 thority initiates a circumvention inquiry under para-
6 graph (1) or (3)(A) of subsection (f), for each unliq-
7 uidated entry of merchandise subject to the cir-
8 cumvention inquiry entered or withdrawn from ware-
9 house, that is already suspended, the administering
10 authority shall order—

11 “(A) the continued suspension of liquida-
12 tion of such entries; and

13 “(B) the continued posting of a cash de-
14 posit in an amount equal to the antidumping
15 duty or countervailing duty applicable for such
16 entries.

17 “(2) PRELIMINARY DETERMINATION.—If the
18 administering authority issues a preliminary affirm-
19 ative determination under paragraph (4)(A) of sub-
20 section (f), the administering authority shall order—

21 “(A) the suspension, or continued suspen-
22 sion, of liquidation of all entries of merchandise
23 subject to the circumvention inquiry entered, or
24 withdrawn from warehouse, for consumption on
25 or after the date of publication of the notice of

1 initiation of circumvention inquiry under para-
2 graph (1) or (3)(A) of subsection (f);

3 “(B) the suspension, or continued suspen-
4 sion, of liquidation of all entries of merchandise
5 subject to the circumvention inquiry entered, or
6 withdrawn from warehouse, for consumption
7 prior to the date of publication of the notice of
8 initiation of circumvention inquiry under para-
9 graph (1) or (3)(A) of subsection (f) if the ad-
10 ministering authority determines, in light of the
11 circumstances, that such suspension under this
12 paragraph is warranted; and

13 “(C) the posting, or continued posting, of
14 a cash deposit in an amount equal to the anti-
15 dumping duty or countervailing duty applicable,
16 for each entry of merchandise described in sub-
17 paragraphs (A) and (B).

18 “(3) FINAL DETERMINATION.—If the admin-
19 istering authority issues a final affirmative deter-
20 mination under paragraph (4)(B) of subsection (f),
21 the administering authority shall order—

22 “(A) the suspension, or continued suspen-
23 sion, of liquidation of all entries of merchandise
24 subject to the circumvention inquiry entered, or
25 withdrawn from warehouse, for consumption on

1 or after the date of publication of the notice of
2 initiation of circumvention inquiry under para-
3 graph (1) or (3)(A) of subsection (f);

4 “(B) the suspension, or continued suspen-
5 sion, of liquidation of all entries of merchandise
6 subject to the circumvention inquiry entered, or
7 withdrawn from warehouse, for consumption
8 prior to the date of publication of the notice of
9 initiation of circumvention inquiry under para-
10 graph (1) or (3)(A) of subsection (f) if the ad-
11 ministering authority determines, in light of the
12 circumstances, that such suspension under this
13 paragraph is warranted; and

14 “(C) the posting, or continued posting, of
15 a cash deposit in an amount equal to the anti-
16 dumping duty or countervailing duty applicable,
17 for each entry of merchandise described in sub-
18 paragraphs (A) and (B).

19 “(4) RULE OF CONSTRUCTION.—Nothing in
20 this section shall be construed to prevent the admin-
21 istering authority from applying the requirements
22 under this subsection in a class or kind determina-
23 tion described in subsection (f)(3)(C).

24 “(h) APPLICATION OF CIRCUMVENTION DETERMINA-
25 TION.—

1 “(1) IN GENERAL.—The administering author-
2 ity shall consider the appropriate remedy to address
3 circumvention and to prevent evasion of the order
4 pursuant to a determination described in subsections
5 (4)(f)(A) and (B). Such remedies may include the
6 following:

7 “(A) The application of the determination
8 on a producer-specific, exporter-specific, im-
9 porter-specific basis, or some combination
10 thereof, and, as appropriate, the implementa-
11 tion of a certification requirement under section
12 785.

13 “(B) The application of the determination
14 on a countrywide basis to all products from the
15 same country, regardless of producer, exporter,
16 or importer of those products, and, as appro-
17 priate, the implementation of a certification re-
18 quirement under section 785.

19 “(2) EXEMPTION FOR CERTIFICATION.—When
20 a certification requirement is implemented under
21 this paragraph and the eligible importer or other
22 party complies with that requirement, antidumping
23 and countervailing duties under this title may not be
24 applied to the merchandise under certification.”.

1 (c) PUBLICATION IN THE FEDERAL REGISTER.—Sec-
2 tion 777(i) of the Tariff Act of 1930 is amended by adding
3 at the end the following:

4 “(4) CIRCUMVENTION INQUIRIES.—Whenever
5 the administering authority makes a determination
6 under section 781 whether to initiate a circumven-
7 tion inquiry, or makes a preliminary or final deter-
8 mination under subsection (f)(4) of that section, the
9 administering authority shall publish the facts and
10 conclusions supporting that determination and shall
11 publish notice of that determination in the Federal
12 Register.”.

13 (d) ADDING VERIFICATION RESPONSES IN CIR-
14 CUMVENTION INQUIRIES.—Section 782(i) of the Tariff
15 Act of 1930 (19 U.S.C. 1677m(i)) is amended—

16 (1) in paragraph (2), by striking “and” at the
17 end;

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

20 (3) by adding at the end the following:

21 “(4) a final determination in a circumvention
22 inquiry conducted pursuant to section 781 if good
23 cause for verification is shown.”.

1 **SEC. 102202. REQUIREMENT OF PROVISION BY IMPORTER**
2 **OF CERTIFICATION BY IMPORTER OR OTHER**
3 **PARTY.**

4 (a) IN GENERAL.—Subtitle D of title VII of the Tar-
5 iff Act of 1930 (19 U.S.C. 1677 et seq.), as amended by
6 section 102003(a), is further amended by adding at the
7 end the following:

8 **“SEC. 785. REQUIREMENT FOR CERTIFICATION BY IM-**
9 **PORTER OR OTHER PARTY.**

10 “(a) REQUIREMENT.—

11 “(1) IN GENERAL.—For imports of merchan-
12 dise into the customs territory of the United States,
13 the administering authority may require an importer
14 or other party—

15 “(A) to provide by electronic means, at the
16 time of entry or with the entry summary, a cer-
17 tification described in paragraph (2);

18 “(B) to maintain that certification; or

19 “(C) to otherwise demonstrate compliance
20 with the requirements for that certification.

21 “(2) CERTIFICATION DESCRIBED.—A certifi-
22 cation described in this paragraph is a certification
23 by the importer of the merchandise or other party,
24 as required by the administering authority, that
25 among other things—

1 “(A) the merchandise is not subject to an
2 antidumping or countervailing duty proceeding
3 under this title; and

4 “(B) the inputs used in production, trans-
5 formation, or processing of the merchandise are
6 not subject to an antidumping or countervailing
7 duty under this title.

8 “(3) AVAILABLE UPON REQUEST.—A certifi-
9 cation required by the administering authority under
10 paragraph (1), if not already provided, shall be made
11 available upon request to the administering author-
12 ity or the Commissioner of U.S. Customs and Bor-
13 der Protection (in this section referred to as the
14 ‘Commissioner’).

15 “(b) AUTHORITY TO COLLECT CASH DEPOSITS AND
16 TO ASSESS DUTIES.—

17 “(1) IN GENERAL.—If the administering au-
18 thority requires an importer or other party to pro-
19 vide a certification described in paragraph (2) of
20 subsection (a) for merchandise imported into the
21 customs territory of the United States pursuant to
22 paragraph (1) of that subsection, and the importer
23 or other party does not provide that certification or
24 that certification contains any false, misleading, or
25 fraudulent statement or representation or any mate-

1 rial omission, the administering authority shall in-
2 struct the Commissioner—

3 “(A) to suspend liquidation of the entry;

4 “(B) to require that the importer or other
5 party post a cash deposit in an amount equal
6 to the antidumping duty or countervailing duty
7 applicable to the merchandise; and

8 “(C) to assess the appropriate rate of duty
9 upon liquidation or reliquidation of the entry.

10 “(2) ASSESSMENT RATE.—If no rate of duty
11 for an entry is available at the time of assessment
12 under paragraph (1)(C), the administering authority
13 shall identify the applicable cash deposit rate to be
14 applied to the entry, with the applicable duty rate to
15 be provided as soon as the duty rate becomes avail-
16 able.

17 “(c) PENALTIES.—If the administering authority re-
18 quires an importer or other party to provide a certification
19 described in paragraph (2) of subsection (a) for merchan-
20 dise imported into the customs territory of the United
21 States pursuant to paragraph (1) of that subsection, and
22 the importer or other party does not provide that certifi-
23 cation or that certification contains any false, misleading,
24 or fraudulent statement or representation or any material
25 omission, the importer of the merchandise may be subject

1 to a penalty pursuant to section 592 of this Act, section
2 1001 of title 18, United States Code, or any other applica-
3 ble provision of law.”.

4 (b) CLERICAL AMENDMENT.—The table of contents
5 for the Tariff Act of 1930, as amended by section
6 102003(b), is further amended by inserting after the item
7 relating to section 784 the following:

“Sec. 785. Requirement for certification by importer or other party.”.

8 **SEC. 102203. CLARIFICATION OF AUTHORITY FOR DEPART-**
9 **MENT OF COMMERCE REGARDING DETER-**
10 **MINATIONS OF CLASS OR KIND OF MERCHAN-**
11 **DISE.**

12 (a) DETERMINATIONS OF CLASS OR KIND OF MER-
13 CHANDISE.—To determine whether merchandise imported
14 into the United States is within the class or kind of mer-
15 chandise covered by an antidumping or countervailing
16 duty proceeding under title VII of the Tariff Act of 1930
17 (19 U.S.C. 1671 et seq.), the administering authority may
18 use any reasonable method and is not bound by the deter-
19 minations of any other Federal department or agency, in-
20 cluding tariff classification and country of origin marking
21 rulings issued by the Commissioner of U.S. Customs and
22 Border Protection. Class or kind determinations may be
23 made under this section or under section 781 in accord-
24 ance with the criteria set forth in this section or in section
25 781.

1 (b) ORIGIN OF MERCHANDISE.—To determine the or-
2 igin of merchandise for purposes of an antidumping or
3 countervailing duty proceeding under title VII of the Tar-
4 iff Act of 1930 (19 U.S.C. 1671 et seq.), the administering
5 authority may apply any reasonable method and may con-
6 sider relevant factors, including—

7 (1) whether the upstream and downstream
8 products are within the same class or kind of mer-
9 chandise;

10 (2) whether an essential characteristic of the
11 merchandise, or an essential component thereof, is
12 substantially transformed in the country of expor-
13 tation;

14 (3) the physical characteristics of the merchan-
15 dise;

16 (4) the value added, nature, and sophistication
17 of processing in the third country or countries;

18 (5) the level of investment in the third country
19 or countries; and

20 (6) any other factors that the administering au-
21 thority considers appropriate.

22 (c) REVIEWABLE DETERMINATIONS.—Section
23 516A(a)(2)(A)(ii) of the Tariff Act of 1930 (19 U.S.C.
24 1516a(a)(2)(A)(ii)) is amended to read as follows:

1 “(ii) the date of publication in the
2 Federal Register of notice of a determina-
3 tion described in clause (iv) of subpara-
4 graph (B), or, if no such notice is pub-
5 lished, the date on which the administering
6 authority conveys a copy of such deter-
7 mination to an interested party who is a
8 party to the proceeding.”.

9 **SEC. 102204. ASSET REQUIREMENTS APPLICABLE TO NON-**
10 **RESIDENT IMPORTERS.**

11 (a) IN GENERAL.—Part III of title IV of the Tariff
12 Act of 1930 (19 U.S.C. 1481 et seq.) is amended by in-
13 serting after section 484b the following:

14 **“SEC. 484c. ASSET REQUIREMENTS APPLICABLE TO NON-**
15 **RESIDENT IMPORTERS.**

16 “(a) DEFINITIONS.—In this section:

17 “(1) IMPORTER; NONRESIDENT IMPORTER.—
18 The terms ‘importer’ and ‘nonresident importer’
19 have the meanings given those terms in section
20 641(i).

21 “(2) RESIDENT IMPORTER.—The term ‘resident
22 importer’ means any importer other than a non-
23 resident importer.

1 “(b) REQUIREMENTS FOR NONRESIDENT IMPORT-
2 ERS.—Except as provided in subsection (c), the Commis-
3 sioner of U.S. Customs and Border Protection shall—

4 “(1) require a nonresident importer that im-
5 ports merchandise into the United States to main-
6 tain assets in the United States sufficient to pay all
7 duties that may potentially be applied to the mer-
8 chandise; and

9 “(2) require a bond with respect to the mer-
10 chandise in an amount sufficient to ensure full liabil-
11 ity on the part of a nonresident importer and the
12 surety of the importer based on the amount of assets
13 the Commissioner determines to be sufficient under
14 subsection (c).

15 “(c) DETERMINATION OF AMOUNT OF ASSETS RE-
16 QUIRED TO BE MAINTAINED.—For purposes of subsection
17 (b)(1), the Commissioner shall calculate the amount of as-
18 sets sufficient to pay all duties that may potentially be
19 applied to merchandise imported by a nonresident im-
20 porter, calculated using the declared customs value of the
21 merchandise, of all duties, fees, interest, taxes, or other
22 charges, and all deposits for duties, fees, interest, taxes,
23 or other charges, that would apply with respect to the mer-
24 chandise if the merchandise were subject to the highest
25 rate of all duties applicable to such imported merchandise.

1 “(d) MAINTENANCE OF ASSETS IN THE UNITED
2 STATES.—

3 “(1) IN GENERAL.—For purposes of subsection
4 (b)(1), a nonresident importer of merchandise meets
5 the requirement to maintain assets in the United
6 States if the importer has clear title, at all times be-
7 tween the entry of the merchandise and the liquida-
8 tion of the entry and payment in full of all cor-
9 responding bills issued as a result of the liquidation,
10 to assets described in paragraph (2) with a value
11 equal to the amount determined under subsection
12 (c).

13 “(2) ASSETS DESCRIBED.—An asset described
14 in this paragraph is—

15 “(A) an asset held by a United States fi-
16 nancial institution;

17 “(B) an interest in an entity organized
18 under the laws of the United States or any ju-
19 risdiction within the United States; or

20 “(C) an interest in real or personal prop-
21 erty located in the United States or any terri-
22 tory or possession of the United States.

23 “(e) EXCEPTIONS.—The requirements of this section
24 shall not apply with respect to a nonresident importer—

1 “(1) that is a validated Tier 2 or Tier 3 partici-
2 pant in the Customs–Trade Partnership Against
3 Terrorism program established under subtitle B of
4 title II of the Security and Accountability For Every
5 Port Act of 2006 (6 U.S.C. 961 et seq.); or

6 “(2) if the Commissioner is satisfied, based on
7 certified information supplied by the importer and
8 any other relevant evidence, that the Commissioner
9 has the same or equivalent ability to collect all du-
10 ties that may potentially be applied to merchandise
11 imported by the importer as the Commissioner
12 would have if the importer were a resident importer.

13 “(f) PROCEDURES.—

14 “(1) IN GENERAL.—The Commissioner shall
15 prescribe procedures for assuring that nonresident
16 importers maintain the assets required by subsection
17 (b).

18 “(2) DEADLINE.—The Commissioner shall en-
19 sure the procedures required by paragraph (1) are
20 prescribed and in effect not later than 90 days after
21 the date of the enactment of this Act.

22 “(g) PENALTIES.—

23 “(1) IN GENERAL.—It shall be unlawful for any
24 person to import into the United States any mer-
25 chandise in violation of this section.

1 “(2) CIVIL PENALTIES.—Any person who vio-
2 lates paragraph (1) shall—

3 “(A) in the case of merchandise described
4 in such paragraph with a domestic value that is
5 equal to or greater than \$50,000, be liable for
6 a civil penalty of \$50,000 for each such viola-
7 tion; or

8 “(B) in the case of merchandise described
9 in such paragraph with a domestic value that is
10 less than \$50,000, be liable for a civil penalty
11 equal to 50 percent of the amount of such do-
12 mestic value for each such violation.

13 “(3) OTHER PENALTIES.—In addition to the
14 penalties specified in paragraph (2), any violation of
15 this section that violates any other provision of the
16 customs and trade laws of the United States (as de-
17 fined in section 2 of the Trade Facilitation and
18 Trade Enforcement Act of 2015 (19 U.S.C. 4301))
19 shall be subject to any applicable civil or criminal
20 penalty, including seizure and forfeiture, that may
21 be imposed under that provision or title 18, United
22 States Code.”.

23 (b) CLERICAL AMENDMENT.—The table of contents
24 for the Tariff Act of 1930, as amended by sections

1 102003(b) and 102202(b), is further amended by insert-
2 ing after the item relating to section 484b the following:

“Sec. 484c. Asset requirements applicable to nonresident importers.”.

3 (c) EFFECTIVE DATE.—Section 484c of the Tariff
4 Act of 1930, as added by subsection (a)—

5 (1) takes effect on the date of the enactment of
6 this Act; and

7 (2) applies with respect to merchandise entered,
8 or withdrawn from warehouse for consumption, on
9 or after the date that is 180 days after such date
10 of enactment.

11 **Subtitle D—Countering Currency** 12 **Undervaluation**

13 **SEC. 102301. INVESTIGATION OR REVIEW OF CURRENCY** 14 **UNDERVALUATION UNDER COUNTERVAILING** 15 **DUTY LAW.**

16 Section 702(c) of the Tariff Act of 1930 (19 U.S.C.
17 1671a(c)) is amended by adding at the end the following:

18 “(6) CURRENCY UNDERVALUATION.—For pur-
19 poses of a countervailing duty investigation under
20 this subtitle in which the determinations under
21 clauses (i) and (ii) of paragraph (1)(A) are affirma-
22 tive and the petition includes an allegation of cur-
23 rency undervaluation by the government of a coun-
24 try or any public entity within the territory of a
25 country that meets the requirements of clause (i) of

1 that paragraph, or for purposes of a review under
2 subtitle C with respect to a countervailing duty
3 order involving such an allegation, the administering
4 authority shall examine in its investigation or review
5 whether currency undervaluation by the government
6 of a country or any public entity within the territory
7 of a country is providing, directly or indirectly, a
8 countervailable subsidy.”.

9 **SEC. 102302. DETERMINATION OF BENEFIT WITH RESPECT**
10 **TO CURRENCY UNDERVALUATION.**

11 Section 771(5)(E) of the Tariff Act of 1930 (19
12 U.S.C. 1677(5)(E)) is amended—

13 (1) in clause (iii), by striking “, and” and in-
14 serting a comma;

15 (2) in clause (iv), by striking the period at the
16 end and inserting “, and”;

17 (3) by inserting after clause (iv) the following:

18 “(v) in the case of a transaction involving currency,
19 if there is a difference between the amount of currency
20 received in exchange for United States dollars and the
21 amount of currency that the recipient would have received
22 absent an undervalued currency.”; and

23 (4) in the flush text following clause (v), as
24 added by paragraph (3), by adding at the end the
25 following: “For purposes of clause (v), a determina-

1 tion of the existence and amount of a benefit from
2 the exchange of an undervalued currency shall take
3 into account a comparison of the exchange rates de-
4 rived from a methodology determined by the admin-
5 istering authority to be appropriate in light of the
6 facts and circumstances to the relevant actual ex-
7 change rates. That determination shall rely on au-
8 thoritative information that is on the administrative
9 record.”.

10 **Subtitle E—Preventing Duty** 11 **Evasion**

12 **SEC. 102401. LIMITATION ON PROTEST AGAINST DECISIONS** 13 **OF U.S. CUSTOMS AND BORDER PROTECTION** 14 **OF CLAIMS OF EVASION OF ANTIDUMPING** 15 **AND COUNTERVAILING DUTY ORDERS.**

16 The Tariff Act of 1930 is amended—

17 (1) in section 514(b) (19 U.S.C. 1514(b))—

18 (A) by striking “title, determinations” and
19 inserting “title, or with respect to determina-
20 tions made under section 517 of this title which
21 are reviewable under subsection (g) of such sec-
22 tion, determinations”; and

23 (B) by inserting after “a determination
24 listed in section 516A of this title” the fol-

1 lowing: “or a determination listed in section
2 517 of this title, as the case may be,”; and
3 (2) in section 517(h) (19 U.S.C. 1517(h)), by
4 adding at the end before the period the following: “,
5 except that any decision as to the liquidation or re-
6 liquidation of an entry of covered merchandise in ac-
7 cordance with a determination under subsection (c)
8 and review under subsection (f), if applicable, shall
9 not be subject to a protest of such decision filed in
10 accordance with section 514”.

11 **SEC. 102402. PROCEDURES FOR INVESTIGATING CLAIMS OF**
12 **EVASION OF SAFEGUARD ACTIONS.**

13 (a) TARIFF ACT OF 1930.—Section 517 of the Tariff
14 Act of 1930 (19 U.S.C. 1517) is amended—

15 (1) in the section heading, by adding at the end
16 before the period the following: “**AND SAFEGUARD**
17 **ACTIONS**”;

18 (2) in subsection (a)—

19 (A) in paragraph (3)—

20 (i) in subparagraph (A), by striking
21 “or” at the end;

22 (ii) in subparagraph (B), by striking
23 the period at the end and inserting “; or”;
24 and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(C) an action taken under section 203 of
4 the Trade Act of 1974 (19 U.S.C. 2253).”; and

5 (B) in paragraph (5)(A), by inserting after
6 “applicable antidumping or countervailing du-
7 ties” the following: “or any applicable safe-
8 guard action”;

9 (3) in subparagraphs (A) and (B) of subsection
10 (b)(4), by inserting after “covered merchandise”
11 each place it appears the following: “under subpara-
12 graph (A) or (B) of subsection (a)(3)”;

13 (4) in subsection (d)(1)—

14 (A) in subparagraph (C)—

15 (i) in the matter preceding clause (i),
16 by inserting after “(C)” the following: “if
17 the determination relates to covered mer-
18 chandise under subparagraph (A) or (B) of
19 subsection (a)(3),”; and

20 (ii) in clause (i), by inserting after
21 “subparagraphs (A) and (B)” the fol-
22 lowing: “of this paragraph”; and

23 (B) in subparagraph (D)—

24 (i) by inserting after “(D)” the fol-
25 lowing: “if the determination relates to

1 covered merchandise under subparagraph
2 (A) or (B) of subsection (a)(3),”;

3 (ii) by inserting after “subparagraphs
4 (A) and (B)” the following: “of this para-
5 graph”.

6 (b) TRADE FACILITATION AND TRADE ENFORCE-
7 MENT ACT OF 2015.—The Trade Facilitation and Trade
8 Enforcement Act of 2015 is amended—

9 (1) in section 402 (19 U.S.C. 4361)—

10 (A) in paragraph (2)—

11 (i) in subparagraph (A), by striking
12 “or” at the end;

13 (ii) in subparagraph (B), by striking
14 the period at the end and inserting “; or”;
15 and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(C) an action taken under section 203 of
19 the Trade Act of 1974 (19 U.S.C. 2253).”;

20 (B) in paragraph (5), by inserting after
21 “applicable antidumping or countervailing du-
22 ties” the following: “or any applicable safe-
23 guard action”; and

24 (C) in paragraph (7), by adding at the end
25 before the period the following: “and chapter 1

1 of title II of the Trade Act of 1974 (19 U.S.C.
2 2251 et seq.)”; and
3 (2) in section 412 (19 U.S.C. 4372)—
4 (A) in subsection (a)(2)—
5 (i) by redesignating subparagraphs
6 (A), (B), and (C) as subparagraphs (B),
7 (C), and (D), respectively; and
8 (ii) by inserting before subparagraph
9 (B), as redesignated, the following:
10 “(A) a person reasonably suspected of en-
11 tering covered merchandise into the customs
12 territory of the United States through eva-
13 sion”;”; and
14 (B) in subsection (b)(1)—
15 (i) in subparagraph (B)—
16 (I) by redesignating clauses (i),
17 (ii), and (iii) as clauses (ii), (iii), and
18 (iv), respectively; and
19 (II) by inserting before clause
20 (ii), as redesignated, the following:
21 “(i) a person from whom information
22 was requested pursuant to subsection
23 (a)(2)(A);”; and

1 (ii) in subparagraph (C), by striking
2 “clause (ii) or (iii)” and inserting “clause
3 (i), (iii), or (iv)”.

4 **SEC. 102403. APPLICATION OF PROVISIONS RELATING TO**
5 **CERTAIN PROPRIETARY INFORMATION.**

6 (a) IN GENERAL.—Section 517 of the Tariff Act of
7 1930 (19 U.S.C. 1517), as amended by section 102402(a),
8 is further amended by adding at the end the following:

9 “(i) APPLICATION OF PROVISIONS RELATING TO
10 CERTAIN PROPRIETARY INFORMATION.—

11 “(1) IN GENERAL.—Except as provided in para-
12 graph (2), the provisions of subsections (b), (c), and
13 (d) of section 777, relating to information submitted
14 in connection with proceedings under title VII of
15 this Act, shall apply with respect to information sub-
16 mitted in connection with proceedings under this
17 section to the same extent and in the same manner
18 as such provisions apply to information submitted in
19 connection with proceedings under such title VII.

20 “(2) EXCEPTIONS.—In carrying out paragraph
21 (1), the provisions of subsections (b), (c), and (d) of
22 section 777 shall be applied and administered as fol-
23 lows:

24 “(A) By substituting ‘the Commissioner’
25 for ‘the administering authority or the Commis-

1 sion’ and ‘the administering authority and the
2 Commission’ each place either such term ap-
3 pears.

4 “(B) Paragraphs (1)(A)(ii) and (3) of such
5 subsection (b) shall not apply.

6 “(C) The second and third sentences of
7 such subsection (c)(1)(A) shall not apply.

8 “(D) In such subsection (c)—

9 “(i) in paragraph (1)—

10 “(I) in subparagraph (B), by
11 substituting ‘determine to be appro-
12 priate’ for ‘determine to be appro-
13 priate, including disbarment from
14 practice before the agency’; and

15 “(II) in subparagraph (C)—

16 “(aa) in clause (i), by sub-
17 stituting ‘14 days’ for ‘14 days
18 (7 days if the submission per-
19 tains to a proceeding under sec-
20 tion 703(a) or 733(a))’; and

21 “(bb) in the text following
22 clause (ii)(II), by substituting ‘30
23 days’ for ‘30 days (10 days if the
24 submission pertains to a pro-

1 ceeding under section 703(a) or
2 733(a)'); and

3 “(ii) in paragraph (2), by substituting
4 ‘United States Court of International
5 Trade’ for ‘United States Customs
6 Court’.”.

7 (b) REGULATIONS.—The Commissioner of U.S. Cus-
8 toms and Border Protection shall prescribe such regula-
9 tions as may be necessary to implement subsection (i) of
10 section 517 of the Tariff Act of 1930 (19 U.S.C. 1517),
11 as added by subsection (a).

12 (c) EFFECTIVE DATE.—The amendment made by
13 subsection (a) shall take effect on the date that is 180
14 days after the date of the enactment of this Act.

15 **Subtitle F—General Provisions**

16 **SEC. 102501. APPLICATION TO CANADA AND MEXICO.**

17 Pursuant to section 418 of the United States-Mexico-
18 Canada Agreement Implementation Act (19 U.S.C. 4588),
19 the amendments made by this title apply with respect to
20 goods from Canada and Mexico.

21 **SEC. 102502. REPEAL OF THE SOFTWOOD LUMBER ACT OF**

22 **2008.**

23 The second title VIII of the Tariff Act of 1930 (19
24 U.S.C. 1683 et seq.; relating to softwood lumber), as
25 added by section 3301 of the Food, Conservation, and En-

1 ergy Act of 2008 (Public Law 110–246; 122 Stat. 1844),
2 is repealed.

3 **SEC. 102503. ENFORCEMENT ACTIONS RELATING TO**
4 **CHEESE SUBJECT TO AN IN-QUOTA RATE OF**
5 **DUTY.**

6 Section 702 of the Trade Agreements Act of 1979
7 (Public Law 96–39) is amended—

8 (1) by striking subsection (a); and

9 (2) by striking subparagraph (B) of subsection
10 (b)(2).

11 **SEC. 102504. EFFECTIVE DATE.**

12 (a) IN GENERAL.—Except as otherwise provided and
13 except as provided by subsection (b) or (c), the amend-
14 ments made by this title apply to countervailing duty in-
15 vestigations initiated under subtitle A of title VII of the
16 Tariff Act of 1930 (19 U.S.C. 1671 et seq.), antidumping
17 duty investigations initiated under subtitle B of title VII
18 of such Act (19 U.S.C. 1673 et seq.), reviews initiated
19 under subtitle C of title VII of such Act (19 U.S.C. 1675
20 et seq.), circumvention inquiries requested under section
21 781 of such Act (19 U.S.C. 1677j), class or kind deter-
22 minations under section 303 of this Act, claims of evasion
23 of antidumping and countervailing duty orders initiated
24 under the Tariff Act of 1930, and claims of evasion of

1 safeguard actions initiated under the Tariff Act of 1930
2 on or after the date of the enactment of this Act.

3 (b) APPLICABILITY.—

4 (1) IN GENERAL.—The amendments made by
5 this title apply to—

6 (A) investigations or reviews under title
7 VII of the Tariff Act of 1930 pending on the
8 date of the enactment of this Act if the date on
9 which the fully extended preliminary determina-
10 tion is scheduled is not earlier than 45 days
11 after such date of enactment, except that sec-
12 tion 784 of the Tariff Act of 1930, as added by
13 section 103 of this Act, shall not apply to inves-
14 tigation under title VII of the Tariff Act of
15 1930 that are pending on such date of enact-
16 ment;

17 (B) circumvention inquiries under section
18 781 of the Tariff Act of 1930 pending on such
19 date of enactment, if the date of publication of
20 the initiation of the inquiry is not earlier than
21 45 days before such date of enactment; and

22 (C) circumvention inquiries requested
23 under such section 781 but not initiated before
24 such date of enactment.

1 (2) DEADLINES FOR CIRCUMVENTION INQUIR-
2 IES.—

3 (A) DETERMINATIONS.—In the case of a
4 circumvention inquiry described in paragraph
5 (1)(B), subsection (f)(4) of section 781 of the
6 Tariff Act of 1930, as amended by section
7 102201(a), shall be applied and administered—

8 (i) in subparagraph (A)(i), by sub-
9 stituting “the date of the enactment of the
10 Eliminating Global Market Distortions to
11 Protect American Jobs Act of 2021” for
12 “the date on which the initiation of a cir-
13 cumvention inquiry under paragraph (1) or
14 (3)(A) is published”; and

15 (ii) in subparagraph (C), by sub-
16 stituting “the date of the enactment of the
17 Eliminating Global Market Distortions to
18 Protect American Jobs Act of 2021” for
19 “the filing of the inquiry request”.

20 (B) ACTIONS WITH RESPECT TO INQUIRY
21 REQUESTS.—In this case of a circumvention in-
22 quiry described in paragraph (1)(C), the admin-
23 istering authority (as defined in section 771(1)
24 of the Tariff Act of 1930 (19 U.S.C. 1677(1)))
25 shall, not later than 45 days after the date of

1 the enactment of this Act, take an action de-
2 scribed in subsection (f)(3) of section 781 of
3 the Tariff Act of 1930, as amended by section
4 102201(a), with respect to the inquiry.

5 **TITLE III—IMPORT SECURITY**
6 **AND FAIRNESS ACT**

7 **SEC. 103001. SHORT TITLE.**

8 This title may be cited as the “Import Security and
9 Fairness Act”.

10 **SEC. 103002. ADDITIONAL EXCEPTIONS TO EXEMPTIONS**
11 **FOR DE MINIMIS TREATMENT UNDER THE**
12 **TARIFF ACT OF 1930.**

13 Section 321 of the Tariff Act of 1930 (19 U.S.C.
14 1321) is amended—

15 (1) in subsection (a)—

16 (A) in the matter preceding paragraph (1),
17 by striking “(a) The Secretary” and inserting
18 “(a) IN GENERAL.—The Secretary”;

19 (B) in paragraph (2)(C), by striking
20 “\$800” and inserting “except as provided in
21 subsection (b)(1), \$800”; and

22 (C) in the matter following such paragraph
23 (2)(C), as so amended, by striking “subdivision
24 (2)” each place it appears and inserting “para-
25 graph”; and

1 (2) by striking “(b) The Secretary” and insert-
2 ing the following:

3 “(b) EXCEPTIONS.—

4 “(1) IN GENERAL.—An article may not be ad-
5 mitted free of duty or tax under the authority pro-
6 vided by subsection (a)(2)(C) if the country of origin
7 of such article is—

8 “(A) a nonmarket economy country (as
9 such term is defined in section 771(18)); and

10 “(B) a country included in the priority
11 watch list (as such term is defined in section
12 182(g)(3) of the Trade Act of 1974 (19 U.S.C.
13 2242(g)(3)).

14 “(2) OTHER EXCEPTIONS.—The Secretary”.

15 **SEC. 103003. ADDITIONAL ADMINISTRATIVE PROVISIONS**
16 **RELATING TO DE MINIMIS TREATMENT**
17 **UNDER THE TARIFF ACT OF 1930.**

18 (a) ADMINISTRATIVE EXEMPTIONS.—Section 321 of
19 the Tariff Act of 1930 (19 U.S.C. 1321), as amended by
20 section 103002, is further amended by adding at the end
21 the following:

22 “(c) SUBMISSION OF DOCUMENTATION AND INFOR-
23 MATION.—

24 “(1) IN GENERAL.—For any articles that may
25 qualify for an administrative exemption pursuant to

1 subsection (a)(2), the Secretary of the Treasury is
2 authorized to prescribe regulations to authorize or
3 require the submission, transmission, or otherwise
4 making available of such documentation or informa-
5 tion to U.S. Customs and Border Protection as the
6 Secretary determines is reasonably necessary for
7 U.S. Customs and Border Protection to determine
8 the eligibility of such articles to qualify for such ex-
9 emption.

10 “(2) MATTERS TO BE INCLUDED.—The regula-
11 tions prescribed pursuant to paragraph (1) may pro-
12 vide that such documentation or information include
13 documentation or information regarding the offer for
14 sale or purchase, or the subsequent sale, purchase,
15 transportation, importation or warehousing of such
16 articles, including such documentation or informa-
17 tion relating to the offering of such articles for sale
18 or purchase in the United States through a commer-
19 cial or marketing platform, including an electronic
20 commercial or marketing platform.

21 “(3) VERACITY OF DOCUMENTATION AND IN-
22 FORMATION.—

23 “(A) IN GENERAL.—The regulations pre-
24 scribed pursuant to paragraph (1) shall provide
25 that—

1 “(i) such documentation or informa-
2 tion is true and correct to the best of the
3 knowledge and belief of the party submit-
4 ting, transmitting, or otherwise making
5 available such documentation or informa-
6 tion, subject to any penalties authorized by
7 law; or

8 “(ii) if such party is not able to rea-
9 sonably verify whether such documentation
10 or information is true and correct to the
11 best of the knowledge and belief of the
12 party, such documentation or information
13 may be submitted, transmitted, or other-
14 wise made available on the basis of what
15 the party reasonably believes to be true
16 and correct.

17 “(B) USE FOR ANY LAWFUL PURPOSE.—

18 Such documentation or information may be
19 used by U.S. Customs and Border Protection
20 for any lawful purpose.

21 “(4) CIVIL PENALTIES.—Any person who vio-
22 lates the regulations prescribed pursuant to para-
23 graph (1) is liable for a civil penalty of \$5,000 for
24 the first violation, and \$10,000 for each subsequent

1 violation. A penalty imposed under this paragraph is
2 in addition to any other penalty provided by law.

3 “(d) IMPORTATIONS INVOLVING SUSPENDED OR
4 DEBARRED PERSONS.—The Secretary of the Treasury is
5 authorized to prescribe regulations to authorize exceptions
6 to any administrative exemption pursuant to subsection
7 (a) for any articles the importation of which is caused or
8 otherwise facilitated by any person suspended or debarred
9 from doing business with the Federal government at the
10 time of the importation.”.

11 (b) EXAMINATION OF MERCHANDISE.—Section
12 499(c) of the Tariff Act of 1930 (19 U.S.C. 1499(c)) is
13 amended—

14 (1) by striking “the Customs Service” each
15 place it appears and inserting “U.S. Customs and
16 Border Protection”; and

17 (2) in paragraph (2)—

18 (A) in the first sentence, by striking “The
19 Customs Service” and inserting the following:

20 “(A) IN GENERAL.—U.S. Customs and
21 Border Protection”;

22 (B) in the second sentence—

23 (i) by striking “The” and inserting
24 the following:

1 “(B) INFORMATION TO BE INCLUDED.—
2 The”; and

3 (ii) by redesignating the subsequent
4 subparagraphs (A), (B), (C), (D), and (E)
5 as clauses (i), (ii), (iii), (iv), and (v), re-
6 spectively, and moving the margins of such
7 clauses, as redesignated, 2 ems to the
8 right; and

9 (C) by adding at the end the following:

10 “(C) ADDITIONAL REQUIREMENTS RELAT-
11 ING TO MERCHANDISE THAT MAY QUALIFY FOR
12 CERTAIN ADMINISTRATIVE EXEMPTIONS.—

13 “(i) IN GENERAL.—In the case of de-
14 tained merchandise that may qualify for an
15 administrative exemption pursuant to sec-
16 tion 321(a)(2)(C), U.S. Customs and Bor-
17 der Protection shall issue such notice to
18 each party that U.S. Customs and Border
19 Protections determines may have an inter-
20 est in the detained merchandise, based on
21 information reasonably available to U.S.
22 Customs and Border Protection, in such
23 form and manner as the Secretary of the
24 Treasury shall by regulation prescribe.

1 “(ii) VOLUNTARY ABANDONMENT OF
2 MERCHANDISE.—In the case of detained
3 merchandise that may qualify for an ad-
4 ministrative exemption pursuant to section
5 321(a)(2)(C), such notice shall also advise
6 each such interested party that, in lieu of
7 supplying information to U.S. Customs
8 and Border Protection in accordance with
9 subparagraph (B)(v), the interested parties
10 may voluntarily abandon the detained mer-
11 chandise.

12 “(iii) ABANDONMENT DUE TO LACK
13 OF RESPONSE.—If U.S. Customs and Bor-
14 der Protection does not receive a response
15 from each interested party in detained
16 merchandise that may qualify for an ad-
17 ministrative exemption pursuant to section
18 321(a)(2)(C) within 15 days of the date on
19 which such notice is issued to the inter-
20 ested parties, the merchandise shall be
21 deemed to be abandoned and title to such
22 merchandise shall be vested in the United
23 States and disposed of in accordance with
24 law.”.

1 **SEC. 103004. EFFECTIVE DATE.**

2 The amendments made by this title shall apply with
3 respect to articles entered, or withdrawn from warehouse
4 for consumption, on or after the 180th day after the date
5 of the enactment of this Act.

6 **TITLE IV—NATIONAL CRITICAL**
7 **CAPABILITIES REVIEWS**

8 **SEC. 104001. NATIONAL CRITICAL CAPABILITIES REVIEWS.**

9 (a) IN GENERAL.—The Trade Act of 1974 (19
10 U.S.C. 2101 et seq.) is amended by adding at the end
11 the following:

12 **“TITLE X—NATIONAL CRITICAL**
13 **CAPABILITIES REVIEWS**

14 **“SEC. 1001. DEFINITIONS.**

15 “In this title:

16 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—The term ‘appropriate congressional com-
18 mittees’ means—

19 “(A) the Committee on Finance, the Com-
20 mittee on Armed Services, the Committee on
21 Banking, Housing, and Urban Affairs, the
22 Committee on Commerce, Science, and Trans-
23 portation, the Committee on Health, Education,
24 Labor, and Pensions, the Committee on For-
25 eign Relations, the Committee on Homeland Se-

1 security and Governmental Affairs, and the Select
2 Committee on Intelligence of the Senate; and

3 “(B) the Committee on Ways and Means,
4 the Committee on Armed Services, the Com-
5 mittee on Education and Labor, the Committee
6 on Financial Services, the Committee on Home-
7 land Security, the Committee on Foreign Af-
8 fairs, the Committee on Transportation and In-
9 frastructure, and the Permanent Select Com-
10 mittee on Intelligence of the House of Rep-
11 resentatives.

12 “(2) COMMITTEE.—The term ‘Committee’
13 means the Committee on National Critical Capabili-
14 ties established under section 1002.

15 “(3) CONTROL.—The term ‘control’ means the
16 power, direct or indirect, whether exercised or not
17 exercised, to determine, direct, or decide important
18 matters affecting an entity, subject to regulations
19 prescribed by the Committee.

20 “(4) COUNTRY OF CONCERN.—The term ‘coun-
21 try of concern’—

22 “(A) has the meaning given the term ‘for-
23 eign adversary’ in section 8(c)(2) of the Secure
24 and Trusted Communications Networks Act of
25 2019 (47 U.S.C. 1607(c)(2)); and

1 “(B) may include a nonmarket economy
2 country (as defined in section 771(18) of the
3 Tariff Act of 1930 (19 U.S.C. 1677(18))) iden-
4 tified by the Committee for purposes of this
5 paragraph by regulation.

6 “(5) COVERED TRANSACTION.—

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

12 “(i) Any transaction by a United
13 States business that—

14 “(I) shifts or relocates to a coun-
15 try of concern, or transfers to an enti-
16 ty of concern, the design, develop-
17 ment, production, manufacture, fab-
18 rication, supply, servicing, testing,
19 management, operation, investment,
20 ownership, or any other essential ele-
21 ments involving one or more national
22 critical capabilities identified under
23 subparagraph (B)(ii); or

1 “(II) could result in an unaccept-
2 able risk to a national critical capa-
3 bility.

4 “(ii) Any other transaction, transfer,
5 agreement, or arrangement, the structure
6 of which is designed or intended to evade
7 or circumvent the application of this title,
8 subject to regulations prescribed by the
9 Committee.

10 “(B) REGULATIONS.—

11 “(i) IN GENERAL.—The Committee
12 shall prescribe regulations further defining
13 the term ‘covered transaction’ in accord-
14 ance with subchapter II of chapter 5, and
15 chapter 7, of title 5, United States Code
16 (commonly known as the ‘Administrative
17 Procedure Act’).

18 “(ii) IDENTIFICATION OF NATIONAL
19 CRITICAL CAPABILITIES.—For purposes of
20 subparagraph (A)(I), the regulations pre-
21 scribed by the Committee under clause (i)
22 shall—

23 “(I) identify the national critical
24 capabilities subject to that subpara-
25 graph based on criteria intended to

1 limit application of that subparagraph
2 to the subset of national critical capa-
3 bilities that is likely to pose an unac-
4 ceptable risk to the national security
5 and crisis preparedness of the United
6 States; and

7 “(II) enumerate, quantify,
8 prioritize, and set forth sufficient al-
9 lowances of, specific types and exam-
10 ples of such capabilities.

11 “(6) CRISIS PREPAREDNESS.—The term ‘crisis
12 preparedness’ means preparedness for—

13 “(A) a public health emergency declared
14 under section 319 of the Public Health Service
15 Act (42 U.S.C. 247d); or

16 “(B) a major disaster declared under sec-
17 tion 401 of the Robert T. Stafford Disaster Re-
18 lief and Emergency Assistance Act (42 U.S.C.
19 5170).

20 “(7) CRITICAL INFRASTRUCTURE.—The term
21 ‘critical infrastructure’ means systems and assets,
22 whether physical or virtual, so vital to the United
23 States that the incapacity or destruction of such sys-
24 tems and assets would have a debilitating impact on
25 national security, national economic security, na-

1 tional public health or safety, or any combination of
2 those matters.

3 “(8) ENTITY OF CONCERN.—The term ‘entity
4 of concern’ means an entity—

5 “(A) the ultimate parent entity of which is
6 domiciled in a country of concern; or

7 “(B) that is directly or indirectly controlled
8 by, owned by, or subject to the influence of a
9 foreign person that has a substantial nexus
10 with a country of concern.

11 “(9) FOREIGN ENTITY.—

12 “(A) IN GENERAL.—Except as provided by
13 subparagraph (B), the term ‘foreign entity’
14 means any branch, partnership, group or sub-
15 group, association, estate, trust, corporation or
16 division of a corporation, or organization orga-
17 nized under the laws of a foreign country if—

18 “(i) its principal place of business is
19 outside the United States; or

20 “(ii) its equity securities are primarily
21 traded on one or more foreign exchanges.

22 “(B) EXCEPTION.—The term ‘foreign enti-
23 ty’ does not include any entity described in sub-
24 paragraph (A) that can demonstrate that a ma-
25 jority of the equity interest in such entity is ul-

1 timately owned by nationals of the United
2 States.

3 “(10) FOREIGN PERSON.—The term ‘foreign
4 person’ means—

5 “(A) any foreign national, foreign govern-
6 ment, or foreign entity;

7 “(B) any entity over which control is exer-
8 cised or exercisable by a foreign national, for-
9 eign government, or foreign entity; or

10 “(C) any entity over which control is exer-
11 cised or exercisable by a person described in
12 subparagraph (A) or (B).

13 “(11) NATIONAL CRITICAL CAPABILITIES.—The
14 term ‘national critical capabilities’, subject to regula-
15 tions prescribed by the Committee—

16 “(A) means systems and assets, whether
17 physical or virtual, so vital to the United States
18 that the inability to develop such systems and
19 assets or the incapacity or destruction of such
20 systems or assets would have a debilitating im-
21 pact on national security or crisis preparedness;
22 and

23 “(B) includes the following:

24 “(i) The production, in sufficient
25 quantities, of any of the following articles:

1 “(I) Medical supplies, medicines,
2 and personal protective equipment.

3 “(II) Articles essential to the op-
4 eration, manufacture, supply, service,
5 or maintenance of critical infrastruc-
6 ture.

7 “(III) Articles critical to infra-
8 structure construction after a natural
9 or manmade disaster.

10 “(IV) Articles that are compo-
11 nents of systems critical to the oper-
12 ation of weapons systems, intelligence
13 collection systems, or items critical to
14 the conduct of military or intelligence
15 operations.

16 “(V) Any other articles identified
17 in regulations prescribed under sec-
18 tion 1007.

19 “(ii) Supply chains for the production
20 of articles described in clause (i).

21 “(iii) Essential supply chains for the
22 Department of Defense.

23 “(iv) Any other supply chains identi-
24 fied in regulations prescribed under section
25 1007.

1 “(v) Services critical to the production
2 of articles described in clause (i) or a sup-
3 ply chain described in clause (ii), (iii), or
4 (iv).

5 “(vi) Medical services.

6 “(vii) Services critical to the mainte-
7 nance of critical infrastructure.

8 “(viii) Services critical to infrastruc-
9 ture construction after a natural or man-
10 made disaster.

11 “(ix) Any other services identified in
12 regulations prescribed under section 1007.

13 “(12) NATIONAL SECURITY.—The term ‘na-
14 tional security’ includes—

15 “(A) national security, as defined in sec-
16 tion 721(a) of the Defense Production Act of
17 1950 (50 U.S.C. 4565(a));

18 “(B) national defense, as defined in section
19 702 of that Act (50 U.S.C. 4552); and

20 “(C) agricultural security and natural re-
21 sources security.

22 “(13) PARTY.—The term ‘party’, with respect
23 to a transaction, has the meaning given that term in
24 regulations prescribed by the Committee.

1 “(14) UNITED STATES.—The term ‘United
2 States’ means the several States, the District of Co-
3 lumbia, and any territory or possession of the
4 United States.

5 “(15) UNITED STATES BUSINESS.—The term
6 ‘United States business’ means a person engaged in
7 interstate commerce in the United States.

8 **“SEC. 1002. COMMITTEE ON NATIONAL CRITICAL CAPABILI-**
9 **TIES.**

10 “(a) IN GENERAL.—There is established a com-
11 mittee, to be known as the ‘Committee on National Crit-
12 ical Capabilities’, which shall carry out this title and such
13 other assignments as the President may designate.

14 “(b) MEMBERSHIP.—

15 “(1) IN GENERAL.—The Committee shall be
16 comprised of the head, or a designee of the head, of
17 each of the following:

18 “(A) The Office of the United States
19 Trade Representative.

20 “(B) The Department of Commerce.

21 “(C) The Office of Science and Technology
22 Policy.

23 “(D) The Department of the Treasury.

24 “(E) The Department of Homeland Secu-
25 rity.

1 “(F) The Department of Defense.

2 “(G) The Department of State.

3 “(H) The Department of Justice.

4 “(I) The Department of Energy.

5 “(J) The Department of Health and
6 Human Services.

7 “(K) The Department of Agriculture.

8 “(L) The Department of Labor.

9 “(M) Any other Federal agency the Presi-
10 dent determines appropriate, generally or on a
11 case-by-case basis.

12 “(2) EX OFFICIO MEMBERS.—

13 “(A) IN GENERAL.—In addition to the
14 members of the Committee specified in para-
15 graph (1), the following shall, except as pro-
16 vided in subparagraph (B), be nonvoting, ex
17 officio members of the Committee:

18 “(i) The Director of National Intel-
19 ligence.

20 “(ii) The Administrator of the Fed-
21 eral Emergency Management Agency.

22 “(iii) The Director of the National In-
23 stitute of Standards and Technology.

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

1 “(v) The Director of the National In-
2 stitute of Allergy and Infectious Diseases.

3 “(vi) The Chairperson of the Federal
4 Communications Commission.

5 “(vii) The Chairperson of the Securi-
6 ties and Exchange Commission.

7 “(viii) The Chairperson of the Com-
8 modity Futures Trading Commission.

9 “(ix) The Administrator of the Fed-
10 eral Aviation Administration.

11 “(B) DESIGNATION AS VOTING MEM-
12 BERS.—The chairperson of the Committee may
13 designate any of the officials specified in
14 clauses (ii) through (ix) of subparagraph (A) as
15 voting members of the Committee.

16 “(c) CHAIRPERSON.—

17 “(1) IN GENERAL.—The United States Trade
18 Representative shall serve as the chairperson of the
19 Committee.

20 “(2) CONSULTATIONS WITH SECRETARIES OF
21 DEFENSE AND COMMERCE.—In carrying out the du-
22 ties of the chairperson of the Committee, the United
23 States Trade Representative shall consult with the
24 Secretary of Defense and the Secretary of Com-
25 merce.

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

9 **“SEC. 1003. REVIEW OF COVERED TRANSACTIONS.**

10 “(a) MANDATORY NOTIFICATION.—A United States
11 business that engages in a covered transaction shall sub-
12 mit a written notification of the transaction to the Com-
13 mittee.

14 “(b) REVIEW.—

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

18 “(A) review the transaction to determine if
19 the transaction is likely to result in an unac-
20 ceptable risk to one or more national critical ca-
21 pabilities, including by considering factors spec-
22 ified in section 1005; and

23 “(B) if the Committee determines under
24 subparagraph (A) that the transaction poses a

1 risk described in that subparagraph, make rec-
2 ommendations—

3 “(i) to the President for appropriate
4 action that may be taken under this title
5 or under other existing authorities to ad-
6 dress or mitigate that risk; and

7 “(ii) to Congress for the establish-
8 ment or expansion of Federal programs to
9 support the production or supply of articles
10 and services described in section
11 1001(a)(11)(B) in the United States.

12 “(2) UNILATERAL INITIATION OF REVIEW.—
13 The Committee may initiate a review under para-
14 graph (1) of a covered transaction for which written
15 notification is not submitted under subsection (a).

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

22 “(c) TREATMENT OF BUSINESS CONFIDENTIAL IN-
23 FORMATION.—A United States business shall submit each
24 notification required by subsection (a) to the Committee—

1 “(1) in a form that includes business confidential
2 tial information; and

3 “(2) in a form that omits business confidential
4 information and is appropriate for disclosure to the
5 public.

6 **“SEC. 1004. ACTION BY THE PRESIDENT.**

7 “(a) IN GENERAL.—Subject to subsection (d), the
8 President may take such action for such time as the Presi-
9 dent considers appropriate to address or mitigate any un-
10 acceptable risk posed by a covered transaction to one or
11 more national critical capabilities, including suspending or
12 prohibiting the covered transaction.

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

19 “(c) ENFORCEMENT.—The President may direct the
20 Attorney General of the United States to seek appropriate
21 relief, including divestment relief, in the district courts of
22 the United States, in order to implement and enforce this
23 section.

24 “(d) FINDINGS OF THE PRESIDENT.—The President
25 may exercise the authority conferred by subsection (a) to

1 suspend or prohibit a covered transaction only if the Presi-
2 dent finds that—

3 “(1) there is credible evidence that leads the
4 President to believe that the transaction poses an
5 unacceptable risk to one or more national critical ca-
6 pabilities; and

7 “(2) provisions of law (other than this section)
8 do not, in the judgment of the President, provide
9 adequate and appropriate authority for the Presi-
10 dent to protect such capabilities.

11 “(e) **FACTORS TO BE CONSIDERED.**—For purposes
12 of determining whether to take action under subsection
13 (a), the President shall consider, among other factors,
14 each of the factors described in section 1005, as appro-
15 priate.

16 **“SEC. 1005. FACTORS TO BE CONSIDERED.**

17 “The Committee, in reviewing and making a deter-
18 mination with respect to a covered transaction under sec-
19 tion 1003, and the President, in determining whether to
20 take action under section 1004 with respect to a covered
21 transaction, shall consider any factors relating to national
22 critical capabilities that the Committee or the President
23 considers relevant, including—

1 “(1) the long-term strategic economic, national
2 security, and crisis preparedness interests of the
3 United States;

4 “(2) the history of distortive or predatory trade
5 practices in each country in which a foreign person
6 that is a party to the transaction is domiciled;

7 “(3) control and beneficial ownership (as deter-
8 mined in accordance with section 847 of the Na-
9 tional Defense Authorization Act for Fiscal Year
10 2020 (Public Law 116–92; 10 U.S.C. 2509 note)) of
11 each foreign person that is a party to the trans-
12 action; and

13 “(4) impact on the domestic industry and re-
14 sulting resiliency, including the domestic skills base,
15 taking into consideration any pattern of foreign in-
16 vestment in the domestic industry.

17 **“SEC. 1006. SUPPLY CHAIN SENSITIVITIES.**

18 “The Committee shall determine the sensitivities and
19 risks for sourcing of articles described in section
20 1001(a)(11)(B)(i), in accordance with the following:

21 “(1) The sourcing of least concern shall be arti-
22 cles the supply chains for which are housed in whole
23 within countries that are allies of the United States.

24 “(2) The sourcing of greater concern shall be
25 articles the supply chains for which are housed in

1 part within countries of concern or from an entity
2 of concern but for which substitute production is
3 available from elsewhere at required scale.

4 “(3) The sourcing of greatest concern shall be
5 articles the supply chains for which are housed whol-
6 ly or in part in countries of concern or from an enti-
7 ty of concern and for which substitute production is
8 unavailable elsewhere at required scale.

9 **“SEC. 1007. IDENTIFICATION OF ADDITIONAL NATIONAL**
10 **CRITICAL CAPABILITIES.**

11 “(a) IN GENERAL.—The Committee should prescribe
12 regulations to identify additional articles, supply chains,
13 and services to recommend for inclusion in the definition
14 of ‘national critical capabilities’ under section
15 1001(a)(11).

16 “(b) REVIEW OF INDUSTRIES.—

17 “(1) IN GENERAL.—In identifying under sub-
18 section (a) additional articles, supply chains, and
19 services to recommend for inclusion in the definition
20 of ‘national critical capabilities’ under section
21 1001(a)(11), the Committee should conduct a review
22 of industries identified by Federal Emergency Man-
23 agement Agency as carrying out emergency support
24 functions, including the following industries:

25 “(A) Energy.

1 “(B) Medical.

2 “(C) Communications, including electronic
3 and communications components.

4 “(D) Defense.

5 “(E) Transportation.

6 “(F) Aerospace, including space launch.

7 “(G) Robotics.

8 “(H) Artificial intelligence.

9 “(I) Semiconductors.

10 “(J) Shipbuilding.

11 “(K) Water, including water purification.

12 “(2) QUANTIFICATION.—In conducting a review
13 of industries under paragraph (1), the Committee
14 should specify the quantity of articles, supply chains,
15 and services, and specific types and examples of
16 transactions, from each industry sufficient to main-
17 tain national critical capabilities.

18 **“SEC. 1008. REPORTING REQUIREMENTS.**

19 “(a) ANNUAL REPORT TO CONGRESS.—

20 “(1) IN GENERAL.—Not later than 90 days
21 after the date of the enactment of the National Crit-
22 ical Capabilities Defense Act of 2021, and annually
23 thereafter, the Committee shall submit to the appro-
24 priate congressional committees a report—

1 “(A) on the determination under section
2 1006 with respect to sensitivities and risks for
3 sourcing of articles described in section
4 1001(a)(11)(B)(i);

5 “(B) assessing whether identification of
6 additional national critical capabilities under
7 section 1007 is necessary; and

8 “(C) describing, for the year preceding
9 submission of the report—

10 “(i) the notifications received under
11 subsection (a) of section 1003 and reviews
12 conducted pursuant to such notifications;

13 “(ii) reviews initiated under para-
14 graph (2) or (3) of subsection (b) of that
15 section;

16 “(iii) actions recommended by the
17 Committee under subsection (b)(1)(B) of
18 that section as a result of such reviews;
19 and

20 “(iv) reviews during which the Com-
21 mittee determined no action was required;
22 and

23 “(D) assessing the overall impact of such
24 reviews on national critical capabilities.

1 “(2) FORM OF REPORT.—The report required
2 by paragraph (1) shall be submitted in unclassified
3 form but may include a classified annex.

4 “(b) USE OF DEFENSE PRODUCTION ACT OF 1950
5 AUTHORITIES.—Not later than 180 days after the date
6 of the enactment of the National Critical Capabilities De-
7 fense Act of 2021, the Committee shall submit to Congress
8 a report that includes recommendations relating to use the
9 authorities under title III of the Defense Production Act
10 of 1950 (50 U.S.C. 4531 et seq.) to make investments
11 to enhance national critical capabilities and reduce de-
12 pendency on materials and services imported from foreign
13 countries.

14 **“SEC. 1009. REQUIREMENT FOR REGULATIONS.**

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

17 “(b) ELEMENTS.—Regulations prescribed to carry
18 out this title shall—

19 “(1) provide for the imposition of civil penalties
20 for any violation of this title, including any mitiga-
21 tion agreement entered into, conditions imposed, or
22 order issued pursuant to this title; and

23 “(2) include specific examples of the types of—
24 “(A) the transactions that will be consid-
25 ered to be covered transactions; and

1 “(B) the articles, supply chains, and serv-
2 ices that will be considered to be national crit-
3 ical capabilities.

4 “(c) COORDINATION.—In prescribing regulations to
5 carry out this title, the Committee shall coordinate with
6 the United States Trade Representative, the Under Sec-
7 retary of Commerce for Industry and Security, and the
8 Committee on Foreign Investment in the United States
9 to avoid duplication of effort.

10 **“SEC. 1010. REQUIREMENTS RELATED TO GOVERNMENT**
11 **PROCUREMENT.**

12 “(a) IN GENERAL.—Not later than 90 days after the
13 date of the enactment of the National Critical Capabilities
14 Defense Act of 2021, the Federal Acquisition Regulation
15 shall be revised to require each person that is a prospective
16 contractor for an executive agency to disclose the supply
17 chains the person would use to carry out the contract and
18 the extent to which the person would depend on articles
19 and services imported from foreign countries, including
20 the percentage of such materials and services imported
21 from countries of concern.

22 “(b) MATERIALITY.—The head of an executive agen-
23 cy shall consider the failure of a person to make the dislo-
24 sures required by subsection (a) to be material deter-
25 minants in awarding a contract to that person.

1 “(c) APPLICABILITY.—The revisions to the Federal
2 Acquisition Regulation required under subsection (a) shall
3 apply with respect to contracts for which solicitations are
4 issued on or after the date that is 90 days after the date
5 of the enactment of the National Critical Capabilities De-
6 fense Act of 2021.

7 “(d) DEFINITIONS.—In this section:

8 “(1) EXECUTIVE AGENCY.—The term ‘executive
9 agency’ has the meaning given that term in section
10 133 of title 41, United States Code.

11 “(2) FEDERAL ACQUISITION REGULATION.—
12 The term ‘Federal Acquisition Regulation’ means
13 the regulation issued pursuant to section 1303(a)(1)
14 of title 41, United States Code.

15 **“SEC. 1011. MULTILATERAL ENGAGEMENT AND COORDINA-**
16 **TION.**

17 “The United States Trade Representative—

18 “(1) should, in coordination and consultation
19 with relevant Federal agencies, conduct multilateral
20 engagement with the governments of countries that
21 are allies of the United States to secure coordination
22 of protocols and procedures with respect to covered
23 transactions with countries of concern; and

24 “(2) upon adoption of protocols and procedures
25 described in paragraph (1), shall work with those

1 governments to establish information sharing re-
2 gimes.

3 **“SEC. 1012. AUTHORIZATION OF APPROPRIATIONS.**

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

8 **“SEC. 1013. RULE OF CONSTRUCTION WITH RESPECT TO**
9 **FREE AND FAIR COMMERCE.**

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

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

“TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

“Sec. 1001. Definitions.

“Sec. 1002. Committee on National Critical Capabilities.

“Sec. 1003. Review of covered transactions.

“Sec. 1004. Action by the President.

“Sec. 1005. Factors to be considered.

“Sec. 1006. Supply chain sensitivities.

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

“Sec. 1008. Reporting requirements.

“Sec. 1009. Requirement for regulations.

“Sec. 1010. Requirements related to government procurement.

“Sec. 1011. Multilateral engagement and coordination.

“Sec. 1012. Authorization of appropriations.

“Sec. 1013. Rule of construction with respect to free and fair commerce.”.

1 **TITLE V—MODIFICATION AND**
2 **EXTENSION OF GENERALIZED**
3 **SYSTEM OF PREFERENCES**

4 **SEC. 105001. MODIFICATION AND EXTENSION OF GENERAL-**
5 **IZED SYSTEM OF PREFERENCES.**

6 (a) DESIGNATION OF BENEFICIARY DEVELOPING
7 COUNTRIES.—Section 502 of the Trade Act of 1974 (19
8 U.S.C. 2462) is amended—

9 (1) in subsection (b)(2)—

10 (A) in subparagraph (G), by striking “has
11 not taken or is not taking steps to” and insert-
12 ing “fails to effectively”;

13 (B) by inserting after subparagraph (H)
14 the following:

15 “(I) Such country engages in gross viola-
16 tions of internationally recognized human rights
17 in that country (including any designated zone
18 in that country).

19 “(J) Such country fails to effectively en-
20 force its environmental laws, regulations, or
21 other measures, or to fulfill its international en-
22 vironmental obligations, including as such obli-
23 gations relate to public health.”; and

24 (C) in the text following subparagraph (J)
25 (as so inserted), by striking “and (H) (to the

1 extent described in section 507(6)(D))” and in-
2 serting “(H) (to the extent described in section
3 507(6)(D)), (I), and (J)”;

4 (2) in subsection (c)—

5 (A) in paragraph (6)(B), by striking “;
6 and” and inserting a semicolon;

7 (B) in paragraph (7)—

8 (i) by striking “has taken or is taking
9 steps to afford” and inserting “effectively
10 affords”; and

11 (ii) by striking the period at the end
12 and inserting a semicolon; and

13 (C) by adding at the end the following:

14 “(8) the extent to which such country effec-
15 tively enforces its environmental laws, regulations,
16 and other measures, and fulfills its international en-
17 vironmental obligations, including as such obliga-
18 tions relate to public health; and

19 “(9) the extent to which such country has es-
20 tablished, or is making continual progress toward es-
21 tablishing—

22 “(A) the rule of law, political pluralism,
23 and the right to due process, a fair trial, and
24 equal protection under the law;

1 “(B) economic policies to reduce poverty,
2 increase the availability of health care and edu-
3 cational opportunities, expand physical infra-
4 structure, promote the development of private
5 enterprise, and encourage the formation of cap-
6 ital markets through micro-credit or other pro-
7 grams; and

8 “(C) a system to combat corruption and
9 bribery, such as signing and implementing the
10 Convention on Combating Bribery of Foreign
11 Public Officials in International Business
12 Transactions.”; and

13 (3) by adding at the end the following:

14 “(g) ASSESSMENT AND REPORT ON COMPLIANCE
15 WITH ELIGIBILITY REQUIREMENTS.—

16 “(1) IN GENERAL.—The President shall—

17 “(A) on an annual basis—

18 “(i) conduct assessments on compli-
19 ance of an appropriate number of countries
20 designated as beneficiary developing coun-
21 tries for purposes of this title in meeting
22 or continuing to meet their eligibility re-
23 quirements under this title; and

24 “(ii) make determinations whether to
25 self-initiate full country practice reviews of

1 those countries' continued eligibility under
2 this title; and

3 “(B) submit to Congress a report con-
4 sisting of the results of such assessments and
5 determinations.

6 “(2) FREQUENCY.—The President shall con-
7 duct an assessment described in clause (i) of para-
8 graph (1)(A) and make a determination described in
9 clause (ii) of such paragraph with respect to each
10 country designated as a beneficiary developing coun-
11 try for purposes of this title not less frequently than
12 once every 3 years.

13 “(h) REVIEW AND PUBLIC COMMENTS ON ELIGI-
14 BILITY REQUIREMENTS.—

15 “(1) IN GENERAL.—Not later than 60 days
16 after the date of enactment of this subsection, the
17 President shall establish a process to allow any in-
18 terested person, at any time, to file a petition with
19 the Office of the United States Trade Representative
20 to review compliance of beneficiary developing coun-
21 tries with the eligibility criteria set forth in this sec-
22 tion.

23 “(2) REVIEW.—

24 “(A) IN GENERAL.—Except as provided in
25 subparagraph (B), a review of compliance of a

1 beneficiary developing country with the eligi-
2 bility criteria set forth in this section may not
3 exceed a period of two years.

4 “(B) EXTENSION.—Such a review may be
5 extended for a longer period of time if extenu-
6 ating circumstances exist, as determined by the
7 United States Trade Representative.

8 “(C) PUBLIC HEARINGS.—The Trade Rep-
9 resentative shall hold annual public hearings
10 with respect to each review that is extended
11 under subparagraph (B).

12 “(3) PUBLICATION OF DETERMINATIONS RE-
13 LATING TO PETITIONS FOR REVIEW.—The United
14 States Trade Representative shall publish in the
15 Federal Register a notice of, and the rationale for,
16 any determination of the Trade Representative with
17 respect to a petition for review of the eligibility of
18 a country for designation as a beneficiary developing
19 country, including a determination—

20 “(A) to accept or deny such a petition;

21 “(B) to continue to review the eligibility of
22 the country; or

23 “(C) to withdraw, suspend, or limit the ap-
24 plication of duty-free treatment under this title
25 with respect to the country.”.

1 (b) SUPPLEMENTAL REVIEW AND REPORTING.—

2 (1) POLICY OF THE UNITED STATES.—It is the
3 policy of the United States to support equitable and
4 inclusive economic development in countries des-
5 ignated as beneficiary developing countries in ac-
6 cordance with the provisions of title V of the Trade
7 Act of 1974 (19 U.S.C. 2461 et seq.) that promotes
8 benefits for workers and individuals subjected to
9 persistent inequality, racial, ethnic, or gender dis-
10 crimination, or systemic or social barriers that con-
11 strain their full and free economic participation in
12 the global economy.

13 (2) REVIEW OF LAWS.—

14 (A) IN GENERAL.—Title V of the Trade
15 Act of 1974 (19 U.S.C. 2461 et seq.) is amend-
16 ed by inserting after section 504 the following:

17 **“SEC. 504A. REVIEW OF LAWS RELATING TO INTERNATION-**
18 **ALLY RECOGNIZED WORKER RIGHTS AND**
19 **EQUAL RIGHTS AND PROTECTION UNDER**
20 **THE LAW.**

21 “(a) IN GENERAL.—Not later than May 1, 2022, and
22 annually thereafter, the United States Trade Representa-
23 tive and the Deputy Undersecretary of Labor for Inter-
24 national Affairs, in consultation with the policy advisory

1 committee on labor established under section 135(c)(1),
2 shall jointly—

3 “(1) review the laws of each beneficiary devel-
4 oping country relating to internationally recognized
5 worker rights and the affording of equal rights and
6 protection under the law, regardless of gender, in
7 each of the categories described in subsection (b);

8 “(2) assess the legal rights and protections af-
9 forded in such countries; and

10 “(3) submit to Congress a report on the laws
11 of and legal rights and protections afforded in such
12 countries.

13 “(b) CATEGORIES DESCRIBED.—The categories de-
14 scribed in this subsection are the following:

15 “(1) Internationally recognized worker rights.

16 “(2) Mobility.

17 “(3) Employment conditions, benefits and pay,
18 including equal pay for equal work and removal of
19 employment restrictions.

20 “(4) Entrepreneurship.

21 “(5) Assets, including property and inheritance
22 rights.

23 “(6) Equal access to education.

24 “(7) Access to institutions.

1 “(8) Protections from violence and harassment,
2 including gender-based violence and harassment.

3 “(9) Marriage, divorce, and child custody.

4 “(c) METHODOLOGY AND SOURCES.—The report re-
5 quired by subsection (a)(3) shall include—

6 “(1) an explanation of the methodology and
7 sources used for the conduct of reviews under sub-
8 section (a)(1) and the conduct of assessments under
9 subsection (a)(2); and

10 “(2) where relevant, citations to data, informa-
11 tion, studies, and assessments that were used to pre-
12 pare the report and were gathered, compiled, or de-
13 veloped by the United States Government, foreign
14 governments, multilateral institutions, nongovern-
15 mental organizations, or educational institutions.

16 “(d) MEASUREMENT OF WOMEN’S ECONOMIC EM-
17 POWERMENT.—To support the measurement of women’s
18 economic empowerment, the Trade Representative shall
19 encourage and support the reporting by beneficiary devel-
20 oping countries of sex-disaggregated economic and busi-
21 ness data, including the gathering of information con-
22 sistent with the United Nations Sustainable Development
23 Goals, particularly the goals relating to gender equality
24 and decent work.”.

1 (B) CLERICAL AMENDMENT.—The table of
2 contents for the Trade Act of 1974 is amended
3 by inserting after the item relating to section
4 504 the following:

“Sec. 504A. Review of laws relating to internationally recognized worker rights
and equal rights and protection under the law.”.

5 (c) EXTENSION OF GENERALIZED SYSTEM OF PREF-
6 ERENCES.—

7 (1) IN GENERAL.—Section 505 of the Trade
8 Act of 1974 (19 U.S.C. 2465) is amended by strik-
9 ing “December 31, 2020” and inserting “December
10 31, 2024”.

11 (2) EFFECTIVE DATE.—

12 (A) IN GENERAL.—The amendment made
13 by paragraph (1) shall apply to articles entered
14 on or after the 30th day after the date of the
15 enactment of this Act.

16 (B) RETROACTIVE APPLICATION FOR CER-
17 TAIN LIQUIDATIONS AND RELIQUIDATIONS.—

18 (i) IN GENERAL.—Notwithstanding
19 section 514 of the Tariff Act of 1930 (19
20 U.S.C. 1514) or any other provision of law
21 and subject to clause (ii), any entry of a
22 covered article to which duty-free treat-
23 ment or other preferential treatment under
24 title V of the Trade Act of 1974 (19

1 U.S.C. 2461 et seq.) would have applied if
2 the entry had been made on December 31,
3 2020, that was made—

4 (I) after December 31, 2020, and

5 (II) before the effective date

6 specified in subparagraph (A),

7 shall be liquidated or reliquidated as
8 though such entry occurred on the effective
9 date specified in subparagraph (A).

10 (ii) REQUESTS.—A liquidation or re-
11 liquidation may be made under clause (i)
12 with respect to an entry only if a request
13 therefor is filed with U.S. Customs and
14 Border Protection not later than 180 days
15 after the date of the enactment of this Act
16 that contains sufficient information to en-
17 able U.S. Customs and Border Protec-
18 tion—

19 (I) to locate the entry; or

20 (II) to reconstruct the entry if it
21 cannot be located.

22 (iii) PAYMENT OF AMOUNTS OWED.—

23 Any amounts owed by the United States
24 pursuant to the liquidation or reliquidation
25 of an entry of a covered article under

1 clause (i) shall be paid, without interest,
2 not later than 90 days after the date of the
3 liquidation or reliquidation (as the case
4 may be).

5 (C) DEFINITIONS.—In this subsection:

6 (i) COVERED ARTICLE.—The term
7 “covered article” means an article from a
8 country that is a beneficiary developing
9 country under title V of the Trade Act of
10 1974 (19 U.S.C. 2461 et seq.) as of the ef-
11 fective date specified in subparagraph (A).

12 (ii) ENTER; ENTRY.—The terms
13 “enter” and “entry” include a withdrawal
14 from warehouse for consumption.

15 (d) DEFINITION OF INTERNATIONALLY RECOGNIZED
16 WORKER RIGHTS.—Section 507(4) of the Trade Act 1974
17 (19 U.S.C. 2467(4)) is amended—

18 (1) in subparagraph (E), by striking the period
19 at the end and inserting a semicolon; and

20 (2) by adding at the end the following:

21 “(F) the elimination of discrimination with
22 respect to employment and occupation; and

23 “(G) the elimination of violence or threats
24 of violence against workers, including violence
25 related to gender-based violence or harassment

1 in the workplace and violence related to workers
2 exercising or attempting to exercise any of the
3 rights described in subparagraphs (A) through
4 (F).”.

5 **SEC. 105002. UNITED STATES INTERNATIONAL TRADE COM-**
6 **MISSION STUDY.**

7 Not later than May 1, 2022, the United States Inter-
8 national Trade Commission shall submit to Congress a re-
9 port that contains a study on rules of origin and the utili-
10 zation rates under the Generalized System of Preferences
11 program under title V of the Trade Act of 1974 (19
12 U.S.C. 2461 et seq.), including an assessment of—

13 (1) the utilization rates of least-developed bene-
14 ficiary developing countries under the program; and

15 (2) the effectiveness of the program’s rules of
16 origin in promoting trade benefits to least-developed
17 beneficiary developing countries under the program
18 and preventing the transshipment of products from
19 countries that are not beneficiary developing coun-
20 tries under the program.

1 **TITLE VI—REAUTHORIZATION**
2 **OF THE AMERICAN MANUFAC-**
3 **TURING COMPETITIVENESS**
4 **ACT OF 2016 AND OTHER MAT-**
5 **TERS**

6 **SEC. 106001. REAUTHORIZATION OF AMERICAN MANUFAC-**
7 **TURING COMPETITIVENESS ACT OF 2016.**

8 (a) NEW PROCESS FOR CONSIDERATION OF PETI-
9 TIONS.—Section 3(b)(1) of the American Manufacturing
10 Competitiveness Act of 2016 (Public Law 114–159; 19
11 U.S.C. 1332 note) is amended, in the matter preceding
12 subparagraph (A), by striking “October 15, 2016, and Oc-
13 tober 15, 2019” and inserting “October 15, 2022, and Oc-
14 tober 15, 2025”.

15 (b) CONTENT OF PETITIONS.—Section 3(b)(2)(E)(i)
16 of such Act is amended to read as follows:

17 “(i) the classification of the article
18 under chapters 1 through 97 of the Har-
19 monized Tariff Schedule of the United
20 States that has been used or will be used
21 by the importer, to be included in the
22 amendment to subchapter II of chapter 99
23 of that Schedule;”.

24 (c) REPORT.—Section 4(a) of such Act is amended
25 by striking “12 months” and all that follows through “tar-

1 iff bill” and inserting “18 months after the date on which
2 the duty suspensions and reductions included in a mis-
3 cellaneous tariff bill take effect”.

4 **SEC. 106002. LIMITATION ON DUTY SUSPENSIONS OR RE-**
5 **DUCTIONS FOR FINISHED GOODS.**

6 (a) **LIMITATION ON ELIGIBILITY.**—Section 3(b) of
7 the American Manufacturing Competitiveness Act of 2016
8 (19 U.S.C. 1332 note) is amended as follows:

9 (1) In paragraph (2)—

10 (A) by redesignating subparagraph (K) as
11 subparagraph (L); and

12 (B) by inserting after subparagraph (J)
13 the following:

14 “(K) A certification that the article is not
15 a finished good, defined as a good that—

16 “(i) is ready for sale to the ultimate
17 purchaser, end user, or consumer, whether
18 or not packed or repacked after entry into
19 the customs territory of the United States
20 (as such term is defined in General Note
21 2 to the Harmonized Tariff Schedule of
22 the United States) for retail sale;

23 “(ii) will not undergo any substantial
24 processing or transformation, as such
25 terms are interpreted by U.S. Customs and

1 Border Protection, after entry into the cus-
2 toms territory of the United States;

3 “(iii) is an unassembled, disassem-
4 bled, or otherwise incomplete good, having
5 the essential character of the complete and
6 assembled finished good; or

7 “(iv) is solely intended to be—

8 “(I) repacked to make the good
9 suitable for retail sale or distribution;

10 “(II) retagged or relabeled;

11 “(III) combined with instruc-
12 tional or warranty materials or with
13 other items or accessories for post-
14 entry sale; or

15 “(IV) subjected to other minor
16 operations not substantially trans-
17 forming the good as entered into the
18 customs territory of the United
19 States.”.

20 (2) By amending paragraph (3)(C)(ii)(IV) to
21 read as follows:

22 “(IV) A list of petitions for duty
23 suspensions and reductions for which
24 the Commission recommends modi-
25 fications to the scope of the articles

1 that are the subject of such petitions,
2 with the modifications specified—

3 “(aa) to address objections
4 by domestic producers to such
5 petitions; or

6 “(bb) to ensure that the ar-
7 ticles are not finished goods as
8 defined under paragraph
9 (2)(K).”.

10 (3) By amending paragraph (3)(C)(ii)(VI) to
11 read as follows:

12 “(VI) A list of petitions for duty
13 suspensions and reductions that the
14 Commission does not recommend for
15 inclusion in a miscellaneous tariff bill,
16 other than petitions specified in sub-
17 clause (V), including petitions for
18 which, in the view of the Commission,
19 the articles that are the subject of the
20 petitions are finished goods, as de-
21 fined under paragraph (2)(K).”.

22 (b) MODIFICATION TO COMMERCE REPORT.—Section
23 3(c) of the American Manufacturing Competitiveness Act
24 of 2016 (19 U.S.C. 1332 note) is amended by adding at
25 the end the following new paragraph:

1 “(3) An identification of any article that is sub-
2 ject to an order issued pursuant to title VII of the
3 Tariff Act of 1930 (19 U.S.C. 1671 et seq.) whose
4 article description may overlap with the article de-
5 scription of the subject of the petition.”.

6 (c) PROMULGATION OF LIST.—The United States
7 International Trade Commission may issue such guidance,
8 including in the form of a list of goods presumed to be
9 finished goods and their accompanying headings under the
10 Harmonized Tariff Schedule of the United States, as the
11 Commission determines useful or necessary to provide in-
12 formation to petitioners with respect to the limits imposed
13 on duty suspensions and reductions by reason of the
14 amendments under subsection (a).

15 **SEC. 106003. SENSE OF CONGRESS ON UNITED STATES COM-**
16 **MITMENT TO THE WORLD TRADE ORGANIZA-**
17 **TION.**

18 (a) FINDINGS.—Congress finds the following:

19 (1) The United States is an original member of
20 the World Trade Organization (WTO) and a key ar-
21 chitect of the institution.

22 (2) The WTO is a critical forum for strength-
23 ening the multilateral rules-based trading system
24 and a bedrock of United States trade policy.

1 (3) The United States has provided the leader-
2 ship and political will to advance the goal of the
3 WTO to create and enforce rules that reduce obsta-
4 cles to international trade that help ensure a level
5 playing field.

6 (4) Sustained United States leadership in the
7 WTO provides best paths to achieve necessary WTO
8 reforms, create new trade rules that enhance oppor-
9 tunities for all, and address the needs and challenges
10 of the United States and all other free and open
11 economies in the 21st century.

12 (5) The United States recognizes the historic
13 nature of Dr. Ngozi Okonjo-Iweala's selection as the
14 WTO's new Director-General as being both the first
15 woman and first African to be chosen.

16 (6) The WTO recognizes that trade should be
17 conducted with a view to raising standards of living,
18 ensuring full employment and a large and steadily
19 growing volume of real income and effective demand,
20 expanding the production of and trade in goods and
21 services, optimally using the world's resources in ac-
22 cordance with the objective of sustainable develop-
23 ment, and seeking to protect and preserve the envi-
24 ronment.

1 (7) The WTO is the preferred forum in which
2 member economies resolve disputes that arise among
3 them.

4 (8) The United States has consistently sup-
5 ported having a functional, efficient dispute settle-
6 ment mechanism at the WTO that strictly follows
7 the Dispute Settlement Understanding as agreed by
8 all WTO members and remains accountable to WTO
9 members.

10 (9) The United States, for decades, has sought
11 to strengthen the WTO dispute settlement system by
12 advocating for necessary, thoughtful and prudent re-
13 forms.

14 (10) The United States has expressed long-
15 standing concerns that the WTO Appellate Body,
16 through its findings and procedural liberties, is im-
17 properly adding to or diminishing the rights or obli-
18 gations of WTO members.

19 (11) The United States has consistently urged
20 the WTO to improve transparency by requiring that
21 all dispute settlement hearings at the WTO be open
22 to the public, and all submissions by the parties be
23 publicly available.

24 (12) While several WTO members have joined
25 the United States in agreeing to open hearings to

1 the public and in making public submissions, most
2 WTO Members continue to insist on closed hearings
3 and confidential submissions.

4 (13) Transparent WTO dispute settlement en-
5 hances WTO members' understanding of the dispute
6 settlement system, particularly for those who do not
7 participate often in the system.

8 (14) Open dispute settlement promotes the ac-
9 countability, professionalism, and impartiality of
10 WTO adjudicators, to the benefit of the dispute set-
11 tlement system as a whole.

12 (15) Many WTO members have failed to meet
13 basic notification obligations making it difficult and,
14 in some cases, impossible to monitor or determine
15 their compliance with WTO obligations, including
16 subsidies disciplines.

17 (16) The United States has encouraged, by pro-
18 posing various incentives and administrative meas-
19 ures, better compliance with notification obligations.

20 (17) The WTO allows members to self-identify
21 as developing countries in order to receive special
22 and differential treatment.

23 (18) Some self-declared developing countries
24 that are now advanced continue to demand the same
25 special and differential treatment intended for much

1 smaller, less developed members, creating
2 asymmetries that hinder the WTO from achieving
3 meaningful outcomes in current and future negotia-
4 tions.

5 (19) For over a decade, most WTO members
6 have refused to engage in serious efforts to address
7 longstanding United States calls for reform of dis-
8 pute settlement and other important aspects of the
9 WTO system.

10 (20) WTO members are engaged in negotia-
11 tions to reform the WTO and create new rules, in-
12 cluding with respect to fisheries subsidies and e-com-
13 merce.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) the United States should continue to lead
17 reform efforts to ensure that the World Trade Orga-
18 nization (WTO) functions as agreed by the member-
19 ship and is updated appropriately for the 21st cen-
20 tury;

21 (2) the United States should continue to urge
22 other WTO members to work with the United States
23 to achieve needed reforms so that the WTO and its
24 members can address unjustified barriers to trade

1 and promote economic norms that improve the
2 standard of living across the world; and

3 (3) the United States Trade Representative
4 should continue to lead and work with other coun-
5 tries to pursue reforms at the WTO that—

6 (A) address concerns with the WTO’s Ap-
7 pellate Body;

8 (B) improve the efficiency and trans-
9 parency of dispute settlement proceedings;

10 (C) remediate the failure to satisfy notifi-
11 cation obligations of the various WTO agree-
12 ments and develop accountability mechanisms
13 to address this issue proactively;

14 (D) discipline the use of special and dif-
15 ferential treatment for self-declared developing
16 countries;

17 (E) ensure there are platforms to discuss
18 issues related to labor, the environment, and
19 women’s economic empowerment; and

20 (F) create new rules and structures that
21 can serve the United States interests while pro-
22 moting peace, prosperity, and open markets and
23 societies.

1 **SEC. 106004. AUTHORITY OF U.S. CUSTOMS AND BORDER**
2 **PROTECTION TO CONSOLIDATE, MODIFY, OR**
3 **REORGANIZE CUSTOMS REVENUE FUNC-**
4 **TIONS.**

5 (a) IN GENERAL.—Section 412 of the Homeland Se-
6 curity Act of 2002 (6 U.S.C. 212(b)) is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) by striking “consolidate, dis-
10 continue,” and inserting “discontinue”;
11 and

12 (ii) by inserting after “reduce the
13 staffing level” the following: “below the op-
14 timal staffing level determined in the most
15 recent Resource Allocation Model required
16 by section 301(h) of the Customs Proce-
17 dural Reform and Simplification Act of
18 1978 (19 U.S.C. (h))”; and

19 (B) in paragraph (2), by inserting “, Na-
20 tional Account Managers” after “Financial Sys-
21 tems Specialists”; and

22 (2) by adding at the end the following:

23 “(d) AUTHORITY TO CONSOLIDATE, MODIFY, OR RE-
24 ORGANIZE CUSTOMS REVENUE FUNCTIONS.—

25 “(1) IN GENERAL.—The Commissioner of U.S.
26 Customs and Border Protection may, subject to sub-

1 section (b), consolidate, modify, or reorganize cus-
2 toms revenue functions delegated to the Commis-
3 sioner under subsection (a), including by adding
4 such functions to existing positions or establishing
5 new or modifying existing job series, grades, titles,
6 or classifications for personnel, and associated sup-
7 port staff, performing such functions.

8 “(2) POSITION CLASSIFICATION STANDARDS.—
9 At the request of the Commissioner, the Director of
10 the Office of Personnel Management shall establish
11 new position classification standards for any new po-
12 sitions established by the Commissioner under para-
13 graph (1).”.

14 (b) TECHNICAL CORRECTION.—Section 412(a)(1) of
15 the Homeland Security Act of 2002 (6 U.S.C. 212(a)(1))
16 is amended by striking “403(a)(1)” and inserting
17 “403(1)”.

18 **SEC. 106005. PROHIBITION ON LARGE SCALE TRANSPOR-**
19 **TATION OF SODIUM CYANIDE BRIQUETTES**
20 **FOR MINING PURPOSES IN THE UNITED**
21 **STATES.**

22 The Secretary of Commerce, in coordination with the
23 Secretary of Transportation and the Secretary of Home-
24 land Security, shall—

1 (1) not later than 90 days after the date of en-
2 actment of this Act, issue an interim final rule that
3 is effective not later than 30 days after publication
4 in the Federal Register that bans the transportation
5 of sodium cyanide briquettes for mining purposes in
6 the United States, unless such sodium cyanide bri-
7 quettes are packaged and transported in ISO steel
8 containers and in accordance with the material's au-
9 thorized packaging and transportation requirements
10 under parts 171 through 180 of title 49, Code of
11 Federal Regulations; and

12 (2) complete, not later than 1 year after the
13 date of enactment of this Act, a rulemaking inves-
14 tigating and evaluating the impact on the supply
15 chain, competitiveness, national security, labor, and
16 safety implications of the transportation of sodium
17 cyanide briquettes for mining purposes in the United
18 States using a transportation method other than
19 ISO steel containers, in accordance with the mate-
20 rial's authorized packaging and transportation re-
21 quirements.

1 **TITLE VII—TEMPORARY DUTY**
 2 **SUSPENSIONS AND REDUCTIONS**

3 **SEC. 107001. REFERENCE.**

4 Except as otherwise expressly provided, whenever in
 5 this title an amendment or repeal is expressed in terms
 6 of an amendment to, or repeal of, a chapter, subchapter,
 7 note, additional U.S. note, heading, subheading, or other
 8 provision, the reference shall be considered to be made to
 9 a chapter, subchapter, note, additional U.S. note, heading,
 10 subheading, or other provision of the Harmonized Tariff
 11 Schedule of the United States.

12 **Subtitle A—New Duty Suspensions**
 13 **and Reductions**

14 **SEC. 107101. SHELLED PINE NUTS.**

15 Subchapter II of chapter 99 is amended by inserting
 16 in numerical sequence the following new heading:

“	9902.19.01	Pine nuts, shelled (provided for in subheading 0802.90.98)	Free	No change	No change	On or before 12/31/2023	”.
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17 **SEC. 107102. LICORICE EXTRACT.**

18 Subchapter II of chapter 99 is amended by inserting
 19 in numerical sequence the following new heading:

“	9902.19.02	Vegetable saps and extracts of licorice (provided for in subheading 1302.12.00)	0.7%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107103. REFINED CARRAGEENAN.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.19.03	N-{{2-{{4-{{3-Methylbutanoyl-amino}}phenyl}}carbonyl}hydrazino}carbonothioyl}-3-nitrobenzamide (Carrageenan) (CAS No. 9000-07-1) (provided for in subheading 1302.39.00)	2.4%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107104. IRISH DAIRY CHOCOLATE CRUMB.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.19.04	Chocolate crumb manufactured with fluid milk from Irish cows (provided for in subheading 1806.20.24)	2.9%	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107105. PEPPERONCINI, PRESERVED IN VINEGAR.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.19.05	Pepperoncini, prepared or preserved by vinegar or acetic acid (provided for in subheading 2001.90.38)	5.2%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107106. COCONUT WATER IN PET BOTTLES.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.19.06	Coconut water, not from concentrate, not containing added sugar or other sweetening matter, packaged for retail sale in polyethylene terephthalate bottles (provided for in subheading 2009.89.70)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107107. 9,11-OCTADECADIENOIC ACID.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.19.07	Conjugated linoleic acids (9Z,11E)-octadeca-9,11-dienoic acid (CAS No. 2540-56-9), and (10E,12Z)-octadeca-10,12-dienoic acid (CAS No. 2420-56-6) (provided for in subheading 2106.90.98)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107108. LIQUID GALACTO-OLIGOSACCHARIDES.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.19.08	Liquid galacto-oligosaccharides (provided for in subheading 2106.90.98) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107109. BEVERAGE CONTAINING COCONUT WATER.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.19.09	Non-alcoholic beverage containing 10 percent or more of not-from-concentrate coconut water, with added flavors and stevia, packaged for retail sale (provided for in subheading 2202.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107110. ANIMAL FEED ADDITIVE CONTAINING**
 11 **GUANIDINOACETIC ACID.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.19.10	Feed additive preparation consisting of guanidinoacetic acid and starch (provided for in subheading 2309.90.95) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107111. TUNGSTEN CONCENTRATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.11	Tungsten concentrate, presented as a dense, granular powder, in a range of colors from sandy brown to black/grey depending on the other elements present (provided for in subheading 2611.00.60)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107112. PIPERYLENE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.12	Distillates (petroleum), C3-6, piperylene-rich (CAS No. 68477-35-0) (provided for in subheading 2710.12.90)	3.5%	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107113. NORMAL PARAFFIN M (ALKANES C10-C14).**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.19.13	A mixture of normal paraffin medium oils (alkanes, C10-14) (CAS No. 93924-07-3) (provided for in subheading 2710.19.90)	5.8%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107114. NEODYMIUM (ND) METAL.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.19.14	Neodymium metal (CAS No. 7440-00-8), whether or not intermixed or interalloyed (provided for in subheading 2805.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107115. PRASEODYMIUM (PR) METAL.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.19.15	Praseodymium metal (CAS No. 7440–10–0), whether or not intermixed or interalloyed (provided for in subheading 2805.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107116. HEAVY RARE EARTH METALS, DYSPROSIUM**
 5 **(DY) METAL AND TERBIUM (TB) METAL.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.19.16	Dysprosium metal (CAS No. 7429–91–6), terbium metal (CAS No. 7440–27–9), and heavy rare earth metals, whether or not intermixed or inter-alloyed (provided for in subheading 2805.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107117. SCANDIUM CRYSTAL.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.19.17	Scandium crystals of 99.9 percent purity containing 3 ppm or less by weight of cobalt, 80 ppm or less by weight of chromium and 500 ppm or less by weight of iron (CAS No. 7440–20–2) (provided for in subheading 2805.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107118. HEXAFLUOROTITANIC ACID.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.19.18	Dihydrogen hexafluorotitanate(2-) (CAS No. 17439-11-1) (provided for in subheading 2811.19.61)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107119. SILICA GEL CAT LITTER WITH TRAY.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.19.19	Cat litter of synthetic silica gel, not crystalline, imported with a disposable cardboard tray coated with polyvinyl chloride (provided for in subheading 2811.22.10)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 107120. DIOXOSILANE SPHERICAL PARTICLES (MEAN
 5 PARTICLE SIZE 0.046–0.054 MM).**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.19.20	Dioxosilane (silicon dioxide amorphous) (CAS No. 7631-86-9) presented in the form of entirely spherical microspheres, certified by the importer as having a mean particle size of between 0.046 and 0.054 mm, uniform particle size with a uniformity coefficient of 1.65 or less, specific electrical resistance of 50,000 Ohm cm or more, and surface area 300 to 700 m ² /g (provided for in subheading 2811.22.10)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107121. SILICA GEL CAT LITTER.

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.19.21	Cat litter formulated from synthetic silica gel, put up for retail sale (provided for in subheading 2811.22.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107122. SULFURYL DICHLORIDE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.22	Sulfuryl dichloride (CAS No. 7791-25-5) (provided for in subheading 2812.19.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107123. FS-10D ACICULAR ELECTROCONDUCTIVE TIN**
5 **OXIDE.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.19.23	Dispersions of tin(IV) oxide (CAS No. 18282-10-5), doped with antimony pentoxide (CAS No. 1314-60-9), in water (provided for in subheading 2825.90.20)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107124. CERTAIN POTASSIUM FLUORIDE.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.19.24	Potassium fluoride (CAS No. 7789-23-3), spray-dried, crystalline, granular or any dry form (provided for in subheading 2826.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107125. OTHER POTASSIUM FLUORIDE.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.19.25	Potassium fluoride (CAS No. 7789-23-3) other than spray-dried, crystalline, granular or any dry form (provided for in subheading 2826.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107126. LIPF6.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.19.26	Lithium hexafluorophosphate (LiPF ₆) (CAS No. 21324-40-3) (provided for in subheading 2826.90.90)	1.8%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107127. LIPO2F2.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.19.27	Lithium difluorophosphate (LiPO ₂ F ₂) (CAS No. 24389-25-1) (provided for in subheading 2826.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107128. AMMONIUM FLUOROBORATE.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.19.28	Azanium; tetrafluoroborate (CAS No. 13826-83-0) (provided for in subheading 2826.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107129. SODIUM TETRAFLUOROBORATE.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.19.29	Sodium tetrafluoroborate (CAS No. 13755-29-8) (provided for in subheading 2826.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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13 SEC. 107130. FERRIC CHLORIDE.

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.19.30	Trichloroiron (CAS No. 7705-08-0) (provided for in subheading 2827.39.55)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107131. FERROUS CHLORIDE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.31	Iron(2+);dichloride (CAS No. 7758-94-3) (provided for in subheading 2827.39.55)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107132. CUPRIC CHLORIDE DIHYDRATE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.32	Copper(II) chloride dihydrate (cupric chloride dihydrate) (CAS No. 10125-13-0) (provided for in subheading 2827.39.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107133. COPPER CHLORIDE ANHYDROUS.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.19.33	Copper(II) chloride anhydrous (CAS No. 7447-39-4) (provided for in subheading 2827.39.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107134. MANGANESE CHLORIDE ANHYDROUS.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.19.34	Manganese(2+);dichloride (anhydrous manganese chloride) (CAS No. 7773-01-5) (provided for in subheading 2827.39.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107135. MANGANESE CHLORIDE TETRAHYDRATE.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.19.35	Manganese(II) chloride tetrahydrate (CAS No. 13446-34-9) (provided for in subheading 2827.39.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107136. REDUCING AGENT.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.19.36	Acetic acid, 2-oxo-, reaction products with sodium dithionite (2:1) (CAS No. 1444365-63-2) (provided for in subheading 2831.10.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107137. MANGANESE CARBONATE.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.19.37	Manganese(2+);carbonate (CAS No. 598-62-9) (provided for in subheading 2836.99.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107138. POTASSIUM TETRABORATE.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.19.38	Potassium tetraborate (CAS No. 12045-78-2) (provided for in subheading 2840.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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13 SEC. 107139. POTASSIUM PENTABORATE.

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.19.39	Potassium pentaborate (CAS No. 12229-13-9) (provided for in subheading 2840.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107140. AMMONIUM THIOCYANATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.40	Azanium;thiocyanate (ammonium thiocyanate) (CAS No. 1762-95-4) (provided for in subheading 2842.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107141. MODIFIED AMINE COMPLEX OF BORON**
5 **TRIFLUORIDE.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.19.41	Propan-2-amine, compound with trifluoroborane, reaction products with 2-(butoxymethyl)oxirane (amine complex of boron trifluoride) (CAS No. 68478-97-7) (provided for in subheading 2842.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107142. TRICHLOROSILANE.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.19.42	Trichlorosilicon (CAS No. 10025-78-2) (provided for in subheading 2853.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107143. 1,3-DICHLOROPROPENE.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.19.43	(E)-1,3-Dichloroprop-1-ene (CAS No. 542-75-6) (pro- vided for in subheading 2903.29.00)	2.3%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107144. HEXAFLUOROISOBUTYLENE (HFIB).

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.44	3,3,3-Trifluoro-2- (trifluoromethyl)prop-1-ene (CAS No. 382-10-5) (pro- vided for in subheading 2903.39.20)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 107145. 1,1,1,2,2,3,3,4,4,5,5,6,6-TRIDECAFLUORO-8-
5 IODOOCTANE.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.19.45	1,1,1,2,2,3,3,4,4,5,5,6,6- Tridecafluoro-8-iodooctane (CAS No. 2043-57-4) (pro- vided for in subheading 2903.79.90)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107146. ETHYL BENZYL CHLORIDE.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.19.46	1-(Chloromethyl)-3- ethylbenzene (CAS No. 26968-58-1) (provided for in subheading 2903.99.80)	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107147. PERFLUOROALKYL SULFONATE.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.19.47	Potassium 1,1,2,2,3,3,4,4,4-nonafluorobutane-1-sulphonate (CAS No. 29420-49-3) (provided for in subheading 2904.99.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107148. D-MANNITOL.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.48	(2R,3R,4R,5R)-Hexane-1,2,3,4,5,6-hexol (D-Mannitol) (CAS No. 69-65-8) (provided for in subheading 2905.43.00)	2.9%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107149. 3,3,4,4,5,5,6,6,7,7,8,8,8-TRIDECAFLUOROCTAN-1-
5 OL.

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.19.49	3,3,4,4,5,5,6,6,7,7,8,8,8-Tridecafluorooctan-1-ol (CAS No. 647-42-7) (provided for in subheading 2905.59.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107150. PHENYL ISOPROPANOL.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.19.50	2-Phenylpropan-2-ol (CAS No. 617-94-7) (provided for in subheading 2906.29.60) ...	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107151. HYDROXYTYROSOL.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.19.51	4-(2-Hydroxyethyl)benzene-1,2-diol (Hydroxytyrosol) (CAS No. 10597-60-1) (provided for in subheading 2907.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107152. 1,6-DIHYDROXYNAPHTHALENE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.52	Naphthalene-1,6-diol (CAS No. 575-44-0) (provided for in subheading 2907.29.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107153. ANTIOXIDANT FOR PLASTICS AND RUBBER.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.53	Antioxidant 330 (4-[[3,5-Bis[(3,5-ditert-butyl-4-hydroxyphenyl)methyl]-2,4,6-trimethylphenyl]methyl]-2,6-ditert-butylphenol) (CAS No. 1709-70-2) (provided for in subheading 2907.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107154. TOLUHYDROQUINONE (THQ).

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.19.54	2-Methylbenzene-1,4-diol (CAS No. 95-71-6) (provided for in subheading 2907.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107155. 1,1,1-TRIS(4-HYDROXYPHENYL)ETHANE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.19.55	4-[1,1-Bis(4-hydroxyphenyl)ethyl]phenol (CAS No. 27955-94-8) (provided for in subheading 2907.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107156. MPEG6-MESYLATE.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.19.56	Methanesulfonic acid; 2-[2-[2-[2-(2-methoxyethoxy)ethoxy]ethoxy]ethoxy]ethoxy ethanol (CAS No. 130955-39-4) (provided for in subheading 2909.19.18)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107157. MONOETHYLENE GLYCOL DIMETHYL ETHER.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.19.57	1,2-Dimethoxyethane (CAS No. 110-71-4) (provided for in subheading 2909.19.60) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107158. DIETHYLENE GLYCOL DIMETHYL ETHER.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.19.58	1-Methoxy-2-(2-methoxyethoxy)ethane (CAS No. 111-96-6) (provided for in subheading 2909.19.60) ...	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107159. DIETHYLENE GLYCOL DIBUTYL ETHER.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.19.59	1-[2-(2-Butoxyethoxy)ethoxy]butane (CAS No. 112-73-2) (provided for in subheading 2909.19.60)	Free	No change	No change	On or before 12/31/2023	”.
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13 SEC. 107160. TETRAETHYLENE GLYCOL DIMETHYL ETHER.

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.19.60	1-Methoxy-2-[2-(2-methoxyethoxy)ethoxy]ethane (CAS No. 143-24-8) (provided for in subheading 2909.19.60) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107161. GLYCOL DIETHER.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.61	1-Methoxy-3-(3-methoxypropoxy)propane (CAS No. 111109-77-4) (provided for in subheading 2909.49.60)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107162. DIGLYCIDYL RESORCINOL ETHER.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.64	2-[[3-(Oxiran-2-ylmethoxy)phenoxy]methyl]oxirane (diglycidyl resorcinol ether) (CAS No. 101-90-6) (provided for in subheading 2910.90.20)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107163. ALLYL GLYCIDYL ETHER.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.19.66	2-(Prop-2-enoxymethyl)oxirane (allyl glycidyl ether) (CAS No. 106-92-3) (provided for in subheading 2910.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107164. VINYL CYCLOHEXANE MONOXIDE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.19.67	3-Ethenyl-7-oxabicyclo[4.1.0]heptane (CAS No. 106-86-5) (provided for in subheading 2910.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107165. TECHNICAL GRADE OF BUTYL GLYCIDYL**
2 **ETHER.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.19.68	Technical grade 2-(butoxymethyl)oxirane (CAS No. 2426-08-6) (provided for in subheading 2910.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107166. ALIPHATIC GLYCIDYL ETHER.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.19.69	2-(2-Ethylhexoxymethyl)oxirane (CAS No. 2461-15-6) (provided for in subheading 2910.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107167. DIGLYCIDYL ETHER OF 1,4-BUTANEDIOL.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.19.70	2-[4-(Oxiran-2-ylmethoxy)butoxymethyl]oxirane (CAS No. 2425-79-8) (provided for in subheading 2910.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107168. TECHNICAL GRADE OF THE GLYCIDYL ETHER**
12 **OF CYCLOHEXANE DIMETHANOL.**

13 Subchapter II of chapter 99 is amended by inserting
14 in numerical sequence the following new heading:

“	9902.19.71	2-[[4-(Oxiran-2-ylmethoxymethyl)cyclohexyl]methoxymethyl]oxirane (1,4-bis(2,3-epoxypropoxymethyl)cyclohexane technical) (CAS No. 14228-73-0) (provided for in subheading 2910.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107169. GLYCIDYL ESTER OF NEODECANOIC ACID.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.72	2,3-Epoxypropyl neodecanoate (CAS No. 26761-45-5) (provided for in subheading 2910.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107170. CUMALDEHYDE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.73	4-Propan-2-ylbenzaldehyde (Cumaldehyde) (CAS No. 122-03-2) (provided for in subheading 2912.29.60)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107171. CYPRINAL.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.19.74	α -Methylcinnamaldehyde (CAS No. 101-39-3) (provided for in subheading 2912.29.60)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107172. SODIUM O-FORMYLBENZENESULFONATE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.19.75	Sodium;2-formylbenzenesulfonate (CAS No. 1008-72-6) (provided for in subheading 2913.00.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107173. ACETYLACETONE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.76	Pentane-2,4-dione (Acetylacetone) (CAS No. 123-54-6) (provided for in subheading 2914.19.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107174. ACETYL PROPIONYL.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.77	Pentane-2,3-dione (CAS No. 600-14-6) (provided for in subheading 2914.19.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107175. ALPHA IONONE.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.19.78	(E)-4-(2,6,6-Trimethylcyclohex-2-en-1-yl)but-3-en-2-one (α -ionone) derived from natural sources (CAS No. 127-41-3) (provided for in subheading 2914.23.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107176. 2,3,4,5 TETRAMETHYLCYCLOPENT-2-ENONE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.19.79	2,3,4,5-Tetramethylcyclopent-2-enone (CAS No. 54458-61-6) (provided for in subheading 2914.29.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107177. MENTHONE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.80	Menthone ((2S,5R)-5-methyl-2-propan-2-ylcyclohexan-1-one) derived from natural sources (CAS No. 89-80-5) (provided for in subheading 2914.29.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107178. L-CARVONE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.81	(5R)-2-Methyl-5-(prop-1-en-2-yl)cyclohex-2-en-1-one (L-carvone) (CAS No. 6485-40-1) (provided for in subheading 2914.29.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107179. BENZOIN.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.19.82	2-Hydroxy-1,2-diphenylethanone (Benzoin) (CAS No. 119-53-9) (provided for in subheading 2914.40.40)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107180. METHYL CYCLOPENTENOLONE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.19.83	Methyl cyclopentenolone (2-hydroxy-3-methylcyclopent-2-en-1-one) (CAS No. 80-71-7) (provided for in subheading 2914.40.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107181. 2,4-DIHYDROXY-1,5-DIBENZOYLBENZENE.**

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.19.84	(4,6-Dihydroxy-1,3-phenylene)bis(phenylmethanone) (CAS No. 3088-15-1) (provided for in subheading 2914.50.30)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107182. DIFLUOROBENZOPHENONE (DFBP).**

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.19.85	Bis(4-fluorophenyl)methanone (CAS No. 345-92-6) (provided for in subheading 2914.79.40)	2.3%	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107183. PTML.**

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.19.86	2-Methyl-1-[4-(trifluoromethoxy)phenyl]propan-1-one (CAS No. 56425-84-4) (provided for in subheading 2914.79.40)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107184. METRAFENONE.**

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.19.87	(3-Bromo-6-methoxy-2-methylphenyl)(2,3,4-trimethoxy-6-methylphenyl)methanone (Metrafenone) (CAS No. 220899-03-6) (provided for in subheading 2914.79.40) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107185. HEXACHLOROACETONE.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.19.88	Hexachloroacetone; 1,1,1,3,3,3-hexachloropropan- 2-one (CAS No. 116–16–5) (provided for in subheading 2914.79.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107186. FIRE SUPPRESSION AGENT.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.19.89	1,1,1,2,2,4,5,5,5-nonafluoro- 4-(trifluoromethyl)pentan-3- one (CAS No. 756–13–8) (provided for in subheading 2914.79.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107187. D(+)-10-CAMPHOR SULFONIC ACID.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.19.90	(1S,4R)-7,7-Dimethyl-2-oxo- 1-bicyclo[2.2.1]heptanyl methanesulfonic acid (CAS No. 3144–16–9) (provided for in subheading 2914.79.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107188. BENZYL ACETATE.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.19.91	Benzyl acetate (CAS No. 140–11–4) (provided for in subheading 2915.39.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107189. PROPYLENE GLYCOL DIACETATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.92	2-Acetyloxypropyl acetate (CAS No. 623-84-7) (pro- vided for in subheading 2915.39.47)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107190. ISOPROPENYL ACETATE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.93	Prop-1-en-2-yl acetate (Iso- propenyl acetate) (CAS No. 108-22-5) (provided for in subheading 2915.39.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107191. DIACETIN.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.19.94	(2-Acetyloxy-3-hydroxypropyl) acetate (CAS No. 25395-31- 7) (provided for in sub- heading 2915.39.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107192. COCOAMINE.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.19.95	Amines, coco alkyl (Cocoamine) (CAS No. 61788-46-3) (provided for in subheading 2915.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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13 **SEC. 107193. CAPRYLIC ACID 98%.**

14 Subchapter II of chapter 99 is amended by inserting
15 in numerical sequence the following new heading:

“	9902.19.96	Decanoic acid (CAS No. 334-48-5) (provided for in subheading 2915.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107194. FINE ZINC MYRISTATE POWDER.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.19.97	Zinc myristate powder, 99 percent is under 300 mesh (CAS No. 16260-27-8) (provided for in subheading 2915.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107195. FINE MAGNESIUM MYRISTATE POWDER.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.19.98	Magnesium tetradecanoate powder (CAS No. 4086-70-8) (provided for in subheading 2915.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107196. DIPENTAERYTHRITYL**
8 **HEXAHYDROXYSTEARATE/HEXASTEARATE/**
9 **HEXAROSINATE.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.19.99	Dipentaerythrityl mixed esters with stearate, 12-hydroxyoctadecanoate and resinate, two acidic residues (CAS No. 208126-52-7) (provided for in subheading 2915.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 107197. POLYGLYCERYL-2 TRIISOSTEARATE.**

13 Subchapter II of chapter 99 is amended by inserting
14 in numerical sequence the following new heading:

“	9902.20.01	[3-[2,3-bis(16-Methylheptadecanoyloxy)propoxy]-2-hydroxypropyl] 16-methylheptadecanoate (CAS No. 120486-24-0) (provided for in subheading 2915.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107198. NEOPENTYL GLYCOL DIETHYLHEXANOATE.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.20.02	[3-(2-Ethylhexanoyloxy)-2,2-dimethylpropyl] 2-ethylhexanoate (CAS No. 28510-23-8) (provided for in subheading 2915.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107199. ISONONYL ISONONATE.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.20.03	7-Methyloctyl 7-methyloctanoate (CAS No. 42131-25-9) (provided for in subheading 2915.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107200. ACETYL CHLORIDE.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.20.04	Acetyl chloride (CAS No. 75-36-5) (provided for in subheading 2915.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107201. POTASSIUM SORBATE.

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.20.05	Potassium;(2E,4E)-hexa-2,4-dienoate (Potassium sorbate) (CAS No. 24634-61-5) (provided for in subheading 2916.19.10)	2%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107202. VINYL CHLOROFORMATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.06	Ethenyl carbonochloridate (Vinyl chloroformate) (CAS No. 5130-24-5) (provided for in subheading 2916.19.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107203. PERMETHRIN.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.07	(3-Phenoxyphenyl)methyl 3-(2,2-dichloroethyl)-2,2-dimethylcyclopropane-1-carboxylate (Permethrin) (CAS No. 52645-53-1) (provided for in subheading 2916.20.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107204. SODIUM BENZOATE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.08	Micronized sodium benzoate (CAS No. 532-32-1) of a kind used as a polymer modifier (provided for in subheading 2916.31.11)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107205. BENZOIC ACID, FLAKE.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.20.09	Benzoic acid, flake (CAS No. 65-85-0) (provided for in subheading 2916.31.11)	4.3%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107206. DIETHYLENE GLYCOL DIBENZOATE.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.20.10	2-(2-Benzoyloxyethoxy)ethyl benzoate (CAS No. 120-55-8) (provided for in subheading 2916.31.30)	1%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107207. METHYL BENZOATE.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.20.11	Methyl benzoate (CAS No. 93-58-3) (provided for in subheading 2916.31.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107208. M-NITROBENZOIC ACID SODIUM SALT.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.20.12	Sodium; 3-nitrobenzoate (CAS No. 827-95-2) (provided for in subheading 2916.39.79)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107209. P-NITROBENZOIC ACID.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.20.13	4-Nitrobenzoic acid (CAS No. 62-23-7) (provided for in subheading 2916.39.79)	Free	No change	No change	On or before 12/31/2023	”.
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13 SEC. 107210. 4-TERT BUTYLBENZOIC ACID.

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.20.14	4-tert-Butylbenzoic acid (CAS No. 98-73-7) (provided for in subheading 2916.39.79)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107211. SODIUM ADIPATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.15	Disodium;hexanedioate (Sodium adipate) (CAS No. 7486-38-6), in granule form, with a particle size of 250 µm to 850 µm (provided for in subheading 2917.12.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107212. DIMETHYL SEBACATE (DMS).**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.16	Dimethyl sebacate (CAS No. 106-79-6) (provided for in subheading 2917.13.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107213. DODECANEDIOIC ACID.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.17	Dodecanedioic acid (CAS No. 693-23-2) (provided for in subheading 2917.19.70)	2.8%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107214. POLYHYDROXYSTEARIC ACID OF LOW ACID**
11 **VALUE.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.20.18	Acyelic polycarboxylic containing octadecanoic acid, 12-hydroxy-, homopolymer, octadecanoate with an acid value less than 40 mg/g KOH (CAS No. 58128-22-6) (provided for in subheading 2917.19.70)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107215. UNDECANEDIOIC ACID.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.20.19	Undecanedioic acid (CAS No. 1852-04-6) (provided for in subheading 2917.19.70)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107216. HEXADECANEDIOIC ACID.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.20.20	Hexadecanedioic acid (CAS No. 505-54-4) (provided for in subheading 2917.19.70) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107217. TETRADECANEDIOIC ACID.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.20.21	Tetradecanedioic acid (CAS No. 821-38-5) (provided for in subheading 2917.19.70) ...	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107218. PENTADECANEDIOIC ACID.

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.20.22	Pentadecanedioic acid (CAS No. 1460-18-0) (provided for in subheading 2917.19.70)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107219. TRIDECANEDIOIC ACID.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.23	Tridecanedioic acid (CAS No. 505-52-2) (provided for in subheading 2917.19.70)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107220. METHYL 1-(METHOXYCAR-**
5 **BONYL)CYCLOPROPANECARBOXYLATE**
6 **(CPDM).**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.20.24	Dimethyl 1,1-cyclopropanedicarboxylate (CAS No. 6914-71-2) (provided for in subheading 2917.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107221. CALCIUM HHPA.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.20.25	Calcium (1S,2R)-cyclohexane-1,2-dicarboxylate (CAS No. 491589-22-1) (provided for in subheading 2917.20.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 107222. DIETHYL PHTHALATE.**

13 Subchapter II of chapter 99 is amended by inserting
14 in numerical sequence the following new heading:

“	9902.20.26	Diethyl benzene-1,2-dicarboxylate (CAS No. 84-66-2) (provided for in subheading 2917.34.01)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107223. AMMONIUM LACTATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.27	Ammonium lactate (Azanium;2- hydroxypropanoate) (CAS No. 515-98-0) having a pu- rity of at least 99 percent (provided for in subheading 2918.11.51)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107224. TRIETHYL 2-HYDROXYPROPANE-1,2,3-**
5 **TRICARBOXYLATE.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.20.28	Triethyl 2-hydroxypropane- 1,2,3-tricarboxylate (CAS No. 77-93-0) (provided for in subheading 2918.15.50)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107225. DIISOSTEARYL MALATE.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.20.29	Carboxylic acid of bis(16- methylheptadecyl) 2- hydroxybutanedioate (CAS No. 81230-05-9) (provided for in subheading 2918.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107226. SALICYLIC ACID.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.20.30	2-Hydroxybenzoic acid (sali- cyclic acid) (CAS No. 69-72- 7) (provided for in sub- heading 2918.21.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107227. HEXYL SALICYLATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.31	Hexyl 2-hydroxybenzoate (CAS No. 6259–76–3) (pro- vided for in subheading 2918.23.20)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107228. ALPHA-KETOGLUTERIC ACID.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.32	Alpha-ketoglutaric acid (2- oxopentanedioic acid) (CAS No. 328–50–7) (provided for in subheading 2918.30.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107229. MCPB HERBICIDE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.33	4-(4-Chloro-2-methylphenoxy) butyric acid (CAS No. 94– 81–5) (provided for in sub- heading 2918.99.18)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107230. 2,4-D BUTOXYETHYLESTER.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.20.34	2-Butoxyethyl 2-(2,4- dichlorophenoxy)acetate (CAS No. 1929–73–3) (provided for in subheading 2918.99.20)	Free	No change	No change	On or before 12/31/2023	”.
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13 **SEC. 107231. 2-(2,4-DICHLOROPHENOXY)ACETIC ACID.**

14 Subchapter II of chapter 99 is amended by inserting
15 in numerical sequence the following new heading:

“	9902.20.35	2-(2,4-Dichlorophenoxy)acetic acid (CAS No. 94-75-7) (provided for in subheading 2918.99.20)	4.9%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107232. DIGLYCOLIC ACID 98%.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.36	2-(Carboxymethoxy)acetic acid (diglycolic acid) having a purity of at least 98 percent (CAS No. 110-99-6) (provided for in subheading 2918.99.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107233. TRI-ISO-BUTYL PHOSPHATE (TIBP).

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.37	tris(2-Methylpropyl) phosphate (CAS No. 126-71-6) (provided for in subheading 2919.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107234. TRIMETHYLPHOSPHITE.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.38	Trimethyl phosphite (CAS No. 121-45-9) (provided for in subheading 2920.23.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107235. ORGANIC PHOSPHITE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.20.39	1,9-Dicyclohexyl-11-hydroxy-3,7-dimethyl-5H-benzo[d][1,3,2]benzodioxaphosphocine (CAS No. 73912-21-7) (provided for in subheading 2920.90.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107236. DIETHYL SULFATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.40	Diethyl sulfate (CAS No. 64-67-5) (provided for in subheading 2920.90.51)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107237. DIETHYL CARBONATE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.41	Diethyl carbonate (CAS No. 105-58-8) (provided for in subheading 2920.90.51)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107238. ETHYL METHYL CARBONATE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.42	Ethyl methyl carbonate (CAS No. 623-53-0) (provided for in subheading 2920.90.51) ...	2.7%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107239. TETRADECOXYCARBONYLOXY TETRADECYL**
11 **CARBONATE.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.20.43	Tetradecoxy carbonyloxy tetradecyl carbonate (CAS No. 53220-22-7) (provided for in subheading 2920.90.51)	Free	No change	No change	On or before 12/31/2023	”.
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14 **SEC. 107240. DICETYL PEROXYDICARBONATE.**

15 Subchapter II of chapter 99 is amended by inserting
16 in numerical sequence the following new heading:

“	9902.20.44	Hexadecyloxyhexadecyl carbonate (CAS No. 26322-14-5) (provided for in subheading 2920.90.51)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107241. TETRAETHYL SILICATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.45	Tetraethyl silicate (CAS No. 78-10-4) (provided for in subheading 2920.90.51)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107242. TERT-OCTYLAMINE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.46	2,4,4-Trimethylpentan-2-amine (CAS No. 107-45-9) (provided for in subheading 2921.19.61)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107243. OCTADECYLAMINE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.47	Octadecan-1-amine (Octadecylamine) (CAS No. 124-30-1) (provided for in subheading 2921.19.61)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107244. N'-(3-AMINOPROPYL)-N'-DODECYLPROPANE-1,3-**
11 **DIAMINE.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.20.48	N'-(3-Aminopropyl)-N'-dodecylpropane-1,3-diamine (CAS No. 2372-82-9) (provided for in subheading 2921.29.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107245. 1,10-DIAMINODECANE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.49	Decane-1,10-diamine (CAS No. 646-25-3) (provided for in subheading 2921.29.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107246. 1,5-PENTANEDIAMINE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.50	Pentane-1,5-diamine (CAS No. 462-94-2) (provided for in subheading 2921.29.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107247. DICYCLOHEXYLAMINE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.51	N-cyclohexylcyclohexanamine (CAS No. 101-83-7) (provided for in subheading 2921.30.30)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107248. AMANTADINE HYDROCHLORIDE 99%.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.20.52	Adamantan-1-amine hydrochloride having a purity of at least 99 percent (CAS No. 665-66-7) (provided for in subheading 2921.30.50)	Free	No change	No change	On or before 12/31/2023	”.
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13 **SEC. 107249. N,N-DIMETHYLANILINE.**

14 Subchapter II of chapter 99 is amended by inserting
15 in numerical sequence the following new heading:

“	9902.20.53	N,N-Dimethylaniline (CAS No. 121-69-7) (provided for in subheading 2921.42.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107250. PARANITROANILINE (PNA).

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.54	p-Nitroaniline (CAS No. 100-01-6) (provided for in subheading 2921.42.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107251. DICLORAN.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.55	2,6-Dichloro-4-nitroaniline (Dicloran) (CAS No. 99-30-9) (provided for in subheading 2921.42.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107252. N,N-DIMETHYL-P-TOLUIDINE.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.56	N,N-Dimethyl-p-toluidine (CAS No. 99-97-8) (provided for in subheading 2921.43.08)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107253. PENDIMETHALIN TECHNICAL.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.20.57	3,4-Dimethyl-2,6-dinitro-N-pentan-3-ylaniline (Pendimethalin) (CAS No. 40487-42-1) (provided for in subheading 2921.49.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107254. BENZYLDIMETHYLAMINE.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.20.58	N,N-Dimethyl-1-phenylmethanamine (CAS No. 103–83–3) (provided for in subheading 2921.49.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107255. DIPHENYL DIPHENYLENE DIAMINE.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.20.59	1-N,4-N-Diphenylbenzene-1,4-diamine (CAS No. 74–31–7) (provided for in subheading 2921.51.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107256. CURATIVE FOR EPOXY RESIN SYSTEMS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.20.60	4-[(4-Amino-3-methyl-5-propan-2-ylphenyl)methyl]-2-methyl-6-propan-2-ylaniline (CAS No. 16298–38–7) (provided for in subheading 2921.59.40)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107257. TFMB.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.20.61	4-[4-Amino-2-(trifluoromethyl)phenyl]-3-(trifluoromethyl)aniline (CAS No. 341–58–2) (provided for in subheading 2921.59.80) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107258. S-N-ALKYL-ANILIN.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.62	2-Ethyl-N-[(2S)-1-methoxypropan-2-yl]-6-methylaniline (CAS No. 118604-70-9) (provided for in subheading 2922.19.60) ...	2.9%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107259. P-CRESIDINE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.63	2-Methoxy-5-methylaniline (CAS No. 120-71-8) (provided for in subheading 2922.29.81)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107260. IMINODIACETIC ACID.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.64	2-(Carboxymethylamino)acetic acid (CAS No. 142-73-4) (provided for in subheading 2922.49.49)	1%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107261. 11 AMINOUNDECANOIC ACID.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.20.65	11-Aminoundecanoic acid (CAS No. 2432-99-7) (provided for in subheading 2922.49.49)	2.6%	No change	No change	On or before 12/31/2023	”.
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13 **SEC. 107262. L-ORINITHINE L-ASPARTATE.**

14 Subchapter II of chapter 99 is amended by inserting
15 in numerical sequence the following new heading:

“	9902.20.66	(2S)-2-Aminobutanedioic acid; (2S)-2,5-diaminopentanoic acid (CAS No. 3230-94-2) (provided for in subheading 2922.49.49)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107263. IRON SODIUM DTPA.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.67	Sodium 2-[bis[2-[bis(carboxymethyl)amino]ethyl]amino]acetate iron (CAS No. 12389-75-2) (provided for in subheading 2922.49.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107264. IRON GLYCINATE COMPLEX.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.68	Ferrate(2-), hexaaqua[μ-(glycinato-κO:κO')](glycinato-κO)bis[sulfato(2-)-κO]di-, dihydrogen (CAS No. 536974-51-3) (provided for in subheading 2922.49.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107265. COPPER GLYCINATE COMPLEX.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.69	Cuprate(1-), diaqua(glycinato-κO)[sulfato(2-)-κO]-, hydrogen (CAS No. 536974-53-5) (provided for in subheading 2922.49.80)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107266. ZINC GLYCINATE COMPLEX.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.20.70	Zincate(1-), diaqua(glycinato-κO)[sulfato(2-)-κO]-, hydrogen, (T-4)- (CAS No. 536974-54-6) (provided for in subheading 2922.49.80) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107267. MANGANESE GLYCINATE COMPLEX.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.71	Manganese(2+) 2-aminoacetate (CAS No. 14281-77-7) (provided for in subheading 2922.49.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107268. IRON SODIUM EDDHA.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.72	Iron sodium ethylenediaminedihydroxyphenylacetic acid (sodium [[α,α'-(ethylenediimino)bis[2-hydroxybenzene-1-acetato]](4-)]ferrate(1-)) (CAS No. 16455-61-1) (provided for in subheading 2922.50.35)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107269. DMF-DMA.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.73	1,1-Dimethoxy-N,N-dimethylmethanamine (CAS No. 4637-24-5) (provided for in subheading 2922.50.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107270. MIXTURES OF DMSO AND TETRABUTYL AMMO-
11 NIUM FLUORIDE.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.20.74	Mixtures of methylsulfinylmethane (Dimethyl sulfoxide DMSO) (CAS No. 67-68-5) and tetrabutylammonium fluoride trihydrate (tetrabutylazanium;fluoride;trihydrate) (CAS No. 87749-50-6) (60:40) (provided for in subheading 2923.90.01)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107271. BETAINE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.75	Betaine (2-(trimethylazaniumyl)acetate) (CAS No. 107-43-7) (provided for in subheading 2923.90.01)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107272. PROLONIUM CHLORIDE IN AQUEOUS SOLUTION.

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.20.76	Aqueous solution of [2-hydroxy-3-(trimethylazaniumyl)propyl]-trimethylazanium;dichloride with a concentration of greater than 49 percent and less than 51 percent by weight (CAS No. 55636-09-4) (provided for in subheading 2923.90.01)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107273. N,N-DIMETHYLACETAMIDE.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.20.77	N,N-Dimethylacetamide (CAS No. 127-19-5) (provided for in subheading 2924.19.11)	2%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107274. N,N-DIMETHYLFORMAMIDE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.78	N,N-Dimethylformamide (CAS No. 68-12-2) (pro- vided for in subheading 2924.19.11)	1.2%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107275. DAAM.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.79	N-(2-Methyl-4-oxo-2- pentanyl)acrylamide (CAS No. 2873-97-4) (provided for in subheading 2924.19.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107276. L-ALANYL L-GLUTAMINE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.80	L-Alanyl L-glutamine ((2S)- 5-amino-2-[[[(2S)-2- aminopropanoyl]amino]-5- oxopentanoic acid] (CAS No. 39537-23-0) (provided for in subheading 2924.19.80)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107277. GRANULAR ACRYLAMIDO-TERT-BUTYL SUL-**
11 **FONIC ACID (ATBS).**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.20.81	Granular 2-methyl-2-(prop-2- enoylamino)propane-1-sul- fonic acid (CAS No. 15214- 89-8) (provided for in sub- heading 2924.19.80)	6%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107278. GLYCYL-L-GLUTAMINE HYDRATE.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.20.82	Glycyl-L-glutamine hydrate (2S)-5-amino-2-[(2-aminoacetyl)amino]-5-oxopentanoic acid;hydrate) (CAS No. 211446-46-7) (provided for in subheading 2924.19.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107279. NOVIFLUMURON.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.20.83	N-[[3,5-Dichloro-2-fluoro-4-(1,1,2,3,3,3-hexafluoropropoxy)phenyl]carbamoyl]-2,6-difluorobenzamide (Noviflumuron) (CAS No. 121451-02-3) (provided for in subheading 2924.21.20) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107280. PROPANIL TECHNICAL.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.20.84	N-(3,4-dichlorophenyl)propanamide (CAS No. 709-98-8) (provided for in subheading 2924.29.47)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107281. HEXAFLUMURON.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.20.85	N-[[3,5-Dichloro-4-(1,1,2,2-tetrafluoroethoxy)phenyl]carbamoyl]-2,6-difluorobenzamide (Hexaflumuron) (CAS No. 86479-06-3) (provided for in subheading 2924.29.47)	4.4%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107282. STABILIZER FOR PLASTICS AND RUBBER.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.86	3-(3,5-Ditert-butyl-4-hydroxyphenyl)-N-[3-[3-(3,5-ditert-butyl-4-hydroxyphenyl)propanoylamino]propyl]propanamide (CAS No. 69851-61-2) (provided for in subheading 2924.29.71)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107283. 2-AMINO-5-CHLORO-N,3-DIMETHYLBENZAMIDE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.87	2-Amino-5-chloro-N,3-dimethylbenzamide (CAS No. 890707-28-5) (provided for in subheading 2924.29.71) ...	6.1%	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107284. GLYCYL-L-TYROSINE DIHYDRATE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.88	Glycyl-L-tyrosine dihydrate ((2S)-2-[(2-aminoacetyl)amino]-3-(4-hydroxyphenyl)propanoic acid;dihydrate) (CAS No. 39630-46-1) (provided for in subheading 2924.29.71)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107285. L-ALANYL-L-TYROSINE.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.20.89	L-Alanyl L-tyrosine ((2S)-2-[[[(2S)-2-aminopropanoyl]amino]-3-(4-hydroxyphenyl)propanoic acid] (CAS No. 3061-88-9) (provided for in subheading 2924.29.71)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107286. ENZALUTAMIDE ITS-2.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.20.90	2-[3-Fluoro-4-(methylcarbamoyl)anilino]-2-methylpropanoic acid (CAS No. 1289942-66-0) (provided for in subheading 2924.29.71)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107287. 4-BROMO-2-FLUORO-N-METHYLBENZAMIDE.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.20.91	4-Bromo-2-fluoro-N-methylbenzamide (CAS No. 749927-69-3) (provided for in subheading 2924.29.71) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107288. N-BOC-1-AMINOCYCLOBUTANECARBOXYLIC**
 8 **ACID.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.20.92	1-[(2-Methylpropan-2-yl)oxycarbonylamino]cyclobutane-1-carboxylic acid (CAS No. 120728-10-1) (provided for in subheading 2924.29.95)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107289. N'-(1,3-DIMETHYLBUTYLIDENE)-3-HYDROXY-2-**
 12 **NAPHTHOHYDRAZIDE (BMH) (OIL TREATED).**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.20.93	3-Hydroxy-N-[(Z)-4-methylpentan-2-ylideneamino]naphthalene-2-carboxamide (CAS No. 214417-91-1), oil treated (provided for in subheading 2925.19.42)	3.5%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107290. GUANIDINE SULFAMATE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.94	Guanidine sulfamic acid (CAS No. 50979-18-5) (provided for in subheading 2925.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107291. LIQUID, BLOCKED CYCLOALIPHATIC DIAMINE

5 USED AS CROSSLINKER FOR
6 POLYISOCYANATE RESINS.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.20.95	2-Methyl-N-[[1,3,3-trimethyl-5-(2-methylpropylideneamino)cyclohexyl]methyl]propan-1-imine (CAS No. 54914-37-3) (provided for in subheading 2925.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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9 SEC. 107292. 3,4-DIFLUOROBENZONITRILE.

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.20.96	3,4-Difluorobenzonitrile (CAS No. 64248-62-0) (provided for in subheading 2926.90.43)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107293. 2-AMINO-5-CYANO-N,3-DIMETHYLBENZAMIDE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.20.97	2-Amino-5-cyano-N,3-dimethylbenzamide (CAS No. 890707-29-6) (provided for in subheading 2926.90.43) ...	4.5%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107294. TFMPA.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.20.98	2-[3-(Trifluoromethyl)phenyl]acetonitrile (CAS No. 2338-76-3) (provided for in subheading 2926.90.48)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107295. DIMETHYL 2,2'-AZOBISISOBUTYRATE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.20.99	Methyl 2-[(1-methoxy-2-methyl-1-oxopropan-2-yl)diazenyl]-2-methylpropanoate (CAS No. 2589-57-3) (provided for in subheading 2927.00.40)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107296. ANTIOXIDANT/METAL DEACTIVATOR.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.21.01	3-(3,5-Ditert-butyl-4-hydroxyphenyl)-N'-[3-(3,5-ditert-butyl-4-hydroxyphenyl)propanoyl]propanehydrazide (CAS No. 32687-78-8) (provided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107297. BENZYL CARBAZATE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.02	Benzyl N-aminocarbamate (CAS No. 5331-43-1) (pro- vided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107298. BENZENE-1,3-DICARBOHYDRAZIDE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.03	Benzene-1,3-dicarbohydrazide (CAS No. 2760-98-7) (pro- vided for in subheading 2928.00.25)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107299. INPUT FOR RESINS, COATINGS, AND OTHER**
8 **PRODUCTS.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.21.04	1,3-Bis(isocyanatomethyl) cyclohexane (CAS No. 38661-72-2) (provided for in subheading 2929.10.55)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107300. ALDICARB.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.21.05	[(E)-(2-Methyl-2- methylsulfanylpropyliden- e)amino] N-methylcarbamate (Aldicarb) (CAS No. 116- 06-3) (provided for in sub- heading 2930.80.00)	2.9%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107301. FLUBENDIAMIDE.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.21.06	1-N-[4-(1,1,1,2,3,3,3-Heptafluoropropan-2-yl)-2-methylphenyl]-3-iodo-2-N-(2-methyl-1-methylsulfonylpropan-2-yl)benzene-1,2-dicarboxamide (Flubendiamide) (CAS No. 272451-65-7) (provided for in subheading 2930.90.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107302. BENZOBICYCLON.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.21.07	3-[2-Chloro-4-(methylsulfonyl)benzoyl]-4-(phenylsulfanyl)bicyclo[3.2.1]oct-3-en-2-one (Benzobicyclon) (CAS No. 156963-66-5) (provided for in subheading 2930.90.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107303. DIPHENYLSULFONE (DPS).**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.21.08	Benzenesulfonylbenzene (CAS No. 127-63-9) (provided for in subheading 2930.90.29) ...	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107304. PHENOLIC ANTIOXIDANT.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.21.09	2,4-bis(Dodecylsulfanylmethyl)-6-methylphenol (CAS No. 110675-26-8) (provided for in subheading 2930.90.29) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107305. PHENOLIC ANTIOXIDANT AND HEAT STA-**
 2 **BILIZER.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.21.10	2-[2-[3-(3,5-ditert-Butyl-4-hydroxyphenyl)propanoyloxy]ethylsulfanyl]ethyl 3-(3,5-ditert-butyl-4-hydroxyphenyl)propanoate (CAS No. 41484-35-9) (provided for in subheading 2930.90.29)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107306. PHENYLCHLOROTHIOFORMATE (PTCFM).**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.21.11	o-Phenyl chloromethanethioate (CAS No. 1005-56-7) (provided for in subheading 2930.90.29)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107307. METHYLENE BIS THIOCYANATE.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.21.12	Thiocyanatomethyl thiocyanate (CAS No. 6317-18-6) (provided for in subheading 2930.90.30)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107308. OXAMYL.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.21.13	Methyl (1Z)-2-(dimethylamino)-N-(methylcarbamoyloxy)-2-oxoethanimidothioate (CAS No. 23135-22-0) (provided for in subheading 2930.90.43)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107309. L-CYSTINE.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.21.14	(2R)-2-Amino-3-[[2-(2-amino-2-carboxyethyl)disulfanyl]propanoic acid (CAS No. 56-89-3) (provided for in subheading 2930.90.49)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107310. L-CYSTEINE.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.21.15	(2R)-2-Amino-3-sulfanylpropanoic acid (L-cysteine) (CAS No. 52-90-4) (provided for in subheading 2930.90.49)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107311. N,N'-BIS-L-ALANYL-L-CYSTINE.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.21.16	2-(2-Aminopropanoylamino)-3-[[2-(2-aminopropanoylamino)-2-carboxyethyl]disulfanyl]propanoic acid (N,N'-bis-L-alanyl-L-cysteine) (CAS No. 115888-13-6) (provided for in subheading 2930.90.49)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107312. LUBRICANT ADDITIVE.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.21.17	3-[bis(2-Methylpropoxy)phosphinothioylsulfanyl]-2-methylpropanoic acid (CAS No. 268567-32-4) (provided for in subheading 2930.90.49)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107313. SODIUM BENZENESULFINATE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.18	Sodium benzenesulfinate (CAS No. 873-55-2) (provided for in subheading 2930.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107314. THIO-ETHER BASED CO-STABILIZER FOR PLAS-
5 TICS.

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.21.19	1-(Octadecylsulfanyloctadecane (CAS No. 2500-88-1) (provided for in subheading 2930.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107315. L-CYSTEINE HYDRATE HYDROCHLORIDE.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.21.20	(2R)-2-Amino-3-sulfanylpropanoic acid;hydrate;hydrochloride (CAS No. 7048-04-6) (provided for in subheading 2930.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107316. DIMERCAPROL.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.21.21	2,3-Bis(sulfanyl)propan-1-ol (CAS No. 59-52-9) (provided for in subheading 2930.90.91)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107317. MONOAMMONIUM SALT OF GLYPHOSATE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.22	Azane;2-(phosphonomethylamino)acetic acid (CAS No. 40465-66-5) (provided for in subheading 2931.39.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107318. THPC.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.23	Tetrakis(hydroxymethyl) phosphonium chloride (CAS No. 124-64-1) (provided for in subheading 2931.39.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107319. FLAME RETARDANT FOR TEXTILES.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.21.24	Tetrakis(hydroxymethyl) phosphonium sulfate (CAS No. 55566-30-8) (provided for in subheading 2931.39.00)	1.5%	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107320. GLYPHOSATE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.21.25	N-(Phosphonomethyl)glycine (Glyphosate) (CAS No. 1071-83-6) (provided for in subheading 2931.39.00)	3.5%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107321. ETHEPHON.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.21.26	(2-Chloroethyl)phosphonic acid (Ethephon) (CAS No. 16672-87-0) (provided for in subheading 2931.39.00)	2.4%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107322. BENZENE PHOSPHINIC ACID.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.21.27	Phenylphosphinic acid (CAS No. 1779-48-2) (provided for in subheading 2931.39.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107323. HEDP.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.21.28	Tetrasodium;1,1-diphosphonatoethanol (CAS No. 3794-83-0), in granule form, with a particle size of 250 µm to 850 µm (provided for in subheading 2931.39.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107324. TRIMETHYLCHLOROSILANE.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.21.29	Chloro(trimethyl)silane (CAS No. 75-77-4) (provided for in subheading 2931.90.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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13 SEC. 107325. CHLORO-(CHLOROMETHYL)-DIMETHYLSILANE.

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.21.30	Chloro-(chloromethyl)-dimethylsilane (CAS No. 1719-57-9) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107326. SILICONE FOR ELECTRONICS CLEANERS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.31	[Dimethyl(trimethylsilyloxy)silyloxy-dimethyl-trimethylsilyloxysilane (CAS No. 141-62-8) (provided for in subheading 2931.90.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107327. SILICON CARRIER FLUID FOR ACTIVE LO-
5 TIONS, CREAMS.

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.21.32	Dodecamethylpentasiloxane; bis[[dimethyl(trimethylsilyloxy)silyloxy]-dimethylsilane (CAS No. 141-63-9) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107328. VINYLTRIMETHOXYSILANE.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.21.33	Ethenyl(trimethoxy)silane (CAS No. 2768-02-7) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107329. N-OCTYLTRIETHOXYSILANE.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.21.34	Triethoxy(octyl)silane (CAS No. 2943-75-1) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107330. DIMETHYLBIS(S-BUTYLAMINO)SILANE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.35	N-[(Butan-2-ylamino)-dimethylsilyl]butan-2-amine (CAS No. 93777-98-1) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 107331. AQUEOUS SOLUTION OF POTASSIUM METHYL
5 SILICONATE.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.21.36	Tripotassium; methyl(trioxido)silane in aqueous solution (CAS No. 31795-24-1) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107332. OCTYLTRIMETHOXYSILANE.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.21.37	Trimethoxy(2,4,4-trimethylpentyl)silane (CAS No. 34396-03-7) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107333. OCTLYTRIETHOXYSILANE.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.21.38	Triethoxy(2,4,4-trimethylpentyl)silane (CAS No. 35435-21-3) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107334. METHYLTRIS(SEC-BUTYLAMINO)SILANE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.40	N-[Bis(butan-2-ylamino)methylsilyl]butan-2-amine (CAS No. 37697-65-7) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107335.**

5 **METHYLTRIS(METHYLETHYLKETOXIMINO)**

6 **SILANE (MOS).**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.21.41	(E)-N-[Bis[(E)-butan-2-ylideneamino]oxy]methylsilyl]oxybutan-2-imine (CAS No. 22984-54-9) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107336. HEPTAMETHYLTRISILOXANE.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.21.42	Methylbis(trimethylsilyloxy)silicon (CAS No. 1873-88-7) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 107337. TETRAMETHYLDISILOXANE.**

13 Subchapter II of chapter 99 is amended by inserting
14 in numerical sequence the following new heading:

“	9902.21.43	1,1,3,3-Tetramethyldisiloxane (CAS No. 3277-26-7) (provided for in subheading 2931.90.90)	1%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107338. DIMETHYLCHLOROSILANE.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.44	Chloro(dimethyl)silicon (CAS No. 1066-35-9) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107339. DICHLOROMETHYLSILANE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.45	Dichloromethylsilane (CAS No. 75-54-7) (provided for in subheading 2931.90.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107340. TRIS(TFP)-METHYLCYCLO-TRISILOXANE DR.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.21.46	2,4,6-Trimethyl-2,4,6-tris(3,3,3-trifluoropropyl)-1,3,5,2,4,6-trioxatrisilane (CAS No. 2374-14-3) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107341. TETRAVINYL TETRAMETHYLCYCLOTETRA-**
11 **SILOXANE.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.21.47	2,4,6,8-Tetrakis(ethenyl)- 2,4,6,8-tetramethyl- 1,3,5,7,2,4,6,8- tetraoxatetrasiloxane (CAS No. 2554-06-5) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107342. DIVINYLTETRAMETHYLDISILOXANE.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.21.48	Ethenyl-[eth- enyl(dimethyl)silyl]oxy- dimethylsilane (CAS No. 2627-95-4) (provided for in subheading 2931.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107343. INPUT FOR PLANT PROTECTION AGENT.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.21.49	Cyclopropanol, 2- (butyldimethylsilyl)-1-methyl-, 1-metanasulfonate (CAS No. 1446996-86-6) (provided for in subheading 2931.90.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107344. STRAWBERRY FURANONE.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.21.50	4-Hydroxy-2,5-dimethylfuran- 3-one (CAS No. 3658-77-3) (provided for in subheading 2932.19.51)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107345. EMAMECTIN BENZOATE.

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.21.51	(4''R)-4''-Deoxy-4''-(methylamino)avermectin b1 benzoate (CAS No. 155569-91-8) (provided for in subheading 2932.20.10)	5.3%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107346. GIBBERELIC ACID.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.52	(1R,2R,5S,8S,9S,10R,11S,12S)-5,12-Dihydroxy-11-methyl-6-methylidene-16-oxo-15-oxapentacyclo [9.3.2.15,8.01,10.02,8] heptadec-13-ene-9-carboxylic acid (Gibberelic acid) (CAS No. 77-06-5) (provided for in subheading 2932.20.50) ...	1.9%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107347. ROSE OXIDE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.53	4-Methyl-2-(2-methylprop-1-enyl)oxane (CAS No. 16409-43-1) (provided for in subheading 2932.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107348. VINYLENE CARBONATE.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.21.54	1,3-Dioxol-2-one (CAS No. 872-36-6) (provided for in subheading 2932.99.90)	0.5%	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107349. KASUGAMYCIN TECHNICAL.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.21.55	2-Amino-2-[(2R,3S,5S,6R)-5-amino-2-methyl-6-[(2S,3S,5S,6R)-2,3,4,5,6-pentahydroxycyclohexyl]oxyoxan-3-yl]iminoacetic acid;hydrochloride (CAS No. 19408-46-9) (provided for in subheading 2932.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107350. 2H-CYCLODODECA[B]PYRAN.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.56	3,4,5,6,7,8,9,10,11,12,13,14-Dodecahydro-2H-cyclododeca[b]pyran (CAS No. 32539-83-6) (provided for in subheading 2932.99.90)	1%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107351. BIXAFEN.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.57	N-[2-(3,4-Dichlorophenyl)-4-fluorophenyl]-3-(difluoromethyl)-1-methylpyrazole-4-carboxamide (CAS No. 581809-46-3) (provided for in subheading 2933.19.23)	2.6%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107352. FLUXAPYROXAD.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.21.58	3-(Difluoromethyl)-1-methyl-N-(3',4',5'-trifluorobiphenyl-2-yl)pyrazole-4-carboxamide (Fluxapyroxad) (CAS No. 907204-31-3) (provided for in subheading 2933.19.23) ...	5.7%	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107353. 3,5 DIMETHYLPYRAZOLE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.21.59	3,5-Dimethyl-1H-pyrazole (CAS No. 67–51–6) (provided for in subheading 2933.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107354. PYRACLONIL.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.60	1-(3-Chloro-4,5,6,7-tetrahydropyrazolo[1,5-a]pyridin-2-yl)-5-[methyl(prop-2-ynyl)amino]pyrazole-4-carbonitrile (Pyraclo-nil) (CAS No. 158353–15–2) (provided for in subheading 2933.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107355. IMIDAZOLIDINYL UREA.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.61	1-[3-(Hydroxymethyl)-2,5-dioximidazolidin-4-yl]-3-[[[3-(hydroxymethyl)-2,5-dioximidazolidin-4-yl] carbamoylamino]methyl]urea (CAS No. 39236–46–9) (provided for in subheading 2933.21.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107356. ALLANTOIN.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.21.62	(2,5-Dioximidazolidin-4-yl)urea (CAS No. 97–59–6) (provided for in subheading 2933.21.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107357. EMULSIFIABLE CONCENTRATE OF IMAZALIL**
 2 **FUNGICIDE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.21.63	Mixtures of (1-[2-(allyloxy)-2-(2,4-dichlorophenyl)ethyl]-1H-imidazole) (Imazalil) (CAS No. 35554-44-0) and application adjuvants (provided for in subheading 2933.29.35)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107358. TECHNICAL CYAZOFAMID FUNGICIDE.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.21.64	4-Chloro-2-cyano-N,N-dimethyl-5-(4-methylphenyl)imidazole-1-sulfonamide (Cyazofamid) (CAS No. 120116-88-3) (provided for in subheading 2933.29.35)	3.1%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107359. IMAZALIL SULFATE.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.21.65	1-[2-(2,4-Dichlorophenyl)-2-(prop-2-en-1-yloxy)ethyl]-1H-imidazole sulfate (Imazalil sulfate) (CAS No. 58594-72-2) (provided for in subheading 2933.29.35)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107360. 1,2-DIMETHYLIMIDAZOLE.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.21.66	1,2-Dimethylimidazole (CAS No. 1739-84-0) (provided for in subheading 2933.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107361. 2-METHYLIMIDAZOLE FLAKES.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.67	2-Methyl-1H-imidazole (CAS No. 693-98-1) (provided for in subheading 2933.29.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107362. DIAZOLIDINYL UREA.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.68	1-[1,3-Bis(hydroxymethyl)-2,5-dioximidazolidin-4-yl]-1,3-bis(hydroxymethyl)urea (CAS No. 78491-02-8) (provided for in subheading 2933.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107363. 1-(2-AMINOETHYL)IMIDAZOLIDIN-2-ONE (AEEU).**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.21.69	1-(2-Aminoethyl)imidazolidin-2-one (CAS No. 6281-42-1) (provided for in subheading 2933.29.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107364. ZINC PYRITHIONE.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.21.70	Zinc;1-oxidopyridin-1-ium-2-thiolate (CAS No. 13463-41-7) (provided for in subheading 2933.39.21)	Free	No change	No change	On or before 12/31/2023	”.
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13 **SEC. 107365. TECHNICAL PYRIOFENONE FUNGICIDE.**

14 Subchapter II of chapter 99 is amended by inserting
15 in numerical sequence the following new heading:

“	9902.21.71	(5-Chloro-2-methoxy-4-methyl-3-pyridyl)(4,5,6-trimethoxy-o-tolyl)methanone (Pyriofenone) (CAS No. 688046-61-9) (provided for in subheading 2933.39.21) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107366. PICOXYSTROBIN.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.72	Methyl (E)-3-methoxy-2-[2-[[6-(trifluoromethyl)pyridin-2-yl]oxymethyl]phenyl]prop-2-enoate (Picoxystrobin) (CAS No. 117428-22-5) (provided for in subheading 2933.39.21)	5.2%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107367. TRICLOPYR BEE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.73	2-Butoxyethyl 2-(3,5,6-trichloropyridin-2-yl)oxyacetate (CAS No. 64700-56-7) (provided for in subheading 2933.39.25)	1.6%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107368. IMAZAPYR.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.21.74	2-(4-Methyl-5-oxo-4-propan-2-yl-1H-imidazol-2-yl)pyridine-3-carboxylic acid (Imazapyr) (CAS No. 81334-34-1) (provided for in subheading 2933.39.25)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107369. TETRANILIPROLE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.21.75	2-(3-Chloropyridin-2-yl)-N-[4-cyano-2-methyl-6-(methylearbamoyl)phenyl]-5-[[5-(trifluoromethyl)tetrazol-2-yl]methyl]pyrazole-3-carboxamide (CAS No. 1229654-66-3) (provided for in subheading 2933.39.27) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107370. CYANTRANILIPROLE.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.21.76	5-Bromo-2-(3-chloropyridin-2-yl)-N-[4-cyano-2-methyl-6-(methylearbamoyl)phenyl]pyrazole-3-carboxamide (Cyantraniliprole) (CAS No. 736994-63-1) (provided for in subheading 2933.39.27) ...	3.1%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107371. CHLORANTRANILIPROLE.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.21.77	5-Bromo-N-[4-chloro-2-methyl-6-(methylearbamoyl)phenyl]-2-(3-chloropyridin-2-yl)pyrazole-3-carboxamide (Chlorantraniliprole) (CAS No. 500008-45-7) (provided for in subheading 2933.39.27)	4.8%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107372. CHLORPYRIFOS.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.21.78	O,O-Diethyl O-3,5,6-trichloropyridin-2-yl phosphorothioate (Chlorpyrifos) (CAS No. 2921-88-2) (provided for in subheading 2933.39.27)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107373. TECHNICAL CYCLANILIPROLE INSECTICIDE.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.21.79	3-Bromo-N-[2-bromo-4-chloro-6-[[[1-cyclopropylethylamino]carbonyl]phenyl]-1-(3-chloro-2-pyridinyl)-1H-pyrazole-5-carboxamide (Cyclaniliprole) (CAS No. 1031756-98-5) (provided for in subheading 2933.39.27) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107374. REGORAFENIB.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.21.80	4-[4-[4-Chloro-3-(trifluoromethyl)phenyl]carbamoylamino]-3-fluorophenoxy]-N-methylpyridine-2-carboxamide monohydrate (Regorafenib) (CAS No. 1019206-88-2) (provided for in subheading 2933.39.41)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107375. N-BUTYL-TAD.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.21.81	N-Butyl-2,2,6,6-tetramethylpiperidin-4-amine (CAS No. 36177-92-1) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107376. HINDERED AMINE LIGHT STABILIZER AND**
 11 **PHENOLIC ANTIOXIDANT.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.21.82	Bis(1,2,2,6,6-pentamethylpiperidin-4-yl) 2-butyl-2-[(3,5-ditert-butyl-4-hydroxyphenyl)methyl]propanedioate (CAS No. 63843-89-0) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107377. 4-HYDROXY-TEMPO.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.83	4-Hydroxy-2,2,6,6-tetramethylpiperidinoxyl (CAS No. 2226-96-2) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107378. 2,2,6,6-TETRAMETHYLPYPERIDIN-4-OL (TMP).

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.84	2,2,6,6-Tetramethylpiperidin-4-ol (CAS No. 2403-88-5) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 107379. 5-BROMO-2-(3-CHLOROPYRIDIN-2-
8 YL)PYRAZOLE-3-CARBOXYLIC ACID.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.21.85	5-Bromo-2-(3-chloropyridin-2-yl)pyrazole-3-carboxylic acid (CAS No. 500011-86-9) (provided for in subheading 2933.39.61)	6.4%	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107380. 2-CHLORO-5-(TRIFLUOROMETHYL)PYRIDINE.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.21.86	2-Chloro-5-(trifluoromethyl)pyridine (CAS No. 52334-81-3) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107381. PICARBUTROX.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.87	Tert-butyl N-[6-[(Z)-[(1-methyltetrazol-5-yl)-phenylmethylidene]amino]oxymethyl]pyridin-2-yl]carbamate (CAS No. 500207-04-5) (provided for in subheading 2933.39.61) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107382. 5-AMINO-3-(TRIFLUROMETHYL) PICOLINO-
5 NITRILE (T3630).

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.21.88	5-Amino-3-(trifluoromethyl)pyridine-2-carbonitrile (T3630) (CAS No. 573762-62-6) (provided for in subheading 2933.39.61)	3.5%	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107383. DEXTROMETHORPHAN HYDROBROMIDE.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.21.89	Dextromethorphan hydrobromide (monohydrate (CAS No. 6700-34-1) or anhydrous (CAS No. 125-69-9)) (provided for in subheading 2933.49.26)	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107384. IPFLUFENOQUIN.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.21.90	2-[2-(7,8-Difluoro-2-methylquinolin-3-yl)oxy-6-fluorophenyl]propan-2-ol (CAS No. 1314008-27-9) (provided for in subheading 2933.49.30)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107385. THQ.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.91	1,2,3,4-Tetrahydroquinoline (CAS No. 635-46-1) (provided for in subheading 2933.49.70)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107386. PYRITHIOBAC SODIUM.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.21.92	Sodium 2-chloro-6-(4,6-dimethoxypyrimidin-2-yl)sulfanylbenzoate (CAS No. 123343-16-8) (provided for in subheading 2933.59.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107387. LAROTRECTINIB SULFATE.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.21.93	(3S)-N-[5-[(2R)-2-(2,5-Difluorophenyl)pyrrolidin-1-yl]pyrazolo[1,5-a]pyrimidin-3-yl]-3-hydroxypyridine-1-carboxamide sulfuric acid (Larotrectinib sulfate) (CAS No. 1223405-08-0) (provided for in subheading 2933.59.53)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107388. IBRUTINIB.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.21.94	1-[(3R)-3-[4-Amino-3-(4-phenoxyphenyl)pyrazolo[3,4-d]pyrimidin-1-yl]piperidin-1-yl]prop-2-en-1-one (Ibrutinib) (CAS No. 936563-96-1) (provided for in subheading 2933.59.53)	5.1%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107389. ORTHOSULFAMURON.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.21.95	1-(4,6-Dimethoxypyrimidin-2-yl)-3-[2-(dimethylcarbamoyl)phenylsulfamoyl]urea (Orthosulfamuron) (CAS No. 213464-77-8) (provided for in subheading 2933.59.95) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107390. 5-BROMOPYRIMIDINE.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.21.96	5-Bromopyrimidine (CAS No. 4595-59-9) (provided for in subheading 2933.59.95)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107391. BUTYLTHION.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.21.97	4-Amino-6-tert-butyl-3-sulfanylidene-2H-1,2,4-triazin-5-one (Butylthion) (CAS No. 33509-43-2) (provided for in subheading 2933.69.60)	1%	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107392. P-1062.

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.21.98	4-[4,6-Bis(2,4-dimethylphenyl)-1,3,5-triazin-2-yl]benzene-1,3-diol (P-1062) (CAS No. 1668-53-7) (provided for in subheading 2933.69.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107393. CARFENTRAZONE TECHNICAL.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.21.99	Ethyl 2-chloro-3-[2-chloro-5-[4-(difluoromethyl)-3-methyl-5-oxo-1,2,4-triazol-1-yl]-4-fluorophenyl]propanoate (Carfentrazone-ethyl) (CAS No. 128639-02-1) (provided for in subheading 2933.99.22)	3.3%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107394. UV ABSORBER 928.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.01	2-(Benzotriazol-2-yl)-6-(2-phenylpropan-2-yl)-4-(2,4,4-trimethylpentan-2-yl)phenol (CAS No. 73936-91-1) (provided for in subheading 2933.99.79)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107395. UV ABSORBER FOR INDUSTRIAL COATINGS.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.02	Methyl 3-[3-(benzotriazol-2-yl)-5-tert-butyl-4-hydroxyphenyl]propanoate (CAS No. 84268-33-7) (provided for in subheading 2933.99.79)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107396. UNICONAZOLE-P.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.22.03	(4Z)-5-(4-Chlorophenyl)-2,2-dimethyl-4-(1H-1,2,4-triazol-1-yl)-4-hexen-3-ol (Uniconazole-P) (CAS No. 83657-17-4) (provided for in subheading 2933.99.79)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107397. VCMMAE.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.22.04	[4-[[[(2S)-5-(Carbamoylamino)-2-[[[(2S)-2-[6-(2,5-dioxopyrrol-1-yl)hexanoylamino]-3-methylbutanoyl]amino]pentanoyl]amino]phenyl]methyl N-[(2S)-1-[[[(2S)-1-[[[(3R,4S,5S)-1-[(2S)-2-[[[(1R,2R)-3-[[[(1S,2R)-1-hydroxy-1-phenylpropan-2-yl]amino]-1-methoxy-2-methyl-3-oxopropyl]pyrrolidin-1-yl]-3-methoxy-5-methyl-1-oxoheptan-4-yl]-methylamino]-3-methyl-1-oxobutan-2-yl]amino]-3-methyl-1-oxobutan-2-yl]-N-methylcarbamate (CAS No. 646502-53-6) (provided for in subheading 2933.99.79) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107398. UVA 360.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.22.05	2-(Benzotriazol-2-yl)-6-[[[3-(benzotriazol-2-yl)-2-hydroxy-5-(2,4,4-trimethylpentan-2-yl)phenyl]methyl]-4-(2,4,4-trimethylpentan-2-yl)phenol (CAS No. 103597-45-1) (provided for in subheading 2933.99.79)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107399. TROFINETIDE.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.22.06	(2S)-2-[(2S)-1-(2-Aminoacetyl)-2-methylpyrrolidine-2-carbonylamino]pentanedioic acid (Trofinetide) (CAS No. 853400–76–7) (provided for in subheading 2933.99.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107400. FLURAZOLE.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.22.07	Benzyl 2-chloro-4-(trifluoromethyl)-1,3-thiazole-5-carboxylate (CAS No. 72850–64–7) (provided for in subheading 2934.10.10)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107401. OXATHIPIPROLIN.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.22.08	1-(4-{4-[5-(2,6-Difluorophenyl)-4,5-dihydro-1,2-oxazol-3-yl]-1,3-thiazol-2-yl}-1-piperidinyl)-2-[5-methyl-3-(trifluoromethyl)-1H-pyrazol-1-yl]ethanone (Oxathiapiprolin) (CAS No. 1003318–67–9) (provided for in subheading 2934.10.10) ...	5.5%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107402. CERTAIN ANTIMICROBIAL.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.22.09	2-Methyl-1,2-thiazol-3-one (CAS No. 2682–20–4) (provided for in subheading 2934.10.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107403. RUBBER ACCELERATOR.

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.22.10	2-(1,3-Benzothiazol-2-yl)disulfanyl)-1,3-benzothiazole (CAS No. 120-78-5) (provided for in subheading 2934.20.10)	2.5%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107404. 2-AMINO BENZOTHAZOLE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.11	1,3-Benzothiazol-2-amine (CAS No. 136-95-8) (provided for in subheading 2934.20.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107405. TECHNICAL ISOFETAMID FUNGICIDE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.12	3-Methyl-N-[2-methyl-1-(2-methyl-4-propan-2-yloxyphenyl)-1-oxopropan-2-yl]thiophene-2-carboxamide (Isofetamid) (CAS No. 875915-78-9) (provided for in subheading 2934.99.12) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107406. CLOMAZONE TECHNICAL.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.13	2-[(2-Chlorophenyl)methyl]-4,4-dimethyl-1,2-oxazolidin-3-one (Clomazone) (CAS No. 81777-89-1) (provided for in subheading 2934.99.15)	5.5%	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107407. NEM SALT.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.22.14	4-(4-Methylphenyl)-4-oxobutanoic acid-4-ethylmorpholine (2:1) (CAS No. 171054-89-0) (provided for in subheading 2934.99.39)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107408. AMTC WET CAKE.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.22.15	5-Amino-3-methylthiophene-2,4-dicarbonitrile (CAS No. 52603-48-2) (provided for in subheading 2934.99.39)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107409. PHOTOINITIATOR 369.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.22.16	2-Benzyl-2-(dimethylamino)-1-(4-morpholin-4-ylphenyl)butan-1-one (CAS No. 119313-12-1) (provided for in subheading 2934.99.39)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107410. ISATOIC ANHYDRIDE.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.22.17	2H-3,1-Benzoxazine-2,4(1H)-dione (Isatoic anhydride) (CAS No. 118-48-9) (provided for in subheading 2934.99.44)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107411. OCLACITINIB MALEATE.

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.22.18	(Z)-But-2-enedioic acid; N-methyl-1-[4-[methyl(7H-pyrrolo[2,3-d]pyrimidin-4-yl)amino]cyclohexyl]methanesulfonamide (CAS No. 1208319-27-0) (provided for in subheading 2935.90.60)	5.2%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107412. THIENCARBAZONE-METHYL.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.22.19	Methyl 4-[(3-methoxy-4-methyl-5-oxo-1,2,4-triazole-1-carbonyl)sulfamoyl]-5-methylthiophene-3-carboxylate (Thiencarbazone-methyl) (CAS No. 317815-83-1) (provided for in subheading 2935.90.75)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107413. PENOXSULAM TECHNICAL HERBICIDE.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.22.20	2-(2,2-Difluoroethoxy)-N-(5,8-dimethoxy-[1,2,4]triazolo[1,5-c]pyrimidin-2-yl)-6-(trifluoromethyl)benzenesulfonamide (Penoxsulam) (CAS No. 219714-96-2) (provided for in subheading 2935.90.75) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107414. ETHYL 2-SULFAMOYLBENZOATE.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.22.21	Ethyl 2-(Aminosulfonyl)benzoate (CAS No. 59777-72-9) (provided for in subheading 2935.90.75)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107415. SULFOSULFURON.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.22	1-(4,6-Dimethoxypyrimidin-2-yl)-3-(2-ethylsulfonylimidazo[1,2-a]pyridin-3-yl)sulfonylurea (Sulfosulfuron) (CAS No. 141776-32-1) (provided for in subheading 2935.90.75) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107416. PYRIMISULFAN.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.23	(RS)-2'-[(4,6-dimethoxypyrimidin-2-yl)(hydroxymethyl)-1,1-difluoro-6'-(methoxymethyl)methanesulfonanilide (Pyrimisulfan) (CAS No. 221205-90-9) (provided for in subheading 2935.90.95) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107417. PURIFIED STEVIOL GLYCOSIDE,**
 8 **REBAUDIOSIDE A.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.22.24	Purified steviol glycosides, containing not less than 95 percent by weight rebaudioside A (19-O-β-glucopyranosyl-13-O-(β-glucopyranosyl(1-2)-β-glucopyranosyl(1-3))-β-glucopyranosyl-13-hydroxykaur-16-en-19-oic acid) (CAS No. 58543-16-1) (provided for in subheading 2938.90.00)	2.5%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107418. GLUCOSYLATED STEVIOL GLYCOSIDES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.25	13-[(2-O-β-D-Glucopyranosyl- α-D-glucopyranosyl)oxy]kaur- 16-en-18-oic acid β-D- glucopyranosyl ester (Stevio- side) (CAS No. 57817-89-7) (provided for in subheading 2938.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107419. HYDROXYPROPYL GAMMA CYCLODEXTRIN.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.26	(2-Hydroxypropyl)-γ- cyclodextrin (hydroxypropylated γ- cyclodextrin) (CAS No. 128446-34-4) (provided for in subheading 2940.00.60) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107420. HYDROXYPROPYLATED BETA CYCLODEXTRIN.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.22.27	2-Hydroxypropyl-β- cyclodextrin (CAS No. 128446-35-5) (provided for in subheading 2940.00.60) ...	1%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107421. METHYL BETA CYCLODEXTRIN.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.22.28	Methyl β-cyclodextrin (CAS No. 128446-36-6) (provided for in subheading 2940.00.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107422. 2'-FUCOSYLLACTOSE.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.29	(2R,3R,4R,5R)-4- [(2S,3R,4S,5R,6R)-4,5- Dihydroxy-6- (hydroxymethyl)-3- [(2S,3S,4R,5S,6S)-3,4,5- trihydroxy-6-methyloxan-2- yl]oxyoxan-2-yl]oxy-2,3,5,6- tetrahydroxyhexanal (2'- Fucosyllactose) (CAS No. 41263–94–9) (provided for in subheading 2940.00.60)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107423. ASCORBYL GLUCOSIDE.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.30	(2R)-2-[(1S)-1,2- Dihydroxyethyl]-3-hydroxy-4- [(2R,3R,4S,5S,6R)-3,4,5- trihydroxy-6- (hydroxymethyl)oxan-2- yl]oxy-2H-furan-5-one (Ascorbyl glucoside) (CAS No. 129499–78–1) (provided for in subheading 2940.00.60)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107424. DIMETHYLAMINE BORANE (DMAB).**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.22.31	N-Methylmethanamine- borane (1:1) (CAS No. 74– 94–2) (provided for in sub- heading 2942.00.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107425. ELDERBERRY EXTRACT CONCENTRATE.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.22.32	Elderberry extract concentrate (CAS No. 84603-58-7) (provided for in subheading 3203.00.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107426. DISPERSE YELLOW 241.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.33	Disperse Yellow 241 (5-[(3,4-Dichlorophenyl)diazenyl]-2-hydroxy-1,4-dimethyl-6-oxopyridine-3-carbonitrile) (CAS No. 83249-52-9) (provided for in subheading 3204.11.35)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107427. DISPERSE ORANGE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.34	Disperse Orange (Acetic acid, cyano-[3-[(6-methoxy-2-benzothiazoyl)amino]-1H-isoindol-1-ylidene]-, pentyl ester) (CAS No. 173285-74-0) (provided for in subheading 3204.11.35)	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 107428. MIXTURES OF DISPERSE YELLOW FD11843 AND
8 ACETIC ACID.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.22.35	Mixtures of Disperse Yellow FD11843 (acetic acid, 2-[3-(2-benzothiazolylamino)-1H-isoindol-1-ylidene]-2-cyano-, butyl ester (CAS No. 173285-73-9)) and acetic acid, [3-(2-benzothiazolylamino)-1H-isoindol-1-ylidene]cyano-, 2-butoxyethyl ester (CAS No. 173285-94-4) (provided for in subheading 3204.11.35) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107429. DISPERSE BLUE 54.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.36	Disperse Blue 54 (1-Anilino-4,8-dihydroxy-5-nitroanthracene-9,10-dione) (CAS No. 37203-97-7) (provided for in subheading 3204.11.35)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107430. MIXTURES OF SEVERAL DISPERSE DYES.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.37	Mixtures of 9,10-anthracenedione, 1,5(or 1,8)-dihydroxy-4-nitro-8(or 5)-(phenylamino)- (Disperse Blue 54 and 77) (CAS No. 37203-97-7); 1,5(or 1,8)-diamino-2-bromo-4,8(or 4,5)-dihydroxy-9,10-anthracenedione (Disperse Blue 81 (mixture of isomers)) (CAS No. 68134-65-6); reaction products of 3-pyridinecarbonitrile, 5-[2-(2-cyano-4-nitrophenyl)diazenyl]-2-[[2-(2-hydroxyethoxy)ethyl]amino]-4-methyl-6-(phenylamino)- (Disperse Red 1042A) (CAS No. 149988-44-3) and 3-pyridinecarbonitrile, 5-[2-(2-cyano-4-nitrophenyl)diazenyl]-6-[[2-(2-hydroxyethoxy)ethyl]amino]-4-methyl-2-(phenylamino)- (Disperse Red T-1042) (CAS No. 137428-29-6); 4-[(5-cyano-6-hydroxy-1,4-dimethyl-2-oxopyridin-3-yl)diazenyl]-N-(2-ethylhexyl)benzamide (Disperse Yellow 198) (CAS No. 30449-81-1); 4,11-diamino-2-(3-methoxypropyl)naphtho[2,3-f]isoindole-1,3,5,10-tetrone (Disperse Blue 60 (M)) (CAS No. 12217-80-0); and 4,11-diamino-2-[3-(2-methoxyethoxy)propyl]naphtho[2,3-f]isoindole-1,3,5,10-tetrone (Disperse Blue 60 (ME)) (CAS No. 65059-45-2) (provided for in subheading 3204.11.35)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107431. MIXTURES OF 4 DISPERSE BLUE DYES.

- 2 Subchapter II of chapter 99 is amended by inserting
- 3 in numerical sequence the following new heading:

“	9902.22.38	Disperse dye mixtures of Disperse Blue 77 (1-anilino-4,5-dihydroxy-8-nitroanthracene-9,10-dione) (CAS No. 20241-76-3); Disperse Blue 60 (M) (4,11-diamino-2-(3-methoxypropyl)naphtho[2,3-f]isoindole-1,3,5,10-tetrone) (CAS No. 12217-80-0); Disperse Blue 60 (ME) (4,11-diamino-2-[3-(2-methoxyethoxy)propyl]-1H-naphth[2,3-f]isoindole-1,3,5,10(2H)-tetrone) (CAS No. 65059-45-2) and Disperse Blue 77/54 (1,8- and 1,5-Isomers) (1-anilino-4,8-dihydroxy-5-nitroanthracene-9,10-dione) (CAS No. 37203-97-7) (provided for in subheading 3204.11.35)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107432. MIXTURES OF 4 DYES.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.22.39	Disperse dye mixtures of Solvent Yellow 163 (1,8-bis(phenylsulfanyl) anthracene-9,10-dione) (CAS No. 13676-91-0); Disperse Yellow FD11843 (acetic acid, 2-[3-(2-benzothiazolylamino)-1H-isoindol-1-ylidene]-2-cyano-, butyl ester) (CAS No. 173285-73-9); acetic acid, [3-(2-benzothiazolylamino)-1H-isoindol-1-ylidene]cyano-, 2-butoxyethyl ester (CAS No. 173285-94-4); Disperse Orange FC 84508 (acetic acid, 2-cyano-2-[3-[(6-methoxy-2-benzothiazolyl)amino]-1H-isoindol-1-ylidene]-, pentyl ester) (CAS No. 173285-74-0) and Disperse Yellow 163 (3-[N-(2-cyanoethyl)-4-(2,6-dichloro-4-nitrophenyl)diazanyl]anilino]propanenitrile) (CAS No. 67923-43-7) (provided for in subheading 3204.11.35)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107433. DISPERSERED 86.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.22.40	Disperse Red 86 (N-(4-Amino-3-methoxy-9,10-dioxoanthracen-1-yl)-4-methylbenzenesulfonamide) (CAS No. 81-68-5) (provided for in subheading 3204.11.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107434. DISPERSE VIOLET 1.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.41	Disperse Violet 1 (1,4-Diaminoanthracene-9,10-dione) (CAS No. 128-95-0) (provided for in subheading 3204.11.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107435. DISPERSE BLUE 60.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.42	Disperse Blue 60 (4,11-Diamino-2-(3-methoxypropyl)-naphtho[2,3-f]isoindole-1,3,5,10-tetraone) (CAS No. 12217-80-0) (provided for in subheading 3204.11.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107436. MIXTURES OF DISPERSE ORANGE 29, DIS-
8 PERSE RED 167:1, AND DISPERSE BLUE 56.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.22.43	Disperse dye mixtures of Disperse Orange 29 (4-[[2-methoxy-4-[(4-nitrophenyl) diazenyl]phenyl] diazenyl]phenol) (CAS No. 19800-42-1); Disperse Red 167:1 (2-[3-acetamido-N-(2-acetyloxyethyl)-4-[(2-chloro-4-nitrophenyl) diazenyl] anilino]ethyl acetate) (CAS No. 1533-78-4); Disperse Blue 56 (1,8-diamino-2-bromo-4,5-dihydroxyanthracene-9,10-dione) (CAS No. 68134-65-6) and acetic acid, 2-[3-(2-benzothiazolylamino)-1H-isoindol-1-ylidene]-2-cyano-, 2-butoxyethyl ester (CAS No. 173285-94-4) (provided for in subheading 3204.11.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107437. DISPERSE YELLOW 54.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.44	Disperse Yellow 54 (3-Hydroxy-2-(3-hydroxyquinolin-2-yl)inden-1-one) (CAS No. 17772-51-9) (provided for in subheading 3204.11.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107438. ACID VIOLET 48.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.45	Acid Violet 48 (Disodium 3-[[[4-amino-9,10-dioxo-3-[2-sulfonato-4-(2,4,4-trimethylpentan-2-yl)phenoxy]anthracen-1-yl]amino]-2,4,6-trimethylbenzenesulfonate) (CAS No. 12220-51-8) (provided for in subheading 3204.12.17)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107439. ACID BLUE 280.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.46	Acid Blue 280 (Sodium 2-[[4-(cyclohexylamino)-9,10-dioxoanthracen-1-yl]amino]-5-ethoxybenzenesulfonate) (CAS No. 68214-62-0) (provided for in subheading 3204.12.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107440. ACID BROWN 282.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.22.47	Acid Brown 282 (Disodium;chromium(3+);5-methyl-4-[(5-nitro-2-oxidophenyl)diazenyl]-2-phenylpyrazol-3-olate;[7-nitro-3-oxido-4-[(2-oxido-1,4-dihydronaphthalen-1-yl)diazenyl]naphthalen-1-yl]sulfate) (CAS No. 70236-60-1) (provided for in subheading 3204.12.20)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107441. ACID RED 131.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.22.48	Acid Red 131 (CAS No. 12234-99-0) (provided for in subheading 3204.12.20)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107442. ACID RED 249.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.22.49	Acid Red 249 (Disodium 3-[(5-chloro-2-phenoxyphenyl)diazenyl]-4-hydroxy-5-[4-methylphenyl)sulfonylamino]naphthalene-2,7-disulfonate) (CAS No. 6416-66-6) (provided for in subheading 3204.12.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107443. ACID YELLOW 236.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.50	Acid Yellow 236 (CAS No. 77907–21–2) (provided for in subheading 3204.12.45)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107444. ACID RED 407.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.51	Acid Red 407 (CAS No. 146103–68–6) (provided for in subheading 3204.12.45) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107445. ACID YELLOW 220.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.22.52	Acid Yellow 220 (tetrasodium;2-[[3-[[[(Z)-1-(2-chloroanilino)-3-oxido-1-oxobut-2-en-2-yl]diazanyl]-4-oxidophenyl]sulfonylamino]benzoate; cobalt(2+)) (CAS No. 70851–34–2) (provided for in subheading 3204.12.45)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107446. ACID YELLOW 232.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.22.53	Acid Yellow 232 (Chromium, 2-[2-(4,5-dihydro-3-methyl-5-oxo-1-phenyl-1H-pyrazol-4-yl)diazanyl]benzoate 2-[2-(4,5-dihydro-3-methyl-5-oxo-1-phenyl-1H-pyrazol-4-yl)diazanyl]-5-sulfobenzoate lithium sodium complexes) (CAS No. 85828–89–3) (provided for in subheading 3204.12.45)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107447. ACID YELLOW 235.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.54	Acid Yellow 235 (CAS No. 90585-54-9) (provided for in subheading 3204.12.45)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107448. ACID YELLOW 151.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.55	Acid Yellow 151 (Sodium; 2-[[[(Z)-1-anilino-3-oxido-1-oxobut-2-en-2-yl]diazonyl]-4-sulfamoylphenolate; cobalt(3+)] (CAS No. 72496-88-9) (provided for in subheading 3204.12.45)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107449. ACID VIOLET 43.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.22.56	Acid Violet 43 (Sodium 2-[(4-hydroxy-9,10-dioxoanthracen-1-yl)amino]-5-methylbenzenesulfonate) (CAS No. 4430-18-6) (provided for in subheading 3204.12.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107450. ACID BLACK 52.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.22.58	Acid Black 52 (Tri-sodium;chromium;3-hydroxy-4-[(2-hydroxynaphthalen-1-yl)diazonyl]-7-nitronaphthalene-1-sulfonate) (CAS No. 5610-64-0) (provided for in subheading 3204.12.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107451. ACID BLACK 2.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.59	Acid Black 2 (Disodium 4-amino-5-hydroxy-3-[(E)-(4-nitrophenyl)diazenyl]-6-[(E)-phenyldiazenyl]-2,7-naphthalenedisulfonate) (CAS No. 8005-03-6) (provided for in subheading 3204.12.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107452. ACID GREEN 25.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.60	Acid Green 25 (Disodium;5-methyl-2-[[4-(4-methyl-2-sulfonatoanilino)-9,10-dioxoanthracen-1-yl]amino]benzenesulfonate) (CAS No. 4403-90-1) (provided for in subheading 3204.12.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107453. BASIC BROWN 23.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.22.61	Basic Brown 23 (CAS No. 446876-48-8) (provided for in subheading 3204.13.60) ...	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107454. BASIC VIOLET 11:1 RHODAMINE DYE.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.22.62	Basic Violet 11:1 (Bis{6-(diethylamino)-N,N-diethyl-9-[2-(methoxycarbonyl)phenyl]-3H-xanthen-3-iminium} tetrachlorozincate(2-)) (CAS No. 73398-89-7) (CIN 45174) (provided for in subheading 3204.13.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107455. BASIC YELLOW 37.

- 2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.63	Basic Yellow 37 (4-[4-(diethylamino)benzenecarboximidoyl]-N,N-diethylaniline; hydrochloride) (CAS No. 6358-36-7) (provided for in subheading 3204.13.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107456. BASIC VIOLET 3.

- 5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.64	Basic Violet 3 ([4-[bis[4-(dimethylamino)phenyl]methylidene]cyclohexa-2,5-dien-1-ylidene]-dimethylazanium;chloride) (CAS No. 548-62-9) (provided for in subheading 3204.13.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107457. DIRECT ORANGE 118.

- 8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.65	Direct Orange 118 (Tetrasodium 7,7'-(carbonyldiimino)bis{4-hydroxy-3-[(E)-(2-methyl-4-sulfonatophenyl)diazenyl]-2-naphthalenesulfonate}) (CAS No. 28706-33-4) (provided for in subheading 3204.14.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107458. DIRECT BLUE 86.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.66	Direct Blue 86 (Copper; disodium; 2,11,20,29, 38,40-hexaza-37,39-diazanidanonacyclo [28.6.1.13,10.112,19.121, 28.04,9.013,18.022, 27.031,36] tetracontal(36),2,4(9),5,7,10(40), 11,13,15,17,19,21(38), 22(27),23,25,28,30,32,34-nonadecaene-6,24-disulfonate) (CAS No. 1330-38-7) (provided for in subheading 3204.14.25)	Free	No change	No change	On or before 12/31/2023 ”.
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4 **SEC. 107459. DIRECT BLUE 199.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.67	Direct Blue 199 (Copper, [29H,31H-phthalocyaninato(2-)-κN29,κN30,κN31,κN32]-, aminosulfonyl sulfo derivatives, sodium salts) (CAS No. 90295-11-7) (provided for in subheading 3204.14.30)	Free	No change	No change	On or before 12/31/2023 ”.
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7 **SEC. 107460. DIRECT BLACK 168.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.68	Direct Black 168 (Trisodium;2-[4-[(2-amino-4-oxidophenyl)diazenyl]anilino]-5-[(1-amino-8-oxido-7-phenyldiazenyl-3,6-disulfonaphthalen-2-yl)diazenyl]benzenesulfonate) (CAS No. 85631-88-5) (provided for in subheading 3204.14.30)	Free	No change	No change	On or before 12/31/2023 ”.
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1 SEC. 107461. DIRECT RED 227.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.69	Direct Red 227 (Hexasodium;4-hydroxy-5- [[4-[4-(E)-2-[4-[[4-(8-hy- droxy-7-phenyldiazenyl-3,6- disulfonatophthalen-1- yl)amino]-6-morpholin-4-yl- 1,3,5-triazin-2-yl]amino]-2- sulfonatophenyl]ethenyl]-3- sulfonatoanilino]-6- morpholin-4-yl-1,3,5-triazin- 2-yl]amino]-3- phenyldiazenyl]naphthalene- 2,7-disulfonate) (CAS No. 17791-81-0) (provided for in subheading 3204.14.30)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107462. DIRECT YELLOW 107.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.70	Direct Yellow 107 (3-[[3- Methoxy-4-[[2-methoxy-4-[(3- sulfophenyl)diazenyl] phenyl]carbamoylamino] phenyl]diazenyl] benzenesulfonic acid) (CAS No. 25712-08-7) (provided for in subheading 3204.14.30)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107463. DIRECT GREEN 26.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.22.71	Direct Green 26 (Pentasodium;5-[[4-[4- anilino-6-[[8-hydroxy-7-[[4- [(8-hydroxy-3,6- disulfonatophthalen-1- yl)diazenyl]-2-methoxy-5- methylphenyl]diazenyl]-3,6- disulfonatophthalen-1- yl]amino]-1,3,5-triazin-2- yl]amino]phenyl]diazenyl]-2- hydroxybenzoate) (CAS No. 6388-26-7) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107464. DIRECT YELLOW 11.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.72	Direct Yellow 11 (Disodium; 6-oxo-5-[(4-sulfonatophenyl)hydrazinylidene] naphthalene-2-sulfonate) (CAS No. 1325-37-7) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107465. DIRECT ORANGE 15.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.73	Direct Orange 15 (Sodium; (8Z,20Z)-2,3,14,15-tetrazapentacyclo [20.2.2.24.7.210.13.216,19] dotriaconta-1(24),2,4,6,8,10,12,14,16,18,20,22,25,27,29,31-hexadecaene-6,11,18,23-tetrasulfonic acid) (CAS No. 1325-35-5) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107466. DIRECT BROWN 44.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.22.74	Direct Brown 44 (Disodium; 4-[[2,4-diamino-5-[[3-[[2,4-diamino-5-[(4-sulfonatophenyl) diazenyl]phenyl]diazenyl]phenyl]diazenyl]phenyl] diazenyl]benzenesulfonate) (CAS No. 6252-62-6) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107467. DIRECT RED 81.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.22.75	Direct Red 81 (Disodium;7-benzamido-4-hydroxy-3-[[4-[(4-sulfonatophenyl)diazenyl]phenyl]diazenyl]naphthalene-2-sulfonate) (CAS No. 2610-11-9) (provided for in subheading 3204.14.50)	2%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107468. DIRECT YELLOW 142.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.76	Direct Yellow 142 (CAS No. 71902-08-4) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107469. DIRECT RED 80.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.77	Direct Red 80 (hexasodium;4-hydroxy-7-[[5-hydroxy-7-sulfonato-6-[[2-sulfonato-4-[(4-sulfonatophenyl)diazenyl]phenyl]diazenyl]naphthalen-2-yl]carbamoylamino]-3-[[2-sulfonato-4-[(4-sulfonatophenyl)diazenyl]phenyl]diazenyl]naphthalene-2-sulfonate) (CAS No. 2610-10-8) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107470. DIRECT RED 16.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.78	Direct Red 16, disodium salt (disodium;7-amino-4-hydroxy-3-[(5-hydroxy-6-phenyldiazenyl-7-sulfonatonaphthalen-2-yl)diazenyl]naphthalene-2-sulfonate) (CAS No. 6227-02-7) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107471. DIRECT RED 254.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.79	Direct Red 254 (Disodium;7-amino-4-hydroxy-3-[[4-(4-sulfonatophenyl)diazenyl]phenyl]diazenyl)naphthalene-2-sulfonate) (CAS No. 6300-50-1) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107472. COLORANT.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.80	Copper, [μ-[[3,3'-[(1-oxido-1,2-diazenediyl)bis[[2-(hydroxy-κO)-4,1-phenylene]-2,1-diazenediyl-κN1]]bis[4-(hydroxy-κO)-2,7-naphthalenedisulfonato]](8-)]di-, sodium (1:4) (CAS No. 75173-68-1) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107473. DIRECT YELLOW 34.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.81	Direct Yellow 34 (Tetrasodium;3-[[4-[[4-(4,8-disulfonatophthalen-2-yl)diazenyl]-2-methoxy-5-methylphenyl]carbonylamino]-5-methoxy-2-methylphenyl]diazenyl)naphthalene-1,5-disulfonate) (CAS No. 6420-33-3) (provided for in subheading 3204.14.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107474. VAT ORANGE 2 DYE POWDER.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.22.82	Vat Orange 2 (1,2-Dibromopyranthrene-8,16-dione) (CAS No. 1324–35–2) (provided for in subheading 3204.15.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107475. VAT VIOLET 13 DYE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.83	Vat Violet 13 (5,20-Diazaheptacyclo [16.12.0.03,16.04,13.06,11.019,28.021,26] triacontal(18),3(16),4(13),6,8,10,14,19(28),21,23, 25,29-dodecaene-2,12,17,27-tetrone) (CAS No. 4424–87–7) (CIN 68700) (provided for in subheading 3204.15.20) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107476. VAT BROWN 3 DYE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.84	Vat Brown 3 (N-(28-Benzamido-6,13,19,26-tetraoxo-16-azaheptacyclo [15.12.0.02,15.05,14.07,12.018,27.020,25] nonacosal(29),2(15),3,5(14),7(12),8,10,17,20,22,24,27-dodecaen-8-yl)benzamide) (CAS No. 131–92–0) (provided for in subheading 3204.15.20)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107477. VAT RED 10 DYE POWDER.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.85	Vat Red 10 (2-(1-Amino-9,10-dioxoanthracen-2-yl)naphtho[2,3-f][1,3]benzoxazole-5,10-dione) (CAS No. 2379–79–5) (provided for in subheading 3204.15.30)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107478. VAT BROWN 57 DYE.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.86	Vat Brown 57 (CAS No. 12227–28–0) (provided for in subheading 3204.15.30)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107479. VAT RED 31 DYE POWDER.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.87	Vat Red 31 dye powder (1-Amino-2-[5-(1-amino-9,10-dioxanthracen-2-yl)-1,3,4-oxadiazol-2-yl]anthracene-9,10-dione) (CAS No. 52591–25–0) (CIN 60030) (provided for in subheading 3204.15.40)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107480. DYE MIXTURES OF VAT BROWN 3 AND VAT**
 8 **BLACK 27.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.22.88	Disperse dye mixtures of Vat Brown 3 (N-(28-benzamido-6,13,19,26-tetraoxo-16-azaheptaeyelo [15.12.0 ^o (2,15).0 ^o (5,14).0 ^o (7,12).0 ^o (18,27).0 ^o (20,25)] nonacosa-1(29),2(15), 3,5(14), 7(12), 8,10,17,20,22, 24,27-dodecaen-8-yl)benzamide) (CAS No. 131–92–0) and Vat Black 27 (N-(28-benzamido-6,13,19, 26-tetraoxo-16-azaheptaeyelo [15.12.0.0 ^o (2,15).0 ^o (5,14).0 ^o (7,12).0 ^o (18,27).0 ^o (20,25)] nonacosa-1(29),2,4,7, 9,11,14,17, 20,22, 24,27-dodecaen-4-yl) benzamide) (CAS No. 2379–81–9) (provided for in subheading 3204.15.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107481. VAT RED 13.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.22.89	Vat Red 13 (15-Ethyl-12-(15-ethyl-8-oxo-14,15-diazatetraeyclo [7.6.1.02,7.013,16] hexadeca-1(16),2,4,6,9,11,13-heptaen-12-yl)-14,15-diazatetraeyclo [7.6.1.02,7.013,16] hexadeca-1(16),2,4,6,9,11,13-heptaen-8-one) (CAS No. 4203-77-4) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107482. VAT YELLOW 2 DYE POWDER.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.22.90	Vat Yellow 2 (6,16-Diphenyl-5,15-dithia-7,17-diazapentaeyclo [11.7.0.03,11.04,8.014,18] icosa-1(13),3(11),4(8),6,9,14(18),16,19-octaene-2,12-dione) (CAS No. 129-09-9) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107483. VAT YELLOW 33 DYE.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.22.91	Vat Yellow 33 (N-(9,10-Dioxoanthracen-1-yl)-4-[4-[[4-[4-[(9,10-dioxoanthracen-1-yl)carbonyl]phenyl]phenyl]diazanyl]phenyl] benzamide) (CAS No. 12227-50-8) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107484. VAT GREEN 1 DYE.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.22.92	Vat Green 1 (Anthra[9,1,2-ede]benzo[<i>rst</i>]pentaphene-5,10-dione, 16,17-dimethoxy-) (CAS No. 128-58-5) (CIN 59825) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107485. VAT GREEN 3.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.22.93	Vat Green 3 (Anthra[2,1,9-mna]naphth[2,3-h]acridine-5,10,15(16H)-trione) (CAS No. 3271-76-9) (CIN 69500) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107486. VAT BLUE 6 DYE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.22.94	Vat Blue 6 (15,30-Dichloro-2,17-diazaheptacyclo[16.12.0.03,16.04,13.06,11.019,28.021,26] triacont-1(30),3,6,8,10,13,15,18,21,23,25,28-dodecaene-5,12,20,27-tetrone) (CAS No. 130-20-1) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107487. VAT BLUE 20 DYE.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.22.95	Vat Blue 20 (Anthra[9,1,2-ede]benzo[<i>rst</i>]pentaphene-5,10-dione) (CAS No. 116-71-2) (CIN 59800) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107488. VAT VIOLET 1.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.22.96	Vat Violet 1 (Benzo[<i>rst</i>]phenanthro [10,1,2- <i>ede</i>] pentaphene-9,18- dione, dichloro-) (CAS No. 1324–55–6) (CIN 60010) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107489. VAT BROWN 1 DYE.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.22.97	Vat Brown 1 (Naphth[2',3':6,7]indolo[2,3- <i>c</i>]dinaphtho[2,3- <i>a</i> :2',3'- <i>i</i>]carbazole-5,10,15,17,22,24- hexone, 16,23-dihydro-) (CAS No. 2475–33–4) (CIN 70800) (provided for in sub- heading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107490. VAT BLACK 16 DYE.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.22.98	Vat Black 16 (8- Aminononacyclo [18.10.2.22.5.03.16.04.13.06, 11.017,31.022,27.028,32] tetraatriaconta- 1(31),2,4,6(11), 7,9,13,15,17,19,22,24,26, 28(32),29,33-hexadecaene- 12,21-dione) (CAS No. 26763–69–9) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107491. VAT BLACK 25.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.22.99	Vat Black 25 (Antra[2,1,9- <i>mna</i>]naphth[2,3- <i>h</i>]acridine- 5,10,15(16H)-trione, 3- [(9,10-dihydro-9,10-dioxo-1- anthracenyl)amino]-) (CAS No. 4395–53–3) (CIN 69525) (provided for in sub- heading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107492. VAT BLACK 27.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.01	Vat Black 27 (Benzamide, N,N'-(10,15,16,17-tetrahydro-5,10,15,17-tetraoxo-5H-dinaphtho[2,3-a:2',3'-i]carbazole-6,9-diyl)bis-) (CAS No. 2379-81-9) (CIN 69005) (provided for in subheading 3204.15.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107493. REACTIVE YELLOW 145.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.02	Reactive Yellow 145 (Tetrasodium;7-[2-(carbamoylamino)-4-[[4-chloro-6-[3-(2-sulfonatoxyethylsulfonyl)anilino]-1,3,5-triazin-2-yl]amino]phenyl]diazanyl] naphthalene-1,3,6-trisulfonate) (CAS No. 80157-00-2) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107494. REACTIVE RED 195.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.03	Reactive Red 195 (Pentassium 5-[[4-chloro-6-[3-(2-sulfonatoxyethylsulfonyl)anilino]-1,3,5-triazin-2-yl]amino]-3-[(1,5-disulfonatophthalen-2-yl)diazanyl]-4-hydroxynaphthalene-2,7-disulfonate) (CAS No. 77365-64-1) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107495. REACTIVE BLUE 49.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.04	Reactive Blue 49 (Trisodium 1-amino-4-[3-[[4-chloro-6-(2-sulfonatoanilino)-1,3,5-triazin-2-yl]amino]-2,4,6-trimethyl-5-sulfonatoanilino]-9,10-dioxoanthracene-2-sulfonate) (CAS No. 72214-18-7) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107496. REACTIVE BLUE 72.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.05	Reactive Blue 72 (Cuprate(2-), [C-[[[3-[(4-amino-6-chloro-1,3,5-triazin-2-yl)amino]-4-sulphophenyl]amino]sulfonyl]-C-(aminosulfonyl)-29H,31H-phthalocyanine-C-sulfonato(4-)-κN29,κN30,κN31,κN32]-, sodium (1:2)) (CAS No. 68967-01-1) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107497. REACTIVE YELLOW 95 POWDER.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.06	Reactive Yellow 95 (Trisodium 4-[[4-chloro-6-(3-sulfonatoanilino)-1,3,5-triazin-2-yl]amino]-2-[[1-ethyl-6-hydroxy-4-methyl-2-oxo-5-(sulfonatomethyl)pyridin-3-yl]diazanyl]benzenesulfonate) (CAS No. 89923-43-3) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107498. REACTIVE RED 245.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.23.07	Reactive Red 245 (Tetrasodium 5-[4-chloro-6-(N-ethylanilino)-1,3,5-triazin-2-ylamino]-4-hydroxy-3-(1,5-disulfonatonaphthalen-2-ylazo)naphthalene-2,7-disulfonate) (CAS No. 130201-57-9) (provided for in subheading 3204.16.30) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107499. REACTIVE BROWN 11.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.23.08	Reactive Brown 11 (Tetrasodium; 2-[4-[[4-[(4-amino-6-chloro-1,3,5-triazin-2-yl)amino]-5-sulfonatonaphthalen-1-yl]diazanyl]-7-sulfonatonaphthalen-1-yl]diazanyl]benzene-1,4-disulfonate) (CAS No. 70161-16-9) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107500. MIXTURES OF REACTIVE BLACK 5 (NA) (FKP),**
5 **REACTIVE SCARLET F01-0439, AND REACTIVE**
6 **ORANGE 131.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.23.09	Disperse dye mixture of Reactive Black 5 (Na) (FKP) (tetrasodium; 4-amino-5-hydroxy-3,6-bis[4-(2-sulfonatoxyethylsulfonyl)phenyl]diazanyl)naphthalene-2,7-disulfonate (CAS No. 17095-24-8); Reactive Scarlet F01-0439 (2-naphthalenesulfonic acid, 7-amino-4-hydroxy-, coupled with diazotized 2-[(4-aminophenyl) sulfonyl] ethyl hydrogen sulfate and diazotized 2-amino-5-[[2-(sulfoxy)ethyl]sulfonyl] benzenesulfonic acid, potassium sodium salts) (CAS No. 214362-06-8); reaction mass of 7-amino-3,8-bis-[4-(2-sulfoxyethylsulfonyl)-2-sulfophenylazo]-4-hydroxynaphthalene-2-sulfonic acid, Na/K salt and 7-amino-3-[4-(2-sulfoxyethylsulfonyl)phenylazo]-4-hydroxy-8-[4-(2-sulfoxyethylsulfonyl)-2-sulfophenylazo] naphthalene-2-sulfonic acid, Na/K salt and 7-amino-3,8-bis-[4-(2-sulfoxyethylsulfonyl)phenylazo]-4-hydroxynaphthalene-2-sulfonic acid, Na/K salt and 7-amino-8-[4-(2-sulfoxyethylsulfonyl)-phenylazo]-4-hydroxy-3-[4-(2-sulfoxyethylsulfonyl)-2-sulfophenylazo] naphthalene-2-sulfonic acid, Na/K salt, and Reactive Orange 131 (benzenesulfonic acid, 2,4-diamino-3-[2-[4-[[2-(sulfoxy)ethyl]sulfonyl]phenyl]diazanyl]-5-[2-[2-sulfo-4-[[2-(sulfoxy)ethyl]sulfonyl]phenyl]diazanyl]-, potassium sodium salt (1:?:?)) (CAS No. 187026-95-5) and dipotassium disodium 2,4-diamino-5-(2-(2-sulfo-4-[2-(sulfoxy)ethanesulfonyl]phenyl)diazen-1-yl)-3-(2-[4-[2-(sulfoxy)ethanesulfonyl]phenyl)diazen-1-yl] benzene-1-sulfonate (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107501. REACTIVE YELLOW F98-0159.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.23.10	Reactive Yellow F98–0159 (benzenesulfonic acid, 2-[2-[2-[(aminocarbonyl)amino]-4-[(2,6-difluoro-4-pyrimidinyl)amino]phenyl]diazanyl]-5-[[2-(sulfoxy)ethyl]sulfonyl]-, sodium salt (1:2)) (CAS No. 176449–21–1) (provided for in subheading 3204.16.30) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107502. DYE MIXTURES OF REACTIVE ORANGE 131 AND

2 REACTIVE SCARLET F07–0522.

3 Subchapter II of chapter 99 is amended by inserting

4 in numerical sequence the following new heading:

“	9902.23.11	Disperse dye mixtures of Reactive Orange 131 (CAS No. 187026–95–5) (dipotassium disodium 2,4-diamino-5-(2-[2-sulfo-4-[2-(sulfoxy)ethanesulfonyl]phenyl]diazen-1-yl)-3-(2-[4-[2-(sulfoxy)ethanesulfonyl]phenyl]diazen-1-yl)benzene-1-sulfonate) and Reactive Scarlet F07–0522 (CAS No. 891857–92–4) (pentasodium 7-amino-4-hydroxy-3,8-bis-[2-sulfo-4-(2-sulfoxy-ethanesulfonyl)-phenylazo]-naphthalene-2-sulfonate) (provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107503. REACTIVE BLACK 31.

6 Subchapter II of chapter 99 is amended by inserting

7 in numerical sequence the following new heading:

“	9902.23.12	Reactive Black 31 (cuprate(4-), [4,5-dihydro-4-[2-[8-(hydroxy- κ .O)-7-[2-[2-(hydroxy- κ .O)-5-methoxy-4-[[2-(sulfoxy)ethyl]sulfonyl]phenyl]diazanyl- κ .N1]-6-sulfo-2-naphthalenyl]diazanyl]-5-oxo-1-(4-sulfophenyl)-1H-pyrazole-3-carboxylato(6-)-], sodium) (CAS No. 85585–91–7) (provided for in subheading 3204.16.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107504. REACTIVE RED 120.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.13	Reactive Red 120 (hexasodium 5-[[4-chloro-6-[4-[[4-chloro-6-[[8-hydroxy-3,6-disulfonato-7-(2-sulfonatophenyl)diazenyl]naphthalen-1-yl]amino]-1,3,5-triazin-2-yl]amino]anilino]-1,3,5-triazin-2-yl]amino]-4-hydroxy-3-(2-sulfonatophenyl)diazenyl]naphthalene-2,7-disulfonate) (CAS No. 68214-04-0) (provided for in subheading 3204.16.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107505. REACTIVE BLUE 5.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.14	Reactive Blue 5 (1-Amino-4-{{3-({4-chloro-6-(3-sulfophenyl)amino)-1,3,5-triazin-2-yl}amino)-4-sulfophenyl}amino)-9,10-dioxo-9,10-dihydro-2-anthracenesulfonic acid) (CAS No. 16823-51-1) (provided for in subheading 3204.16.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107506. REACTIVE ORANGE 13.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.15	Reactive Orange 13 powder (trisodium 2-[[6-[(4-amino-6-chloro-1,3,5-triazin-2-yl)-methylamino]-1-hydroxy-3-sulfonatophthalen-2-yl]diazenyl]naphthalene-1,5-disulfonate) (CAS No. 70616-89-6) (provided for in subheading 3204.16.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107507. REACTIVE ORANGE 12.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.16	Reactive Orange 12 powder (trisodium 7-[[4-[(4-amino-6-chloro-1,3,5-triazin-2-yl)amino]-2-(carbamoylamino)phenyl]diazeryl]naphthalene-1,3,6-trisulfonate) (CAS No. 70161-14-7) (provided for in subheading 3204.16.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107508. PIGMENT RED 177.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.17	Pigment Red 177 (1-amino-4-(4-amino-9,10-dioxoanthracen-1-yl)anthracene-9,10-dione) (CAS No. 4051-63-2) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107509. PIGMENT YELLOW 110.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.18	Pigment Yellow 110 (4,5,6,7-tetrachloro-3-[4-[(4,5,6,7-tetrachloro-3-oxoisindol-1-ylidene)amino]phenyl]iminoisindol-1-one) (CAS No. 5590-18-1) (provided for in subheading 3204.17.04)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107510. PIGMENT YELLOW 147.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.23.19	Pigment Yellow 147 (1-[[4-[(9,10-dioxoanthracen-1-yl)amino]-6-phenyl-1,3,5-triazin-2-yl]amino]anthracene-9,10-dione) (CAS No. 4118-16-5) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107511. PIGMENT ORANGE 64.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.23.20	Pigment Orange 64 (5-[(6-methyl-2-oxo-1,3-dihydrobenzimidazol-5-yl)diazenyl]-1,3-diazinane-2,4,6-trione) (CAS No. 72102-84-2) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107512. PIGMENT BLUE 29.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.23.21	Pigment Blue 29 (aluminum sodium orthosilicate trisulfane-1,3-diide (6:8:6:1)) (CAS No. 57455-37-5) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107513. PIGMENT VIOLET 15.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.23.22	Pigment Violet 15 (hexaaluminum;hexasodium; tetrathietane;hexasilicate) (CAS No. 12769-96-9) (provided for in subheading 3204.17.60)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107514. PIGMENT BLUE 14.

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.23.23	Pigment Blue 14 (ethanaminium, N-(4-(bis(4-diethylamino)phenyl)methylene)-2,5-cyclohexadien-1-ylidene)-N-ethyl-, molybdatetungstatephosphate) (CAS No. 1325-88-8) (provided for in subheading 3204.17.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107515. SOLVENT BLUE 97.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.23.24	Solvent Blue 97 (1,4-Bis(2,6-diethyl-4-methylamino)anthracene-9,10-dione) (CAS Nos. 61969-44-6 and 32724-62-2) (provided for in subheading 3204.19.11)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107516. SOLVENT GREEN 5.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.23.25	Solvent Green 5 (bis(2-methylpropyl) perylene-3,9-dicarboxylate) (CAS No. 2744-50-5) (provided for in subheading 3204.19.11)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107517. SOLVENT YELLOW 98.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.23.26	Solvent Yellow 98 (14-octadecyl-8-thia-14-azapentacyclo[10.6.2.0 ^{2,7} .0 ^{9,19} .0 ^{16,20}]icosa-1(19),2,4,6,9,11,16(20),17-octaene-13,15-dione) (CAS No. 12671-74-8) (provided for in subheading 3204.19.11)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107518. SOLVENT GREEN 7.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.27	Solvent Green 7 (trisodium 8-hydroxypyrene-1,3,6-trisulfonate) (CAS No. 6358-69-6) (provided for in subheading 3204.19.11)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107519. SOLVENT RED 195.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.28	Solvent Red 195 (methyl 4-cyano-5-[[5-cyano-2,6-bis(3-methoxypropylamino)-4-methylpyridin-3-yl]diazonyl]-3-methylthiophene-2-carboxylate) (CAS No. 72968-71-9) (provided for in subheading 3204.19.20)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107520. SOLVENT ORANGE 115.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.29	Solvent Orange 115 (7H-Benzimidazo[2,1-a]benzo[3,4]benzothioopyrano[7,8,1-def]isoquinolin-7-one) (CAS No. 53304-32-8) (provided for in subheading 3204.19.20)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107521. SPECIALTY DYES.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.23.30	White/bluish powder dye containing benzenesulfonamide, 2,2'-(1,1'-biphenyl)-4,4'-diyl-di-2,1-ethenediyl)bis[N-(3-hydroxypropyl)-, polymer with formaldehyde, ar-methylbenzenesulfonamide and 1,3,5-triazine-2,4,6-tri-amine (CAS No. 1191239-40-3) (provided for in sub-heading 3204.19.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107522. SOLVENT GREEN 3.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.23.31	Solvent Green 3 (1,4-bis(4-methylamino)anthracene-9,10-dione) (CAS No. 128-80-3) (CIN 61565) (provided for in subheading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107523. SOLVENT BLUE 36.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.23.33	Solvent Blue 36 (1,4-bis(propan-2-ylamino)anthracene-9,10-dione) (CAS No. 14233-37-5) (provided for in sub-heading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107524. MIXTURES OF SOLVENT GREEN 3.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.23.34	Mixtures of Solvent Green 3 (1,4-bis(4-methylamino)anthracene-9,10-dione) (CAS No. 128-80-3) (provided for in sub-heading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107525. SOLVENT RED 52.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.35	Solvent Red 52 (3-methyl-6-[(4-methylphenyl)amino]-3H-naphtho[1,2,3-de]quinoline-2,7-dione) (CAS No. 81-39-0) (provided for in subheading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107526. SOLVENT RED 149.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.36	Solvent Red 149 (6-(cyclohexylamino)-3-methyl-3H-naphtho[1,2,3-de]quinoline-2,7-dione) (CAS No. 21295-57-8 or 71902-8-6) (provided for in subheading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107527. SOLVENT RED 207.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.37	Solvent Red 207 (1,5-bis(cyclohexylamino) anthracene-9,10-dione) (CAS No. 15958-68-6) (provided for in subheading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107528. SOLVENT VIOLET 14.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.23.38	Solvent Violet 14 (1,5-bis(4-methylanilino)anthracene-9,10-dione) (CAS No. 8005-40-1) (provided for in subheading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107529. SOLVENT YELLOW 179.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.23.39	Solvent Yellow 179 (2-[[4-[2-(4-cyclohexylphenoxy) ethyl-ethylamino]-2-methylphenyl]methylidene]propanedinitrile) (CAS No. 54079-53-7) (provided for in subheading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107530. SOLVENT YELLOW 131.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.23.40	Solvent Yellow 131 (2-(3-hydroxypropyl)-6-(3-hydroxypropylamino)benzo[de]isoquinoline-1,3-dione) (CAS No. 52821-24-6) (provided for in subheading 3204.19.25)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107531. HOGEN BLUE XB-20.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.23.41	Synthetic organic coloring matter containing copper(II) phthalocyanine (CAS No. 147-14-8) (provided for in subheading 3204.19.40)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107532. SOLVENT YELLOW 104.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.23.42	Solvent Yellow 104 (CAS No. 143476-34-0) (provided for in subheading 3204.19.40) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107533. COMBINATION OF FLUORESCENT**
 2 **BRIGHTENERS 367 AND 371.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.23.43	Mixture of Fluorescent Brightener 367 (CAS No. 5089–22–5) and Fluorescent Brightener 371 (provided for in subheading 3204.20.80) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107534. FLUORESCENT BRIGHTENER CBS-X.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.23.44	Disodium 2,2'-[biphenyl-4,4'-diyl]diethene-2,1-diyl]dibzenesulfonate (CAS No. 27344–41–8) of a kind used as a fluorescent brightening agent (provided for in subheading 3204.20.80)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107535. OPTICAL BRIGHTENER SWN.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.23.45	7-(Diethylamino)-4-methylchromen-2-one (CAS No. 91–44–1) (provided for in subheading 3204.20.80) ...	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107536. C.I. FLUORESCENT BRIGHTENER 199:1.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.23.46	Mixtures of 1-(2-cyanostyryl)-4-(4-cyanostyryl)benzene (CAS No. 13001-38-2); 2,2'-oxydi(ethan-1-ol) (CAS No. 111-46-6); acetic acid ethenyl ester, polymer with ethenol (CAS No. 25213-24-5); methyl 4-[2-[4-(5-methyl-2-benzoxazolyl)phenyl]vinyl]benzoate (CAS No. 18039-18-4); and formaldehyde, polymer with oxirane and phenol, methyl ether (CAS No. 68988-31-8) of a kind used as fluorescent brightening agents (provided for in subheading 3204.20.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107537. FLUORESCENT BRIGHTENER 368.

- 2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.23.47	Mixtures of 2-[4-[(E)-2-[4-(1,3-benzoxazol-2-yl)phenyl]ethenyl]phenyl]-1,3-benzoxazole (CAS No. 1533-45-5); 5-methyl-2-[4-[(E)-2-[4-(5-methyl-1,3-benzoxazol-2-yl)phenyl]ethenyl]phenyl]-1,3-benzoxazole (CAS No. 2397-00-4) and 2-[4-[(E)-2-[4-(1,3-benzoxazol-2-yl)phenyl]ethenyl]phenyl]-5-methyl-1,3-benzoxazole (CAS No. 5242-49-9) (provided for in subheading 3204.20.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107538. 1,4-BIS(2-CYANOSTYRYL)BENZENE.

- 5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.23.48	2-[(E)-2-[4-[(E)-2-(2-Cyanophenyl)ethenyl]phenyl]ethenyl]benzotrile (CAS No. 13001-39-3) (provided for in subheading 3204.20.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107539. CERTAIN MANUFACTURING INPUTS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.49	1-[3-(Dimethylamino)propyl]-4-methyl-6-oxo-3-pyridin-1-ium-1-ylpyridin-2-olate (CAS No. 104583-33-7) (provided for in subheading 3204.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107540. CERIUM SULFIDE PIGMENTS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.50	Pigment preparations based on cerium sulfide or mixtures of cerium sulfide and lanthanum sulfide (CAS Nos. 12014-93-6 and 12031-49-1) (provided for in subheading 3206.49.60)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107541. MATTE PEARLESCENT PIGMENTS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.51	Coloring matter of mica (CAS No. 12001-26-2) and titanium dioxide (CAS No. 13463-67-7), coated with submicron poly(methyl methacrylate) (CAS No. 9011-14-7) spheres to create a matte optical effect (provided for in subheading 3206.49.60)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107542. ANGLE-DEPENDENT INTERFERENCE PIG-**
 11 **MENTS.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.23.52	Angle-dependent interference pigments based on a substrate of transparent or translucent inorganic flakes of fluorophlogopite (CAS No. 12003-38-2), titanium dioxide (CAS No. 13463-67-7), and synthetic amorphous silica (CAS No. 112945-52-5) (provided for in subheading 3206.49.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107543. INORGANIC LUMILUX.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.53	Inorganic products of a kind used as luminophores containing zinc sulfide (ZnS), copper chloride-doped (CAS No. 68611-70-1), dizinc;silicate (CAS No. 68611-47-2), yttrium oxide sulfide (Y2O2S), europium-doped (CAS No. 68784-83-8), erbium sodium ytterbium fluoride (Er0.04NaYb0.96F4) (CAS No. 753489-08-6), diyttrium dioxide sulfide (CAS No. 12340-04-4), oxygen(2-);yttrium(3+) (CAS No. 1314-36-9), (CAS No. 1314-37-9) and erbium(III) oxide (CAS No. 12061-16-4) (provided for in subheading 3206.50.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107544. RIBBON/MATRIX RESIN.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.54	Optical fiber ribbon cable matrix resin, a polymer in the form of a liquid coating, with a density of approximately 1.12 kg/liter, viscosity of 3000 to 5000 cps at 25 °C, with elongation greater than 20 percent and tensile strength of 22 to 32 MPa (provided for in subheading 3208.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107545. BONDING AGENT 2005.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.55	Solution as defined in note 4 to chapter 32, mixture of poly(tolylene 2,4-diisocyanate) (CAS No. 26006-20-2); 2,4-diisocyanato-1-methylbenzene (CAS No. 584-84-9) and butyl acetate (CAS No. 123-86-4) (provided for in subheading 3208.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107546. FLUOROPOLYMER RESIN.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.56	Solution of high molecular weight fluoroethylene-alkyl vinyl ether (FEVE) alternative copolymer, containing 38 to 42 percent by weight of moderate OH number resin in a blend of cyclohexanone and aromatic hydrocarbon solvent, having a Tg of 20 °C (CAS No. 207691-69-8) (provided for in subheading 3208.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107547. ZIRCONIUM 12 PAINT DRIER.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.57	Zirconium 12 paint drier, mixtures of naphtha, petroleum, hydrotreated heavy (CAS No. 64742-48-9), zirconium 2-ethylhexanoate (CAS No. 22464-99-9), nonane (CAS No. 111-84-2), zirconium, bis(acetate-o)oxo (CAS No. 5153-24-2) (provided for in heading 3211.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107548. ZIRCONIUM 24 PAINT DRIER.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.58	Zirconium 24 paint drier, mixtures of naphtha, petroleum, hydrotreated heavy (CAS No. 64742-48-9), zirconium 2-ethylhexanoate (CAS No. 22464-99-9), nonane (CAS No. 111-84-2), zirconium, bis(acetate-o)oxo- (CAS No. 5153-24-2) (provided for in heading 3211.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107549. DRIER ACCELERATORS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.59	Prepared drier accelerators containing a mixture of cyclopentanone (CAS No. 120-92-3), cyclohexanone (CAS No. 108-94-1), and 2-pyridin-2-ylpyridine (CAS No. 366-18-7) (provided for in heading 3211.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107550. LEMON OIL.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.60	Essential oils of lemon (CAS No. 8008-56-8) (provided for in subheading 3301.13.00)	3.3%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107551. SULFONIC ACIDS, C14-17-SEC-ALKANE, SODIUM**
 11 **SALT.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.23.61	Sulfonic acids, C14–17-sec-alkane, sodium salt (CAS No. 97489–15–1) anionic aromatic surface-active agent (provided for in subheading 3402.11.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107552. POTASSIUM ETHYL OCTYLPHOSPHONATE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.23.62	Potassium; ethoxy(octyl)phosphinate (CAS No. 68134–28–1) (provided for in subheading 3402.11.50)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 107553. INTERMEDIATE IN THE PRODUCTION OF IN-
5 INDUSTRIAL LUBRICANTS.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.23.63	(Z)-N-Methyl-N-(1-oxo-9-octadecenyl)glycine (N-oleylsarcosine) (CAS No. 110–25–8) surfactant (provided for in subheading 3402.11.50)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107554. POLYETHER DISPERSANT.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.23.64	Oxirane, 2-methyl-, polymer with oxirane, mono[(diethylamino)alkyl] ether surfactant (CAS No. 68511–96–6) (provided for in subheading 3402.12.50)	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107555. D-GLUCOPYRANOSE.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.23.65	(3R,4S,5S,6R)-2-decoxy-6-(hydroxymethyl)oxane-3,4,5-triol (CAS No. 68515-73-1) (provided for in subheading 3402.13.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107556. 2-DODECOXY-6-(HYDROXYMETHYL)OXANE-3,4,5-**
2 **TRIOL.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.23.66	(3R,4S,5S,6R)-2-Dodecoxy-6-(hydroxymethyl)oxane-3,4,5-triol (CAS No. 110615-47-9) (provided for in subheading 3402.13.20)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107557. MIXTURES OF CERTAIN C12-14-ALKYL ETHERS.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.23.67	Mixtures of poly(oxy-1,2-ethanediyl), α -phosphono- ω -hydroxy-, C12-14-alkyl ethers (CAS No. 121158-63-2); poly(oxy-1,2-ethanediyl), α, α' -phosphinicobis[ω -hydroxy-, di-C12-14-alkyl ethers (CAS No. 121158-61-0); poly(oxy-1,2-ethanediyl), $\alpha, \alpha', \alpha''$ -phosphinyldynetr[ω -hydroxy-, tri-C12-14-alkyl ethers (CAS No. 121158-62-1); alcohols C12-14, ethoxylated (CAS No. 68439-50-9) (provided for in subheading 3402.13.50)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107558. MANUFACTURING CHEMICAL.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.23.68	Mixtures of fatty acids, coco, ethoxylated (CAS No. 61791–29–5) and butan-1-ol;ethane-1,2-diol;propane-1,2-diol (CAS No. 9038–95–3) surfactant (provided for in subheading 3402.13.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107559. NONIONIC SURFACTANT.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.23.69	D-Glucopyranose, oligomeric, C10–16-alkyl glycosides (CAS No. 110615–47–9); water (CAS No. 7732–18–5); and D-glucopyranose, oligomeric, 2-ethylhexyl glycosides (CAS No. 161074–93–7) (provided for in subheading 3402.13.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107560. CHEMICAL USED IN TEXTILE MANUFAC-
5 TURING.

6 Subchapter II of chapter 99 is amended by inserting

7 in numerical sequence the following new heading:

“	9902.23.70	Mixtures of sodium [1-carboxy-17-(dibutylamino)-17-oxoheptadecan-8-yl] sulfate (CAS No. 62093–93–0); sodium;18-hydroxy-18-oxooctadecane-1-sulfonate (CAS No. 67998–94–1); sodium (Z)-octadec-9-enoate (CAS No. 143–19–1); and (Z)-N,N-dibutyloctadec-9-enamide (CAS No. 5831–80–1) (provided for in subheading 3402.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107561. ETHOXYLATED TRISTYRYLPHENOL PHOS-
9 PHATE POTASSIUM SALT.

10 Subchapter II of chapter 99 is amended by inserting

11 in numerical sequence the following new heading:

“	9902.23.71	Mixtures of propane-1,2-diol (CAS No. 57-55-6), poly(oxy-1,2-ethanediyl), α -(tris(1-phenylethyl)phenyl)- ω -hydroxy- (CAS No. 99734-09-5), and poly(oxy-1,2-ethanediyl), α -(2,4,6-tris(1-phenylethyl)phenyl)- ω -hydroxy-, phosphate, potassium salt (CAS No. 163436-84-8) (provided for in subheading 3402.90.30)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107562. SODIUM POLYCARBOXYLATE, AQUEOUS SOLU-**
 2 **TION.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.23.72	Mixtures of 2,5-furandione, polymer with 2,4,4-trimethylpentene, sodium salt (sodium;oxolane-2,5-dione;2,4,4-trimethylpent-1-ene) (CAS No. 37199-81-8), and poly(oxy-1,2-ethanediyl), α -(carboxymethyl)- ω -(tridecyloxy)-, branched, sodium salt (CAS No. 68891-17-8) (provided for in subheading 3402.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107563. AQUEOUS EMULSION OF A MIXTURE OF AMINE**
 6 **SOAPS AND MISCELLANEOUS OTHER ADDI-**
 7 **TIVES.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.23.73	Mixtures of propane-1,2,3-triol (glycerol) (CAS No. 56-81-5); 2-octadec-9-enoxyethanol phosphoric acid (CAS No. 39464-69-2); tall oil fatty acid (CAS No. 61790-12-3); 2,3-bis[(Z)-12-hydroxyoctadec-9-enoyl]oxypropyl (Z)-12-hydroxyoctadec-9-enoate (castor oil) (CAS No. 8001-79-4); alcohols C16-18,18 unsaturated, ethoxylated (CAS No. 68920-66-1); 2-(2-hydroxyethylamino)ethanol (Diethanolamine) (CAS No. 111-42-2); distillates (petroleum), hydrotreated light naphthenic (CAS No. 64742-53-6); phosphoric acid (CAS No. 7664-38-2); ethane-1,2-diamine (CAS No. 107-15-3); and 2H-benzotriazole (CAS No. 95-14-7) (provided for in subheading 3403.19.50)	Free	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 107564. AQUEOUS DISPERSION OF A MIXTURE OF**
 2 **FATTY AMINE AND AMIDE SOAPS AND MIS-**
 3 **CELLANEOUS OTHER ADDITIVES.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.23.74	Mixtures of (2E,4E,6E,8E,10E,12E)-pentadeca-2,4,6,8,10,12,14-heptaenoic acid (Fatty acids, C14-18 and C16-18-unsaturated) (CAS No. 67701-06-8); 2-octadec-9-enoxyethanol;phosphoric acid (CAS No. 39464-69-2); distillates, petroleum, solvent-dewaxed heavy paraffinic (CAS No. 64742-65-0); alcohols C16-18,18 unsaturated, ethoxylated (CAS No. 68920-66-1); 2-(2-hydroxyethylamino)ethanol (Diethanolamine) (CAS No. 111-42-2); ethane-1,2-diamine (CAS No. 107-15-3); phosphoric acid (CAS No. 7664-38-2), amines, tallow alkyl, ethoxylated (CAS No. 61791-26-2); and 2H-benzotriazole (CAS No. 95-14-7) (provided for in subheading 3403.19.50)	Free	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 107565. AQUEOUS DISPERSION OF A MIXTURE OF**
 2 **FATTY AMINE AND AMIDE SOAPS AND MIS-**
 3 **CELLANEOUS OTHER ADDITIVES.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.23.75	Mixtures of N-[2-(octadecanoylamino)ethyl]octadecanamide (CAS No. 110-30-5); 2-(2-hydroxyethylamino)ethanol (CAS No. 111-42-2); phosphoric acid (CAS No. 7664-38-2); amines, tallow alkyl, ethoxylated (CAS No. 61791-26-2); fatty acids, C14-18 and C16-18-unsaturated (CAS No. 67701-06-8); and nonylphenol, branched, ethoxylated, phosphated (CAS No. 68412-53-3) (provided for in subheading 3403.99.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107566. PHOTOGRAPHIC GELATIN.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.23.76	Photographic gelatin (CAS No. 9000-70-8) (provided for in subheading 3503.00.55)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107567. ICE FOUNTAINS (CLASS 1.4G).**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.23.77	Ice fountains (Class 1.4G) (CAS No. 9904-70-0) generating a jet of sparklers when lit (provided for in subheading 3604.10.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107568. MAGIC CANDLES CONTAINING MAGNESIUM**
 2 **POWDER.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.23.78	Magic candles containing magnesium powder (CAS No. 7439–95–4) that automatically relight themselves when blown out and emit spark effects when lit (provided for in subheading 3604.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107569. PARTY SNAPPERS (CLASS 1.4G).**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.23.79	Snaps designed to make a loud noise when thrown to the ground (CAS No. 7761–88–8) (provided for in subheading 3604.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107570. FENPYROXIMATE 5SC.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.23.80	Mixtures of tert-butyl 4-[[[(E)-(1,3-dimethyl-5-phenoxy-pyrazol-4-yl)methylideneamino]oxymethyl]benzoate (Fenpyroximate) (CAS No. 134098–61–6) and application adjuvants (provided for in subheading 3808.91.25) ...	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107571. PYRIFLUQUINAZON 20SC.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.23.81	Mixtures of 1-acetyl-6-(1,1,1,2,3,3,3-heptafluoropropan-2-yl)-3-(pyridin-3-ylmethylamino)-4H-quinazolin-2-one (Pyrifluquinazon) (CAS No. 337458-27-2) and application adjuvants (provided for in subheading 3808.91.25) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107572. IMIDACLOPRID AND MUSCALURE FORMULA-
2 TIONS.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.23.82	Product mixtures containing (NE)-N-[1-[(6-chloropyridin-3-yl)methyl]imidazolidin-2-ylidene]nitramide (Imidacloprid) (CAS No. 138261-41-3) and (Z)-tricos-9-ene (Muscalure) (CAS No. 27519-02-4) (provided for in subheading 3808.91.25)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107573. FORMULATIONS OF ACEPHATE AND
6 BIFENTHRIN.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.23.83	Formulations of N-[methoxy(methylsulfanyl)phosphoryl]acetamide (Acephate) (CAS No. 30560-19-1) and (2-methyl-3-phenylphenyl)methyl (1R,3R)-3-[(Z)-2-chloro-3,3,3-trifluoroprop-1-enyl]-2,2-dimethylcyclopropane-1-carboxylate (Bifenthrin) (CAS No. 82657-04-3) (provided for in subheading 3808.91.25)	Free	No change	No change	On or before 12/31/2023	”.
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9 SEC. 107574. FIPRONIL.

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.23.84	(RS)-5-Amino-1-[2,6-dichloro-4-(trifluoromethyl)phenyl]-4-(trifluoromethylsulfinyl)-1H-pyrazole-3-carbonitrile (Fipronil) (CAS No. 120068-37-3) (provided for in subheading 3808.91.25)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107575. ALUMINUM PHOSPHIDE.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.23.85	(Formulated aluminium phosphide (aluminum phosphide) (CAS No. 20859-73-8) (provided for in subheading 3808.91.30)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107576. MAGNAPHOS FORMULATIONS.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.23.86	Formulations of magnesium phosphide (trimagnesium;phosphorus(3-)) (Magnaphos) (CAS No. 12057-74-8) (provided for in subheading 3808.91.30)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107577. FORMULATED OXAMYL.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.23.87	Mixtures of methyl (1Z)-2-(dimethylamino)-N-(methylcarbamoyloxy)-2-oxoethanimidothioate (Oxamyl) (CAS No. 23135-22-0) and application adjuvants (provided for in subheading 3808.91.50)	0.2%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107578. FORMULATED FUNGICIDES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.23.88	Mixtures of 2-(trichloromethylsulfanyl)-3a,4,7,7a-tetrahydroisindole-1,3-dione (Captan) (CAS No. 133-06-2) and application adjuvants (provided for in subheading 3808.92.15)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107579. CERTAIN FUNGICIDES.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.23.89	Mixtures of (2Z)-2-[2-fluoro-5-(trifluoromethyl)phenyl]sulfanyl-2-[3-(2-methoxyphenyl)-1,3-thiazolidin-2-ylidene]acetonitrile (CAS No. 958647-10-4); 1-methylpyrrolidin-2-one (CAS No. 872-50-4) and polyoxyalkylene polystyryl phenyl ether (CAS No. 99734-09-5) (provided for in subheading 3808.92.15)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107580. PROTHIOCONAZOLE, FLUOPYRAM, AND**
 8 **TRIFLOXYSTROBIN FUNGICIDES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.23.90	Product mixtures containing 2-[2-(1-chlorocyclopropyl)-3-(2-chlorophenyl)-2-hydroxypropyl]-1H-1,2,4-triazole-3-thione (Prothioconazole) (CAS No. 178928-70-6), N-[2-[3-chloro-5-(trifluoromethyl)pyridin-2-yl]ethyl]-2-(trifluoromethyl)benzamide (Fluopyram) (CAS No. 658066-35-4) and (2E)-2-methoxyimino-2-[2-[[[E]-1-[3-(trifluoromethyl)phenyl]ethylideneamino]oxymethyl]phenyl]acetate (Trifloxystrobin) (CAS No. 141517-21-7) (provided for in subheading 3808.92.15) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107581. PROTHIOCONAZOLE, METALAXYL, AND**
2 **TEBUCONAZOLE FUNGICIDES.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.23.91	Product mixtures containing 2-[(2RS)-2-(1-chlorocyclopropyl)-3-(2-chlorophenyl)-2-hydroxypropyl]-2H-1,2,4-triazole-3(4H)-thione (Prothioconazole) (CAS No. 178928-70-6), methyl N-(2-methoxyacetyl)-N-(2,6-xylyl)-DL-alaninate (Metalaxyl) (CAS No. 57837-19-1) and (RS)-1-p-chlorophenyl-4,4-dimethyl-3-(1H-1,2,4-triazol-1-ylmethyl) pentan-3-ol (Tebuconazole) (CAS No. 107534-96-3) (provided for in subheading 3808.92.15) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107582. MANCOZEB AND CHLOROTHALONIL FORMULA-**
6 **TIONS.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.23.92	Formulations of zinc;manganese(2+);N-[2-(sulfidocarbothioylamino)ethyl]carbamodithioate (Mancozeb) (CAS No. 8018-01-7) and 2,4,5,6-tetrachlorobenzene-1,3-dicarbonitrile (Chlorothalonil) (CAS No. 1897-45-6) (provided for in subheading 3808.92.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107583. MIXTURES OF PICARBUTROX AND APPLICA-**
2 **TION ADJUVANTS.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.23.93	Mixtures of tert-butyl N-[6-[[[Z)-[(1-methyltetrazol-5-yl)-phenylmethylidene]amino]oxymethyl]pyridin-2-yl]carbamate (Picarbutrox) (CAS No. 500207-04-5) and application adjuvants (provided for in subheading 3808.92.15)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107584. MIXTURES OF TETRACONAZOLE AND APPLICA-**
6 **TION ADJUVANTS.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.23.94	Mixtures of 1-[2-(2,4-dichlorophenyl)-3-(1,1,2,2-tetrafluoroethoxy)propyl]-1,2,4-triazole (Tetraconazole) (CAS No. 112281-77-3) and application adjuvants (provided for in subheading 3808.92.15)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107585. MANCOZEB AND AZOXYSTROBIN FORMULA-**
10 **TIONS.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.23.95	Formulations containing zinc;manganese(2+);N-[2-(sulfidocarbothioylamino)ethyl]carbamodithioate (Mancozeb) (CAS No. 8018-01-7) and methyl (E)-2-[2-[6-(2-cyanophenoxy)pyrimidin-4-yl]oxyphenyl]-3-methoxyprop-2-enoate (Azoxystrobin) (CAS No. 131860-33-8) (provided for in subheading 3808.92.28)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107586. MIXTURES OF CYMOXANIL AND FUMED**
 2 **DIOXSILANE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.23.96	Mixtures of (1E)-2-(ethylcarbamoylamino)-N-methoxy-2-oxoethanimidoyl cyanide (Cymoxanil) (CAS No. 57966-95-7), fumed dioxosilane (CAS No. 112945-52-5), and application adjuvants (provided for in subheading 3808.92.30) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107587. MICROTHIOL FORMULATIONS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.23.97	Formulations of micronized sulfur (CAS No. 7704-34-9) (provided for in subheading 3808.92.30)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107588. FORMULATIONS OF THIENCARBAZONE-METH-**
 9 **YL, IODOSULFURON-METHYL-SODIUM, AND**
 10 **DICAMBA.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.23.98	Product mixtures containing methyl 4-[(3-methoxy-4-methyl-5-oxo-1,2,4-triazole-1-carbonyl)sulfamoyl]-5-methylthiophene-3-carboxylate (Thiencarbazone-methyl) (CAS No. 317815-83-1); sodium;(5-iodo-2-methoxycarbonylphenyl)sulfonyl-[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoyl]azanide (Iodosulfuron-methyl-sodium) (CAS No. 144550-36-7) and 3,6-dichloro-2-methoxybenzoic acid (Dicamba) (CAS No. 1918-00-9) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 107589. THIENCARBAZONE-METHYL,**
 2 **ISOXADIFENETHYL, AND TEMBOTRIONE HER-**
 3 **BICIDES.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.23.99	Methyl 4-[(3-methoxy-4-methyl-5-oxo-1,2,4-triazole-1-carbonyl)sulfamoyl]-5-methylthiophene-3-carboxylate (Thiencarbazone-methyl) (CAS No. 317815-83-1), ethyl 5,5-diphenyl-4H-1,2-oxazole-3-carboxylate (Isoxadifen-ethyl) (CAS No. 163520-33-0) and 2-[2-chloro-4-methylsulfonyl-3-(2,2,2-trifluoroethoxymethyl)benzoyl]cyclohexane-1,3-dione (Tembotrione) (CAS No. 335104-84-2) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023 ”.
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6 **SEC. 107590. HERBICIDES USED ON GRASSES.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.24.01	Product mixtures containing ethyl (2R)-2-[4-[(6-chloro-1,3-benzoxazol-2-yl)oxy]phenoxy]propanoate (Fenoxaprop-ethyl) (CAS No. 71283-80-2) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107591. THIENCARBAZONE-METHYL, ISOXAFLUTOLE,**
2 **AND CYPROSULFAMIDE HERBICIDES.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.24.02	Product mixtures containing methyl 4-[(3-methoxy-4-methyl-5-oxo-1,2,4-triazole-1-carbonyl)sulfamoyl]-5-methylthiophene-3-carboxylate (Thiencarbazone-methyl) (CAS No. 317815-83-1); (5-cyclopropyl-1,2-oxazol-4-yl)-[2-methylsulfonyl-4-(trifluoromethyl)phenyl]methanone (Isoxaflutole) (CAS No. 141112-29-0) and N-[4-(cyclopropylcarbonyl)phenyl]sulfonyl-2-methoxybenzamide (Cyprosulfamide) (CAS No. 221667-31-8) (provided for in subheading 3808.93.15) ...	5%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107592. THIENCARBAZONE-METHYL AND**
6 **IODOSULFURON-METHYLSODIUM HERBI-**
7 **CIDES.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.24.03	Product mixtures containing methyl 4-[(3-methoxy-4-methyl-5-oxo-1,2,4-triazole-1-carbonyl)sulfamoyl]-5-methylthiophene-3-carboxylate (Thiencarbazone-methyl) (CAS No. 317815-83-1) and sodium (5-iodo-2-methoxycarbonylphenyl)sulfonyl-[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoyl]azanide (Iodosulfuron methylsodium) (CAS No. 144550-36-7) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107593. THIENCARBAZONE-METHYL AND MEFENPYR-**
2 **DIETHYL HERBICIDES.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.24.04	Product mixtures containing methyl 4-[(3-methoxy-4-methyl-5-oxo-1,2,4-triazole-1-carbonyl)sulfamoyl]-5-methylthiophene-3-carboxylate (Thiencarbazone-methyl) (CAS No. 317815-83-1) and diethyl 1-(2,4-dichlorophenyl)-5-methyl-4H-pyrazole-3,5-dicarboxylate (Mefenpyr-diethyl) (CAS No. 135590-91-9) (provided for in subheading 3808.93.15) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107594. THIFENSULFURON-METHYL AND**
6 **TRIBENURON-METHYL FORMULATIONS.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.24.05	Formulations of methyl 3-[[4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoylsulfamoyl]thiophene-2-carboxylate (Thifensulfuron-methyl) (CAS No. 79277-27-3) and methyl 2-[[4-methoxy-6-methyl-1,3,5-triazin-2-yl)-methylcarbamoyl]sulfamoyl]benzoate (Tribenuron-methyl) (CAS No. 101200-48-0) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107595. TRIBENURON-METHYL FORMULATIONS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.24.06	Formulations of methyl 2-[[4-methoxy-6-methyl-1,3,5-triazin-2-yl)-methylcarbamoyl]sulfamoyl]benzoate (Tribenuron-methyl) (CAS No. 101200-48-0) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107596. CHLORSULFURON AND METSULFURON-METH-
5 YL FORMULATIONS.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.24.07	Formulations of 1-(2-chlorophenyl)sulfonyl-3-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)urea (Chlorsulfuron) (CAS No. 64902-72-3), methyl 2-[[4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoylsulfamoyl] benzoate (Metsulfuron Methyl) (CAS No. 74223-64-6) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107597. THIFENSULFURON-METHYL AND FLUROXYPYR**
 2 **FORMULATIONS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.24.08	Formulations of methyl 3-[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoylsulfamoyl]thiophene-2-carboxylate (Thifensulfuron-methyl) (CAS No. 79277-27-3), 2-(4-amino-3,5-dichloro-6-fluoropyridin-2-yl)oxyacetic acid (Fluroxypyr) (CAS No. 69377-81-7) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107598. ACIFLUROFEN FORMULATIONS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.24.09	Formulations of sodium;5-[2-chloro-4-(trifluoromethyl)phenoxy]-2-nitrobenzoate (Acifluofen) (CAS No. 62476-59-9) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107599. S-METOLACHLOR AND MESTRIONE HERBI-**
 9 **CIDES.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.24.10	Formulations of 2-chloro-N-(2-ethyl-6-methylphenyl)-N-[(2S)-1-methoxypropan-2-yl]acetamide (S-Metolachlor) (CAS No. 87392-12-9) and 4-amino-6-tert-butyl-3-methylsulfanyl-1,2,4-triazin-5-one (Mestrione) (CAS No. 21087-64-9) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107600. METRIBUZIN FORMULATIONS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.24.11	Formulations of 4-amino-6-tert-butyl-3-methylsulfanyl-1,2,4-triazin-5-one (Metribuzin) (CAS No. 21087-64-9) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107601. PENDIMETHALINE AND METRIBUZINE FORMU-**
5 **LATIONS.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.24.12	Formulations of 3,4-dimethyl-2,6-dinitro-N-pentan-3-ylaniline (Pendimethaline) (CAS No. 40487-42-1) and 4-amino-6-tert-butyl-3-methylsulfanyl-1,2,4-triazin-5-one (Metribuzine) (CAS No. 21087-64-9) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107602. FORMULATIONS OF S-METOLACHLOR AND**
9 **METRIBUZIN.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.24.13	Formulations of 2-chloro-N-(2-ethyl-6-methylphenyl)-N-[(2S)-1-methoxypropan-2-yl]acetamide (S-Metolachlor) (CAS No. 87392-12-9) and 4-amino-6-tert-butyl-3-methylsulfanyl-1,2,4-triazin-5-one (Metribuzin) (CAS No. 21087-64-9) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107603. THIFENSULFURON-METHYL AND**
 2 **TRIBENURON-METHYL FORMULATIONS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.24.14	Formulations of methyl 2-[[[4-methoxy-6-methyl-1,3,5-triazin-2-yl)-methylearbamoyl] sulfamoyl]benzoate (Tribenuron-methyl) (CAS No. 101200-48-0) and 3-[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoylsulfamoyl] thiophene-2-carboxylic acid (Thifensulfuron) (CAS No. 79277-67-1) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107604. METSULFURON-METHYL FORMULATIONS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.24.15	Formulations of methyl 2-[[[4-methoxy-6-methyl-1,3,5-triazin-2-yl) carbamoylsulfamoyl]benzoate (Metsulfuron-methyl) (CAS No. 74223-64-6) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107605. CHLORIMURON-ETHYL FORMULATIONS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.24.16	Formulations of ethyl 2-[(4-chloro-6-methoxypyrimidin-2-yl)carbamoylsulfamoyl] benzoate (Chlorimuron-ethyl) (CAS No. 90982-32-4) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107606. MIXTURES OF BROMOXYNIL OCTANOATE AND**
 2 **BROMOXYNIL HEPTANOATE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.24.17	Mixtures of 2,6-dibromo-4-cyanophenyl octanoate (Bromoxynil octanoate) (CAS No. 1689-99-2) and 2,6-dibromo-4-cyanophenyl heptanoate (Bromoxynil heptanoate) (CAS No. 56634-95-8) (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107607. SULFOMETURON-METHYL AND**
 6 **METSULFURON-METHYL FORMULATIONS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.24.18	Formulations of methyl 2-[(4,6-dimethylpyrimidin-2-yl)carbamoylsulfamoyl] benzoate (Sulfometuron-methyl) (CAS No. 74222-97-2) and methyl 2-[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoylsulfamoyl] benzoate (Metsulfuron-methyl) (CAS No. 74223-64-6) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107608. CHLORIMURON-ETHYL AND TRIBENURON-**
 10 **METHYL FORMULATIONS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.24.19	Formulations of ethyl 2-[(4-chloro-6-methoxy-pyrimidin-2-yl)carbamoylsulfamoyl] benzoate (Chlorimuron-ethyl) (CAS No. 90982-32-4) and methyl 2-[[[4-methoxy-6-methyl-1,3,5-triazin-2-yl)-methylcarbamoyl]sulfamoyl] benzoate (Tribenuron-methyl) (CAS No. 101200-48-0) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107609. FORMULATIONS CONTAINING TIAFENACIL.

- 2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.24.20	Formulations containing methyl 3-[2-[2-chloro-4-fluoro-5-[3-methyl-2,6-dioxo-4-(trifluoromethyl)pyrimidin-1-yl]phenyl]sulfanylpropanoylamino]propanoate (Tiafenacil) (CAS No. 1220411-29-9) (provided for in subheading 3808.93.15)	0.9%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107610. DIURON 80.

- 5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.24.21	Formulated products containing mixtures of 3-(3,4-dichlorophenyl)-1,1-dimethylurea (CAS No. 330-54-1) and application adjuvants (provided for in subheading 3808.93.15)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107611. FLAZASULFURON HERBICIDES.

- 8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.24.22	Formulations of 1-(4,6-dimethoxy-2-pyrimidin-2-yl)-3-[3-(trifluoromethyl)pyridin-2-yl]sulfonylurea (Flazasulfuron) (CAS No. 104040-78-0) (provided for in subheading 3808.93.15) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107612. THIFENSULFURON-METHYL FORMULATIONS.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.24.23	Formulations of methyl 3-[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoylsulfamoyl]thiophene-2-carboxylate (Thifensulfuron-methyl) (CAS No. 79277-27-3) and application adjuvants (provided for in subheading 3808.93.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107613. HERBICIDE FOR FARM AND RANCH USE.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.24.24	Formulations of (RS)-2-Chloro-N-(2-ethyl-6-methylphenyl)-N-(1-methoxypropan-2-yl)acetamide (S-metolachlor) (CAS No. 87392-12-9) and ammonium (2RS)-2-amino-4-(methylphosphinato)butyric acid (Glufosinate) (CAS No. 77182-82-2) (provided for in subheading 3808.93.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107614. PROPANIL FORMULATIONS.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.24.25	Formulations of N-(3,4-dichlorophenyl)propanamide (Propanil) (CAS No. 709-98-8) (provided for in subheading 3808.93.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107615. THIFENSULFURON FORMULATIONS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.24.26	Formulations of 3-[(4-methoxy-6-methyl-1,3,5-triazin-2-yl)carbamoylsulfamoyl]thiophene-2-carboxylic acid (Thifensulfuron) (CAS No. 79277-67-1) and application adjuvants (provided for in subheading 3808.93.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107616. TOLPYRALATE AND NICOSULFURON HERBI-**
5 **CIDES.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.24.27	Formulations of (RS)-1-[1-ethyl-4-[4-mesyl-3-(2-methoxyethoxy)-o-toluoyl]pyrazol-5-yloxy]ethyl methyl carbonate (Tolpyralate) (CAS No. 1101132-67-5) and 2-[(4,6-dimethoxypyrimidin-2-yl)carbamoylsulfamoyl]-N,N-dimethylpyridine-3-carboxamide (Nicosulfuron) (CAS No. 111991-09-4) (provided for in subheading 3808.93.50)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107617. MIXTURES OF MAGNESIUM SALTS AND APPLI-**
9 **CATION ADJUVANTS.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.24.28	Mixtures of magnesium dinitrate (CAS No. 10377-60-3), 5-chloro-2-methyl-1,2-thiazol-3-one (CAS No. 26172-55-4), 2-methyl-1,2-thiazol-3-one (CAS No. 2682-20-4), magnesium dichloride (CAS No. 7786-30-3), and application adjuvants (provided for in subheading 3808.94.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107618. NISIN FORMULATIONS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.24.29	Nisin preparations including 2.5 percent Nisin and 92 percent salt (CAS No. 1414-45-5) (provided for in subheading 3808.99.95)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107619. CERTAIN FIXATIVES.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.24.30	Dye fixative used in the textile industry containing benzenesulfonic acid, hydroxy-, sodium salt (1:1), polymer with formaldehyde and 4,4'-sulfonylbis(phenol) (CAS No. 71832-81-0) (provided for in subheading 3809.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107620. FUEL OIL ADDITIVES: COLD FLOW IMPROVERS**
 8 **CONTAINING POLY(ETHYLENE-CO-ETHENYL**
 9 **ACETATE).**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.24.31	Mixtures containing poly(ethylene-co-ethenyl acetate) (CAS No. 24937-78-8) used as a cold flow improver for fuel oils (provided for in subheading 3811.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107621. FUEL OIL ADDITIVES: COLD FLOW IMPROVERS**
 2 **CONTAINING FUMARATE VINYL ACETATE CO-**
 3 **POLYMER.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.24.32	Mixtures containing fumarate vinyl acetate co-polymer (CAS No. 68954-13-2) used as a cold flow improver for fuel oils (provided for in subheading 3811.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107622. CRUDE OIL ADDITIVES: COLD FLOW IMPROV-**
 7 **ERS CONTAINING FUMARATE VINYL ACETATE**
 8 **COPOLYMER.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.24.33	Mixtures containing fumarate vinyl acetate copolymer (CAS No. 68954-15-4 or 68954-14-3) used as a cold flow improver for crude oil (provided for in subheading 3811.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107623. POUR POINT DEPRESSANTS.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.24.34	Mixtures containing hydrophobic acrylic polymer (CAS No. 27029-57-8) used as a pour point depressant for crude oil (provided for in subheading 3811.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107624. FUEL OIL ADDITIVES: COLD FLOW IMPROVERS**

2 **CONTAINING POLY (ETHYLENE-CO-ETHENYL**

3 **ACETATE AND VINYL 2-ETHYL HEXANOATE).**

4 Subchapter II of chapter 99 is amended by inserting

5 in numerical sequence the following new heading:

“	9902.24.35	Mixtures containing poly (ethylene-co-ethenyl acetate and vinyl 2-ethyl hexanoate) (CAS No. 52856-75-4) used as a cold flow improver for fuel oil (provided for in subheading 3811.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107625. POLY(ISOBUTYLENE) HYDROFORMYLATION**

7 **PRODUCTS.**

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.24.36	Mixtures consisting of poly(isobutylene) hydroformylation products, reaction products with ammonia (CAS No. 337367-30-3), used in the production of gasoline detergent additive packages (provided for in subheading 3811.90.00)	5%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107626. INPUT FOR RUBBER PRODUCTS.**

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.24.37	Mixtures of 3-(3,4-dichlorophenyl)-1,1-dimethylurea (CAS No. 330-54-1) with acrylate rubber (provided for in subheading 3812.10.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107627. MIXTURES OF OLIGOMERS AS GENERAL ANTI-**
 2 **OXIDANTS FOR RUBBER TIRES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.24.38	Mixtures of oligomers of 2,2,4-trimethyl-1,2-dihydroquinoline (CAS Nos. 147-47-7 and 26780-96-1) as general antioxidants for rubber tires (provided for in subheading 3812.31.00)	4.4%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107628. BENZENE, 2,4-DIISOCYANATO-1,3,5-TRIS(1-**
 6 **METHYLETHYL)-, HOMOPOLYMER.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.24.39	Benzene, 2,4-diisocyanato-1,3,5-tris(1-methylethyl)-, homopolymer (CAS No. 29963-44-8) (provided for in subheading 3812.39.60)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107629. AROMATIC AMINE ANTIOXIDANTS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.24.40	Aromatic amine liquid antioxidants for various polymers consisting of benzenamine, N-phenyl-, reaction products with 2,4,4-trimethylpentene (CAS No. 68411-46-1) (provided for in subheading 3812.39.60)	Free	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 107630. ANTIOXIDANT BLENDS.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.24.41	Antioxidant blends for polymers consisting of tetrakis(methylene (3, 5-di- <i>t</i> -butyl-4-hydroxyhydrocinnamate) methane (CAS No. 6683-19-8) and tris (2, 4-di- <i>t</i> -butylphenyl) phosphite (CAS No. 31570-04-4) (provided for in subheading 3812.39.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107631. ANTIOXIDANT BLENDS TO PROTECT POLY-**
2 **MERS.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.24.42	Antioxidant blends for polymers consisting of N, N'-hexamethylene bis[3-(3,5-di- <i>t</i> -butyl-4-hydroxyphenyl)propionamide] (CAS No. 23128-74-7) and tris (2, 4-di- <i>t</i> -butylphenyl) phosphite (CAS No. 31570-04-4) (provided for in subheading 3812.39.60)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107632. SYNTHETIC HYDROTALCITE COATED WITH**
6 **FATTY ACID AND MAGNESIUM STEARATE.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.24.43	Polyvinyl chloride stabilizers consisting of magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) (CAS No. 11097-59-9) coated with fatty acids (CAS No. 67701-03-5) and magnesium stearate (CAS No. 91031-63-9) (provided for in subheading 3812.39.90)	1.7%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107633. SILICA SCORCH RETARDERS AND POLYM-**
 2 **ERIZATION INHIBITORS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.24.44	Mixtures of precipitated silica gel (CAS No. 112926-00-8) and (4-hydroxy-2,2,6,6-tetramethyl-1-piperidinyl)oxidanyl (CAS No. 2226-96-2) of a kind used as polymerization inhibitors (provided for in subheading 3812.39.90)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107634. SYNTHETIC HYDROTALCITE.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.24.45	Magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) (CAS No. 11097-59-9) coated with a vegetable-based (palm oil) stearic acid (provided for in subheading 3812.39.90)	1.6%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107635. LIGHT STABILIZERS FOR CONSTRUCTION**
 9 **PRODUCTS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.24.46	Hindered amine light stabilizers for polypropylene, polyvinyl chloride and other similar goods, the foregoing consisting of 1,6-hexanediamine, N,N'-bis(2,2,6,6-tetramethyl-4-piperidinyl)-, polymer with 2,4,6-trichloro-1,3,5-triazine, reaction products with N-butyl-1-butanamine and N-butyl-2,2,6,6-tetramethyl-4-piperidinamine (CAS No. 192268-64-7) (provided for in subheading 3812.39.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107636. LIGHT STABILIZER FOR PLASTICS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.24.47	Light stabilizer for plastics containing a mixture of (2,2,6,6-tetramethy, 4-piperidinyl) polymer in 50 percent polypropylene (CAS No. 69447-45-8); 2,2,6,6-tetramethylpiperidin-4-yl) octadecanoate (CAS No. 167078-06-0) and 2,2,6,6-tetramethylpiperidin-4-ol (CAS No. 2403-88-5) (provided for in subheading 3812.39.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107637. PREPARATIONS OF BIS(2,4-**
 5 **DICHLOROBENZOYL) PEROXIDE 50 PERCENT**
 6 **PASTE.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.24.48	Preparations each used as an initiator (radical source) in the crosslinking of polymers consisting of bis(2,4-dichlorobenzoyl)peroxide (CAS No. 133-14-2) and silicone oil (provided for in subheading 3815.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107638. DISTILLED TALL OILS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.24.49	Distilled tall oils containing more than 2 percent by weight rosin (CAS No. 8002-26-4) (provided for in subheading 3823.13.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107639. PYRIDINE, ALKYL DERIVATIVES.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.24.50	Pyridine, alkyl derivatives (CAS No. 68391-11-7) (pro- vided for in subheading 3824.99.28)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107640. POLYISOCYANATE CROSSLINKING AGENTS.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.24.51	Polyisocyanate crosslinking agent tris(4- isocyanatophenoxy)- sulfanylidene- λ 5-phosphane (CAS No. 4151-51-3) (pro- vided for in subheading 3824.99.28)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107641. BONDING AGENT MIXTURES.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.24.52	Mixture of phenol;propane-1- sulfonic acid (CAS No. 70775-94-9) and 1,3- diisocyanato-2- methylbenzene;2,4- diisocyanato-1-methylbenzene (CAS No. 31370-61-3) (pro- vided for in subheading 3824.99.28)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107642. LIQUID, CHEMICALLY MODIFIED AMINE COM-
11 PLEX OF BORON TRIFLUORIDE.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.24.53	Liquid, chemically modified amine complex of (benzylamine)trifluoroboron (CAS No. 696-99-1) (provided for in subheading 3824.99.28)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107643. PHTHALOCYANINE DERIVATIVE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.24.54	1-Octadecanaminium, N,N-dimethyl-N-octadecyl-, (Sp-4-2)-[29H,31H-phthalocyanine-2-sulfonato(3-)-κN29, κN30, κN31, κN32]cuprate(1-) (CAS No. 70750-63-9) (provided for in subheading 3824.99.28)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107644. MIXTURES OF COCAMIDOPROPYL BETAINE,**
5 **GLYCOL DISTEARATE, LAURETH-4, AND**
6 **WATER.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.24.55	Mixtures of 2-[3-(dodecanoylamino)propyl-dimethylazaniumyl]acetate (Cocamidopropyl betaine) (CAS No. 61789-40-0); fatty acids, C16-18, esters with ethylene glycol (glycol distearate) (CAS No. 91031-31-1); alcohols C12-14, ethoxylated (Laureth-4) (CAS No. 68439-50-9) and oxidane (water) (CAS No. 7732-18-5) (provided for in subheading 3824.99.41)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107645. MIXTURES OF TALL OIL MONO-, DI-, AND**
10 **TRIGLYCERIDES.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.24.56	Mixtures of tall oil mono-, di-, and triglycerides of a kind used for fuel additives (CAS No. 97722-02-6) (provided for in subheading 3824.99.41)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107646. TALLOW-BIS(2-HYDROXYETHYL) AMINES.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.24.57	Mixtures of fatty substances of animal origin containing 50 percent by weight of 2-(2-hydroxyethylamino)ethanol on a polyethylene carrier (provided for in subheading 3824.99.41)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 107647. ADDITIVE MIXTURES FOR METALWORKING
5 FLUIDS.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.24.58	Additive mixtures for metalworking fluids of 2-[dimethyl(propyl)azaniumyl]ethyl-[2-[2-[2-[2-[2-[2-[2-[2-methoxyethyl(dimethyl)azaniumyl]ethyl-dimethylazaniumyl]ethoxy]ethyl-dimethylazaniumyl]ethyl-dimethylazaniumyl]ethoxy]ethyl]-dimethylazanium;hexachloride (CAS No. 31075-24-8) (provided for in subheading 3824.99.55)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107648. NAPHTHENIC ACIDS.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.24.59	Naphthenic acids composed of 3-(3-ethylcyclopentyl)propanoic acid (CAS No. 1338-24-5) having an acidic fraction greater than 70 percent (provided for in subheading 3824.99.75)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107649. HYDROXYTYROSOL POWDERS.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.24.60	Mixtures containing (2R,3S,4R,5R)-2,3,4,5,6-pentahydroxyhexanal (CAS No. 9050-36-6 (less than 90 percent by weight)) and 4-(2-hydroxyethyl)benzene-1,2-diol (CAS No. 10597-60-1 (less than 25 percent by weight)) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107650. SECONDARY ALCOHOL ETHOXYLATES.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.24.61	Mixtures of C12-14-secondary ethoxylated alcohols with an average of less than 5 ethylene oxide monomer units (CAS No. 84133-50-6) (provided for in subheading 3824.99.92)	2.8%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107651. ETHYLENE GLYCOL DIMERATE.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.24.62	Mixtures containing fatty acid polymer of a kind used as fuel additives (fatty acids, C18-unsaturated, dimers, polymers with ethylene glycol) (CAS No. 68082-28-0) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107652. TWO-PART LIQUID SILICONE KITS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.24.63	Two-part liquid silicone kits (parts A and B) containing 58 to 70 percent by weight aluminum oxide (CAS No. 1344-28-1) treated with tetrapropyl silicate (CAS No. 682-01-9), 10 to 20 percent by weight ethenyl-[ethenyl(dimethylsilyl)oxy]-dimethylsilane (CAS No. 68083-19-2), 5 to 15 percent by weight [dimethyl(trimethylsilyloxy)silyl]oxyethenyl-methyltrimethylsilyloxysilane (CAS No. 67762-94-1), 5 to 15 percent by weight iron oxide (CAS No. 1309-37-1), 1 to 3 percent by weight bis(dimethylsilyloxy)-dimethylsilane (CAS No. 70900-21-9) and 1 to 3 percent by weight silica, [(ethenyldimethylsilyl)oxy]- and [(trimethylsilyl)oxy]-modified (CAS No. 68988-89-6) (provided for in sub-heading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107653. HYDROPHOBIC PRECIPITATED SILICA.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.24.64	Siloxanes and silicones, dimethyl, reaction products with silica (CAS No. 67762-90-7) (provided for in sub-heading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107654. SILANE, TRIMETHOXYOCTYL-, HYDROLYSIS**
 8 **PRODUCTS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.24.65	Dioxosilane; trimethoxy(octyl)silane (CAS No. 92797-60-9) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107655. 1,1,1-TRIMETHYL-N-**
2 **(TRIMETHYLSILYL)SILANAMINE HYDROLYSIS**
3 **PRODUCTS.**

4 Subchapter II of chapter 99 is amended by inserting
5 in numerical sequence the following new heading:

“	9902.24.66	1,1,1-Trimethyl-N- (trimethylsilyl)silanamine hy- drolysis products with silica and 3-(triethoxysilyl)-1- propanamine (CAS No. 199876-44-3) (provided for in subheading 3824.99.92) ...	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107656. WATERBORNE EPOXY CURING AGENTS.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.24.67	Waterborne epoxy curing agents based on cycloaliphatic amine technology containing (3-aminimethyl-3,5,5- trimethylcyclohexylamine) (CAS No. 285513-2) (pro- vided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107657. PREPARATIONS BASED ON 1-PHENYLCOSANE-**
10 **1,3-DIONE.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.24.68	Preparations based on 1- phenylcosane-1,3-dione (CAS No. 58446-52-9) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107658. MIXTURES OF 2-MERCAPTOPROPIONIC ACID,**
 2 **METHYL ESTER, O-ETHYL**
 3 **DITHIOCARBONATE.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.24.69	Mixtures of methyl 2-ethoxycarbothioylsulfanylpropanoate (CAS No. 351491-23-1); heptane (CAS No. 142-82-5) and methanedithione (CAS No. 75-15-0) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107659. EPOXY CURING AGENTS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.24.70	Epoxy curing agent mixtures of linseed oil polymer with bisphenol A, bisphenol A diglycidyl ether, diethylenetriamine, formaldehyde, glycidyl phenyl ether and pentaethylenhexamine (CAS No. 68915-81-1) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107660. ALIPHATIC AMINE CURING AGENTS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.24.71	[3-(Aminomethyl)phenyl]methanamine (CAS No. 1477-55-0) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 107661. NON-HALOGENATED FLAME RETARDANTS.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.24.72	Non-halogenated flame retardants based on organic phosphinates aluminum; diethylphosphinate (CAS No. 225789-38-8) phosphonic acid, aluminum salt (3:2) (CAS No. 56287-23-1) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107662. LIGAPHOB N 90.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.24.73	Fatty acids, C16-18 and C18-unsaturated, sodium salts (CAS No. 68424-26-0) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107663. ORGANOMODIFIED SILOXANE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.24.74	Mixtures of poly[oxy(methyl-1,2-ethanediyl)], α -butyl- ω -hydroxy- (CAS No. 9003-13-8); polysiloxanes, di-Me, hydroxy-terminated, ethoxylated propoxylated (CAS No. 64365-23-7); and oxirane, 2-methyl-, polymer with oxirane (CAS No. 9003-11-6) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107664. METHYL PALMITATE-STEARATE, HYDRO-
8 GENATED.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.24.75	Fatty acids, C16-18, methyl esters (methyl palmitate-stearate, hydrogenated) (CAS No. 85586-21-6) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107665. OLFINE E1010.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.24.76	Mixtures of ethane-1,2-diol;2,4,7,9-tetramethyldec-5-yne-4,7-diol (CAS No. 9014-85-1) (provided for in subheading 3824.99.92)	1%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107666. CERTAIN NON-HALOGENATED FLAME**
 5 **RETARDANTS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.24.77	Non-halogenated flame retardants based on organic phosphinates aluminum;diethylphosphinate (CAS No. 225789-38-8) phosphoric acid;1,3,5-triazine-2,4,6-triamine (CAS No. 218768-84-4) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107667. FLAME RETARDANTS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.24.78	Non-halogenated flame retardant based on organic phosphinates aluminum;diethylphosphinate (CAS No. 225789-38-8) phosphoric acid;1,3,5-triazine-2,4,6-triamine (CAS No. 218768-84-4) boron zinc oxide (CAS No. 12767-90-7) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107668. PREPARATIONS BASED ON ACETYL**
 2 **HEXAPEPTIDE-8 AND PENTAPEPTIDE-18.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.24.79	Mixtures of propane-1,2,3-triol (CAS No. 56–81–5); (4S)-4-acetamido-5-[[[(2S)-1-[[[(2S)-1-[[[(2S)-5-amino-1-[[[(2S)-1-[[[(2S)-1-amino-5-(diaminomethylideneamino)-1-oxopentan-2-yl]amino]-5-(diaminomethylideneamino)-1-oxopentan-2-yl]amino]-1,5-dioxopentan-2-yl]amino]-4-methylsulfanyl-1-oxobutan-2-yl]amino]-4-carboxy-1-oxobutan-2-yl]amino]-5-oxopentanoic acid (CAS No. 616204–22–9); L-tyrosyl-D-alanyl-glycyl-L-phenylalanyl-L-leucine (CAS No. 64963–01–5); 2-hydroxypropane-1,2,3-tricarboxylic acid hydrate (CAS No. 5949–29–1); octane-1,2-diol (CAS No. 1117–86–8) and water (CAS No. 7732–18–5) (provided for in subheading 3824.99.92)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107669. LITHIUM SILICON OXIDE.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.24.80	Lithium poly-silicate (lithium silicon oxide) in dark gray powdered form (CAS No. 12627–14–4) (provided for in subheading 3824.99.92)	3.9%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107670. BRANCHED OLEFIN FROM PROPYLENE POLYM-**
 9 **ERIZATION.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.24.81	Branched olefin from propylene polymerization (12-[(2S,3R)-3-octyloxiran-2-yl]dodecanoic acid) (CAS No. 9003-07-0) (provided for in subheading 3902.10.00), the foregoing other than polypropylene in pellet form, containing 1 percent or more but not over 10 percent by weight of mineral filler (talc) and 10 percent or more but not over 30 percent by weight of carbon powder	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107671. POLYPROPYLENE PELLETS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.24.82	Polypropylene in pellet form, containing 1 percent or more but not over 10 percent by weight of mineral filler (talc) and 10 percent or more but not over 30 percent by weight of carbon powder (CAS No. 9003-07-0) (provided for in subheading 3902.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107672. PROPYLENE-ETHYLENE COPOLYMER.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.24.83	Poly(propylene-co-ethylene) (CAS No. 9010-79-1) (provided for in subheading 3902.30.00), the foregoing other than ethylene-propylene copolymers containing 50 to 75 percent by weight of propylene	4.9%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107673. ETHYLENE-PROPYLENE COPOLYMERS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.24.84	Ethylene-propylene copolymers, containing 50 to 75 percent by weight of propylene (CAS No. 9010-79-1) (provided for in subheading 3902.30.00)	3.3%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107674. BENZENE ALKYLATED WITH POLYPROPYLENE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.24.85	Benzene, polypropylene derivatives (CAS No. 68081-77-6) (provided for in subheading 3902.90.00)	1.3%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107675. CHLORINATED POLYOLEFIN.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.24.86	Chlorinated polyolefin (1-butene, polymer with ethene and 1-propene, chloro- and tetrahydro-2,5-dioxo-3-furanyl-terminated) (CAS No. 560096-07-3) (provided for in subheading 3902.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107676. ADSORBENT RESIN.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.24.87	Poly(divinylbenzene-co-ethylstyrene) (CAS No. 9043-77-0) (provided for in subheading 3903.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107677. VINYL CHLORIDE-HYDROXYPROPYL ACRYLATE
11 COPOLYMER.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.24.88	2-Hydroxypropyl prop-2-enoate (acrylate), oxiran-2-ylmethyl 2-methylprop-2-enoate (glycidyl methacrylate), vinyl chloride copolymer (CAS No. 164718–75–6) (provided for in subheading 3904.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107678. VINYL CHLORIDE ETHYLENE COPOLYMER
2 WITH HYDROPHIC PROPERTIES.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.24.89	Mixtures containing by weight less than 70 percent of ethylene-vinyl chloride copolymer (CAS No. 25037–78–9) (provided for in subheading 3904.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107679. FLUIDS WITH BOILING POINTS ABOVE 170 °C.

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.24.90	1-Propene, 1,1,2,3,3,3-hexafluoro-, oxidized, polymerized (CAS 69991–67–9) (provided for in subheading 3904.69.50), with boiling point above 170 °C	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107680. FORMULATIONS OF FUNCTIONALIZED
9 PERFLUOROPOLYETHER.

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.24.91	Ethene, 1,1,2,2-tetrafluoro-, oxidized, polymerized, reduced, fluorinated, ethyl esters, reduced (CAS No. 1573124–82–9) (provided for in subheading 3904.69.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107681. PERFLUOROPOLYETHER-URETHANE ACRY-**
 2 **LATE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.24.92	Perfluoropolyether-urethane acrylate (2-propenoic acid, 2-hydroxyethyl ester, reaction products with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane trimer and reduced Me esters of reduced polymerized, oxidized tetrafluoroethylene) (CAS No. 918664-08-1) present in a quantity comprising 60 percent or more but less than 70 percent by weight, the foregoing dissolved in 0.5 percent or more but less than 1 percent by weight of propan-2-ol (isopropyl alcohol) (CAS No. 67-63-0), 15 percent or more but less than 20 percent by weight of ethyl acetate (CAS No.141-78-6) and 10 percent or more but less than 15 percent by weight of butyl acetate (CAS No.123-86-4) (provided for in subheading 3904.69.50)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107682. PVDF HOMOPOLYMER/PVDF/CTFE COPOLYMER**
 6 **MIXTURES.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.24.93	Mixtures of ethene, 1,1-difluoro-, homopolymer (CAS No. 24937-79-9) and ethene, 1-chloro-1,2,2-trifluoro-, polymer with 1,1-difluoroethene (CAS No. 9010-75-7) (provided for in subheading 3904.69.50)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107683. CHEMICALLY MODIFIED PVDF.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.24.94	Chemically modified ethene, 1,1-difluoro-, homopolymer (CAS No. 24937-79-9) (provided for in subheading 3904.69.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107684. FLUOROPOLYMER, FLUOROETHYLENE-ALKYL**
2 **VINYLETHER ALTERNATIVE COPOLYMERS.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.24.95	Chlorotrifluoroethylene-cyclohexyl vinyl ether-hydroxybutyl vinyl ether copolymer in flake or powder form, having a glass transition temperature of 51 °C (CAS No. 89461-13-2) (provided for in subheading 3904.69.50)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107685. COPOLYMER OF VINYL ACETATE AND HIGHER**
6 **VINYL ESTERS.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.24.96	Mixtures containing 50 percent by weight poly(vinyl acetate-co-vinyl laurate) (CAS No. 26354-30-3) and 50 percent by weight bis(2-ethylhexyl) adipate (CAS No. 103-23-1) (provided for in subheading 3905.19.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107686. FOOD-GRADE VINYL ACETATE COPOLYMER.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.24.97	Dodecanoic acid, ethenyl ester, polymer with ethenyl acetate (CAS No. 26354-30-3) (provided for in subheading 3905.19.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107687. VINYL CHLORIDE ETHYLENE WITH ENHANCED**
 2 **PROPERTIES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.24.98	Mixtures containing by weight less than 75 percent of ethylene-vinyl acetate-vinyl chloride copolymer (CAS No. 25085-46-5) (provided for in subheading 3905.29.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107688. VINYL ACETATE ETHYLENE COPOLYMER WITH**
 6 **ENHANCED PROPERTIES.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.24.99	Mixtures containing not more than 75 percent by weight of poly(ethylene-co-ethenyl acetate) (CAS No. 24937-78-8), other than in aqueous dispersion (provided for in subheading 3905.29.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107689. FOOD-GRADE POLYVINYL ACETATE**
 10 **HOMOPOLYMERS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.25.01	Dodecanoic acid, ethenyl ester, polymer with ethenyl acetate (CAS No. 26354-30-3) (provided for in subheading 3905.29.00)	Free	No change	No change	On or before 12/31/2023	”.
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13 **SEC. 107690. ACRYLIC ACID/VINYLSULPHONATE RANDOM**
 14 **COPOLYMERS.**

15 Subchapter II of chapter 99 is amended by inserting
 16 in numerical sequence the following new heading:

“	9902.25.02	Acrylic acid-sodium vinylsulfonate copolymers, sodium persulfate initiated, reaction product with tetrasodium vinylidene diphosphonic acid (CAS No. 397256-50-7) (provided for in subheading 3905.91.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107691. POLY(METHYL METHACRYLATE) MICRO-
2 SPHERES.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.25.03	Poly(methyl methacrylate) granular or spherical microspheres, each with mean particle size of 1 to 25 μm (CAS No. 9011-14-7) (provided for in subheading 3906.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107692. METHYL METHACRYLATE CROSSPOLYMER
6 MICROSPHERES.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.25.04	Composites of methyl methacrylate crosspolymer (methyl 2-methylprop-2-enoate;2-(2-methylprop-2-enoyloxy)ethyl 2-methylprop-2-enoate) (CAS No. 25777-71-3), entirely spherical micro-spheres with mean particle size of 1 to 25 μm and containing 7 to 10 percent by weight of dicalcium phosphate (CAS No. 7757-93-9) (provided for in subheading 3906.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 SEC. 107693. STYRENE ACRYLATE COPOLYMER WITH EN-
10 HANCED PROPERTIES.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.25.05	Mixtures containing less than 65 percent by weight of butyl prop-2-enoate;styrene (CAS No. 25767-47-9) (provided for in subheading 3906.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107694. COPOLYMER FOR DENTAL USE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.06	Reacted copolymer of itaconic and acrylic acids, containing by weight over 90 percent 2-propenoic acid polymer with methylenebutanedioic acid, and also containing ethyl acetate and tetrahydrofuran (CAS No. 25948-33-8) (provided for in subheading 3906.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 107695. VINYL PHOSPHONIC ACID, ACRYLIC ACID CO-
5 POLYMER, 20 PERCENT SOLUTION IN WATER.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.25.07	2-Propenoic acid, polymer with p-ethylphosphonic acid, 20 percent solution in water (CAS No. 27936-88-5) (provided for in subheading 3906.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107696. POLYACRYLATE 33.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.25.08	Mixtures of polyacrylate 33 (methyl methacrylate, polymers with ethyl acrylate, polyethylene glycol methacrylate C16–22-alkyl ethers and polyethylene-polypropylene glycol methacrylate 2-(6,6-dimethylbicyclo[3.1.1]hept-2-en-2-yl)ethyl ether) (CAS No. 1204525–16–5) and alcohols, C10–16, ethoxylated, sulfates, ammonium salts (CAS No. 67762–19–0) (provided for in subheading 3906.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107697. AA/AMPS COPOLYMER.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.25.09	Acrylic acid-2-acrylamide-2-methyl propanesulfonic acid copolymer (prop-2-enoic acid;2-(prop-2-enoylamino)butane-2-sulfonic acid) (CAS No. 40623–75–4) in granule form, with a particle size between 250 and 850 μm (provided for in subheading 3906.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107698. FLOCCULANT DRY POLYACRYLAMIDES.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.25.10	Flocculant dry polyacrylamides (prop-2-enamide) (CAS No. 9003–05–8) (provided for in subheading 3906.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107699. SORBITOL, PROPYLENE OXIDE, ETHYLENE

8 OXIDE POLYMER.

9 Subchapter II of chapter 99 is amended by inserting

10 in numerical sequence the following new heading:

“	9902.25.11	Oxirane, 2-methyl-, polymer with oxirane, ether with D-glucitol (6:1) (CAS No. 56449-05-9) (provided for in subheading 3907.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107700. TRIMETHOXSILYLPROPYLCARBAMATE-TER-**
 2 **MINATED POLYETHER.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.25.12	Poly[oxy(methyl-1,2-ethanediyl)], α -(((3-(trimethoxysilyl)propyl)amino)carbonyl)- ω -(((3-(trimethoxysilyl)propyl)amino)carbonyl)oxy)- (CAS No. 216597-12-5) (provided for in subheading 3907.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107701.**
 6 **DIMETHOXY(METHYL)**
 7 **SILYLMETHYLCARBAMATE-TERMINATED**
 8 **POLYETHER.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.25.13	Poly[oxy(methyl-1,2-ethanediyl)], α -(((dimethoxymethylsilyl)methyl)amino)carbonyl)- ω -(((dimethoxymethylsilyl)methyl)amino)carbonyl)oxy)- (CAS No. 611222-18-5) (provided for in subheading 3907.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107702. CURING AGENT IS USED IN TWO- OR THREE-**
 12 **PARTS EPOXY SYSTEMS.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.25.14	Polyoxypropylen glycol diamine ((3S,4S)-pyrrolidine-3,4-diol) (CAS No. 9046-10-0) (provided for in subheading 3907.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107703. POLYETHYLENE GLYCOL 450.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.15	Poly(oxy-1,2-ethanediyl), α -hydro- ω -hydroxy-ethane-1,2-diol, ethoxylated, PEG 450 (CAS No. 25322-68-3) (provided for in subheading 3907.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107704. MEDICINAL INTERMEDIATE FOR INVESTIGA-
5 TIONAL USE.

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.25.16	Poly(oxy-1,2-ethandiyl), α -[[[(2,5-dioxo-1-pyrrolidinyl)oxy]carbonyl]- ω -[[[(2,5-dioxo-1-pyrrolinyl)oxy]carbonyl]oxy-(di-NHS PEG40K) (CAS No. 122375-06-8) (provided for in subheading 3907.20.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107705. AQUEOUS SOLUTIONS OF CARBOXYLIC ACID-
9 COPOLYMER-SALT IN WATER.

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.25.18	Aqueous solutions containing by weight more than 35 percent of 2,5-furandione, polymer with α -[4-(ethenyloxy)butyl]- ω -hydroxypoly(oxy-1,2-ethanediyl), sodium salt (CAS No. 250591-55-0) (provided for in subheading 3907.20.00)	3%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107706. AQUEOUS SOLUTIONS OF A MODIFIED POLY-**
 2 **MER BEARING HYDROPHILIC AND HYDRO-**
 3 **PHOBIC GROUPS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.25.19	Aqueous solutions containing by weight more than 40 percent of 2,5-furandione, polymer with ethenylbenzene, hydrolyzed, 3-(dimethylamino)propyl imide, imide with polyethylene-propylene glycol 2-aminopropyl me ether, 2,2'-(1,2-diazenediyl)bis(2-methylbutanenitrile)-initiated (CAS No. 1062609-13-5) (provided for in subheading 3907.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107707. DIMETHYLAMINE/EPICHLOROHYDRIN/ETHYL-**
 7 **ENEDIAMINE COPOLYMER.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.25.20	1,2-Ethanediamine, polymer with 2-(chloromethyl)oxirane and N-methylmethanamine (CAS No. 42751-79-1) (provided for in subheading 3907.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107708. LINEAR HYDROXYL-TERMINATED ALIPHATIC**
 11 **POLYCARB DIOL.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.25.21	Poly(dimethyl carbonate-co-1,6-hexanediol) (CAS No. 101325-00-2) (provided for in subheading 3907.40.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107709. SHORT HOLLOW PET FIBERS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.22	Hollow fibers of poly(ethylene terephthalate) (CAS No. 25038-59-9), having a viscosity number of 78 ml/g or higher, each fiber measuring 0.5 mm or more but not more than 5 mm in length (provided for in subheading 3907.61.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107710. POLYTETRAHYDROFURAN.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.23	Polytetrahydrofuran (CAS No. 25190-06-1) (provided for in subheading 3907.99.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107711. CRYSTALLINE POLYESTERS.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.25.24	1,4-Benzenedicarboxylic acid, 1,4-dimethyl ester, polymer with 1,4-butanediol and α -hydro- ω -hydroxypoly(oxy-1,4-butanediyl) (CAS No. 9078-71-1) (provided for in subheading 3907.99.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107712. LIQUID CRYSTAL POLYMERS.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.25.25	1,4-Benzenedicarboxylic acid, polymer with 1,4-butanediol and α -hydro- ω -hydroxypoly(oxy-1,4-butanediyl) (CAS No. 37282-12-5) (provided for in subheading 3907.99.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107713. BRANCHED POLYESTERS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.26	1,3-Benzenedicarboxylic acid, polymer with 1,3-dihydro-1,3-dioxo-5-isobenzofurancarboxylic acid, 1,4-dimethyl 1,4-benzenedicarboxylate, 2,2-dimethyl-1,3-propanediol and 1,2-ethanediol (CAS No. 207346–22–3) (provided for in subheading 3907.99.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107714. HIGH MOLECULAR WEIGHT CO-POLYESTER.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.27	1,4-Benzenedicarboxylic acid, 1,4-dimethyl ester, polymer with 1,4-butanediol and triethyldecanedimethanol (CAS No. 490017–22–6) (provided for in subheading 3907.99.50)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107715. HIGH MOLECULAR WEIGHT CO-POLYESTER.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.25.28	1,3-Benzenedicarboxylic acid polymer with 1,4-benzenedicarboxylic acid, dimethyl ester, 1,4-cyclohexanedimethanol, 2,2-dimethyl-1,3-propanediol and 1,2-ethanediol (CAS No. 74239–60–4) (provided for in subheading 3907.99.50)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107716. POLYESTER-POLYAMIDE DISPERSANTS.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.25.29	Dodecanoic acid, reaction products with ethylenimine-2-oxepanone polymer (CAS No. 132434-99-2) (provided for in subheading 3907.99.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107717. NYLON-12 MICRO-SPHERES.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.30	Nylon-12, entirely spherical micro-spheres with mean particle size of 1 to 25 μm (CAS No. 24937-16-4) (provided for in subheading 3908.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107718. SHORT NYLON-66 FIBERS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.31	Nylon 66 (CAS No. 32131-17-2) fiber, measuring 3.3 decitex or more but not more than 22.2 decitex and having a fiber length each measuring 0.5 mm or more but not over 2 mm (provided for in subheading 3908.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107719. SHORT NYLON 6 FIBERS, COLORED.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.25.32	Nylon 6 (CAS No. 25038-54-4) fibers, colored with pigments, measuring approximately 5.5 or more but not more than 22.2 decitex and having a fiber length each measuring 1 mm or more but not over 5 mm (provided for in subheading 3908.10.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107720. SHORT TRIANGULAR NYLON 6 FIBERS.**

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.25.33	Triangular nylon 6 (CAS No. 25038-54-4) fibers, measuring 2 or more but not more than 5 decitex and having a fiber length each measuring 0.5 mm or more but not over 2 mm (provided for in subheading 3908.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107721. SHORT STAR-SHAPED NYLON 6 FIBERS.**

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.25.34	Star-shaped nylon 6 (CAS No. 25038-54-4) fibers, measuring 50 or more but not more than 200 decitex and having a fiber length each measuring 0.5 mm or more but not over 5 mm (provided for in subheading 3908.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107722. SHORT HEART-SHAPED NYLON 6 FIBERS.**

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.25.35	Heart-shaped nylon 6 (CAS No. 25038-54-4) fibers, measuring 150 decitex and having a fiber length each measuring 0.5 mm or more but not over 2 mm (provided for in subheading 3908.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107723. PA510 POLYMER COMPOUNDS.**

11 Subchapter II of chapter 99 is amended by inserting

12 in numerical sequence the following new heading:

“	9902.25.36	Mixtures containing poly(imino-1,5-pentanediyylimino(1,10-dioxo-1,10-decanediyl)) PA510 (CAS No. 105063-19-2) (provided for in subheading 3908.90.70)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107724. MXD6 POLYMER COMPOUNDS.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.25.37	Compounds in which hexanedioic acid, polymer with 1,3-benzenedimethanamine (MXD6) (CAS No. 25728-70-1) is the predominant polymer resin (provided for in subheading 3908.90.70)	2.2%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107725. PA10T POLYMER COMPOUNDS.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.25.38	Compounds in which poly(iminocarbonyl-1,4-phenylenecarbonylimino-1,10-decanediyl) (PA10T) (CAS No. 24938-74-7) is the predominant polymer resin (provided for in subheading 3908.90.70)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107726. PA10T/10I POLYMER COMPOUNDS.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.25.39	Compounds in which poly(iminocarbonyl-1,4-phenylenecarbonylimino-1,10-decanediyl)-co-(iminocarbonyl-1,3-phenylenecarbonylimino-1,10-decanediyl) (PA10T/10I) (CAS No. 106413-15-4) is the predominant polymer resin (provided for in subheading 3908.90.70)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107727. POLYURETHANE AQUEOUS RESINS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.40	Butane-1,4-diol;1,6-diisocyanatohexane;hexanedioic acid;5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane (CAS No. 107934-19-0) (provided for in subheading 3909.50.20)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107728. AQUEOUS RESIN.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.41	Hexanedioic acid, polymer with 1,4-butanediol, 1,6-diisocyanatohexane, 1,6-hexanediol and 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane (CAS No. 153640-62-1) (provided for in subheading 3909.50.20)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107729. ALIPHATIC POLYISOCYANATE.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.25.42	1,2,3-Propanetriol, polymer with 2,4-diisocyanato-1-methylbenzene, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, methyloxirane and oxirane (CAS No. 127821-00-5) (provided for in subheading 3909.50.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107730. IPDI AND HDI BASED ALIPHATIC**
11 **POLYISOCYANATE.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.25.43	Poly[oxy(methyl-1,2-ethanediyl)], α -hydro- ω -hydroxy-, polymer with 1,6-diisocyanatohexane (CAS No. 9048-90-2) and cyclohexane, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethyl-, (CAS No. 53880-05-0) (provided for in subheading 3909.50.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107731. HDI/TRIMETHYLOL HEXYLLACTONE
2 CROSSPOLYMER MICRO-SPHERES.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.25.44	Hexamethylene diisocyanate (HDI)/trimethylol hexyllactone crosspolymer (1,6-diisocyanatohexane;2-ethyl-2-(hydroxymethyl)propane-1,3-diol;oxepan-2-one) (CAS No. 129757-76-2), entirely spherical micro-spheres with mean particle size of 1 to 25 μ m and coated with 1 to 3 percent by weight of silica (CAS No. 7631-86-9) (provided for in subheading 3909.50.50)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107732. HDI/PPG/POLYCAPROLACTONE
6 CROSSPOLYMER MICRO-SPHERES.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.25.45	2-Oxepanone, polymer with 1,6-diisocyanatohexane, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol and α -hydro- ω -hydroxy[poly[oxy(methyl-1,2-ethanediyl)]] ether with D-glucitol (6:1) (CAS No. 302791-95-3), entirely spherical micro-spheres with mean particle size of 3 to 25 μ m (provided for in subheading 3909.50.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107733. AROMATIC ISOCYANATE PREPOLYMER.**

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.25.46	Isocyanic acid, polymethylenepolyphenylene ester, polymer with 2-methyloxirane and oxirane (CAS No. 67423-05-6) (provided for in subheading 3909.50.50)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107734. BLOCKED POLYISOCYANATE CONTAINING SOL-**
5 **VENT.**

6 Subchapter II of chapter 99 is amended by inserting

7 in numerical sequence the following new heading:

“	9902.25.47	Phenol, 4,4'-(1-methylethylidene)bis-, polymer with 1,3-diisocyanatomethylbenzene, 1,1'-methylenebis[4-isocyanatobenzene], 2-methyloxirane and 2-methyloxirane polymer with oxirane ether with 1,2,3-propanetriol (3:1), Me Et ketone oxime-blocked (CAS No. 1334421-42-9) (provided for in subheading 3909.50.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107735. POLYISOCYANATE ADDUCT FOR POWDER**
9 **COATINGS.**

10 Subchapter II of chapter 99 is amended by inserting

11 in numerical sequence the following new heading:

“	9902.25.48	1,3-Bis((5-isocyanato-1,3,3-trimethylcyclohexyl)methyl)-1,3-diazetidone-2,4-dione;butane-1,4-diol (CAS No. 72828-34-3) (provided for in subheading 3909.50.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107736. BLOCKED POLYISOCYANATE FOR USE IN CAN**
 2 **AND COIL APPLICATIONS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.25.49	Isocyanato-1- (isocyanatomethyl)-1,3,3- trimethylcyclohexane (Isophorone diisocyanate), homopolymer, methyl ethyl ketone oxime-blocked (CAS No. 103170–26–9) (provided for in subheading 3909.50.50)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107737. POLYDIMETHYLSILOXANE.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.25.50	Polydimethylsiloxane (Di- methyl- bis(trimethylsilyloxy)silane) (CAS No. 63148–62–9) (pro- vided for in heading 3910.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107738. SILICONE RESINS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.25.51	Siloxanes and silicones, di- Me, polymers with Me PH silsesquioxanes (CAS No. 68440–81–3) (provided for in heading 3910.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107739. METHOXYFUNCTIONAL METHYL-PHENYL**
 12 **POLYSILOXANE.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.25.52	Siloxanes and silicones, di-Me, polymers with PH silsesquioxanes, butoxy- and methoxy-terminated (CAS No. 104780-72-5) (provided for in heading 3910.00.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107740. HYDROGENPOLYSILOXANE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.53	Dimethyl-[methyl(trimethylsilyloxy)silyl]oxy-trimethylsilyloxysilane (CAS No. 68037-59-2) (provided for in heading 3910.00.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107741. METHYL SILICONE RESINS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.54	Siloxanes and silicones, di-Me, polymers with Me silsesquioxanes, ethoxy-terminated (CAS No. 68554-66-5) (provided for in heading 3910.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 107742. EPOXY FUNCTIONAL
8 POLYDIMETHYLSILOXANE.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.25.56	Methoxy-methyl-[3-(3-(oxiran-2-yl)propoxy)propyl]-trimethylsilyloxysilane (CAS No. 68440-71-1) (provided for in heading 3910.00.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 107743. POLYMETHYLHYDROGENSILOXANE.

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.25.57	Poly(methylhydrosiloxane) (CAS No. 63148–57–2) (provided for in heading 3910.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107744. VINYL TERMINATED SILOXANES.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.58	Siloxanes and silicones, di-Me, vinyl group-terminated (ethenyl-[ethenyl(dimethyl)silyl]oxydimethylsilane) (CAS No. 68083–19–2) (provided for in heading 3910.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107745. SILICONE HYBRID RESIN (SOLVENT FREE).

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.59	Mixtures containing 85 percent or more by weight of silsesquioxanes, Me Ph, methoxy-terminated, polymers with epichlorohydrin, 4,4'-(1-methylethylidene)bis[cyclohexanol] and trimethyl (CAS No. 349656–42–4) and 10 percent or less by weight cyclohexanol, 4,4'-(1-methylethylidene)bis-, polymer with 2-(chloromethyl)oxirane (CAS No. 30583–72–3) (provided for in heading 3910.00.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 107746. HYDROGENATED POLYCYCLOPENTADIENE
8 RESIN.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.25.60	Hydrogenated polycyclopentadiene resin (1,3-Cyclopentadiene homopolymer, hydrogenated) (CAS No. 68132-00-3) (provided for in subheading 3911.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107747. WATER DISPERSABLE HDI BASED**
2 **POLYISOCYANATE.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.25.61	Hexane,1,6-diisocyanato-, homopolymer (CAS No. 28182-81-2) and cyclohexane,5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethyl-,homopolymer (CAS No. 53880-05-0) (provided for in subheading 3911.90.25)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107748. CYANATE ESTER RESINS FOR HIGH-END ELEC-**
6 **TRONIC, AEROSPACE, AND INDUSTRIAL AP-**
7 **PLICATIONS.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.25.62	Cyanic acid, C,C'-(1-methylethylidene)di-4,1-phenylene] ester, homopolymer (CAS No. 25722-66-1) (provided for in subheading 3911.90.45)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107749. POLYETHYLENEIMINE, COMPONENT USED IN**
11 **MANUFACTURING MEDICAL DEVICES.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.25.63	Polyethylenimine (CAS No. 9002-98-6), of a kind used as a component for further manufacturing into a finished medical device (provided for in subheading 3911.90.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107750. POLYHEXANIDE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.64	Poly (hexamethylenebiguanide) hydrochloride (Polyhexanide) (CAS No. 32289-58-0) (provided for in subheading 3911.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107751. ETHYLENE-NORBORNENE COPOLYMER.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.65	Poly(ethylene-ran-(2-norbornene)), substantially amorphous, having a glass transition temperature less than 145 °C (CAS No. 26007-43-2) (provided for in subheading 3911.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107752. CELLULOSE POWDER.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.25.66	Cellulose entirely spherical micro-spheres, each with mean particle size of 1 to 25 µm (CAS No. 9004-34-6) (provided for in subheading 3912.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107753. POLYMALTOTRIOSE.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.25.67	Poly[6- α -D-glucopyranosyl-(1->4)- α -D-glucopyranosyl-(1->4)- α -D-glucopyranosyl-(1->)] (Polymaltotriose) (CAS No. 9057-02-7) (provided for in subheading 3913.90.20)	1.3%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107754. CHITOSAN.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.25.68	Chitosan (methyl N-[(2S,3R,4R,5S,6R)-5-[(2S,3R,4R,5S,6R)-3-amino-5-[(2S,3R,4R,5S,6R)-3-amino-5-[(2S,3R,4R,5S,6R)-3-amino-5-[(2S,3R,4R,5S,6R)-3-amino-5-[(2S,3R,4R,5S,6R)-3-amino-4,5-dihydroxy-6-(hydroxymethyl)oxan-2-yl]oxy-4-hydroxy-6-(hydroxymethyl)oxan-2-yl]oxy-4-hydroxy-6-(hydroxymethyl)oxan-2-yl]oxy-4-hydroxy-6-(hydroxymethyl)oxan-2-yl]oxy-4-hydroxy-6-(hydroxymethyl)oxan-2-yl]oxy-4-hydroxy-6-(hydroxymethyl)oxan-2-yl]oxy-2-[(2R,3S,4R,5R,6S)-5-amino-6-[(2R,3S,4R,5R,6R)-5-amino-4,6-dihydroxy-2-(hydroxymethyl)oxan-3-yl]oxy-4-hydroxy-2-(hydroxymethyl)oxan-3-yl]oxy-4-hydroxy-6-(hydroxymethyl)oxan-3-yl]carbamate) (CAS No. 9012-76-4) (provided for in subheading 3913.90.20)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107755. PLASTIC DRINKING STRAWS.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.25.69	Drinking straws of plastics, each measuring 8 mm or more in outside diameter and 20 cm or more in length (provided for in subheading 3917.32.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107756. GARDEN HOSES.**

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.25.70	Garden hoses of plastics, constructed with a grade 304 stainless steel interlocking spiral band outer shell, flexible polyvinyl chloride (PVC) inner hose, having aluminum fittings with rubber grips, weighing not more than 2.8 kg, the foregoing whether or not presented with nozzle (provided for in subheading 3917.39.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107757. PLASTIC FITTINGS OF PERFLUOROALKOXY.**

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.25.71	Plastic fittings of perfluoroalkoxy (PFA), of a kind used principally with machines and apparatus for the manufacture of semi-conductors and flat panel displays of heading 8486 (provided for in subheading 3917.40.00, 3926.90.99 or 3923.50.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107758. LOW DENSITY POLYETHYLENE (LDPE) SHEET-**
 8 **ING.**

9 Subchapter II of chapter 99 is amended by inserting

10 in numerical sequence the following new heading:

“	9902.25.72	Low density sheeting of polyethylene, measuring in width 3,810 mm, gauge 0.15 mm and length 2,000 meters, translucent solid with waxy color as presented (provided for in subheading 3920.10.00)	3.1%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107759. BIAXIALLY ORIENTED DIELECTRIC POLY-**
 2 **PROPYLENE FILM.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.25.73	Biaxially oriented dielectric polypropylene film, produced from solvent-washed low ash content (less than 50 ppm) polymer resin (CAS No. 9003-07-0) (provided for in subheading 3920.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107760. BIAXIALLY ORIENTED POLYPROPYLENE**
 6 **(BOPP) CAPACITOR-GRADE FILM.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.25.74	Transparent coextruded biaxially oriented polypropylene film, capacitor-grade, presented in rolls of a width not exceeding 790 mm and of a thickness not exceeding 15 μ m (provided for in subheading 3920.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107761. POLYESTER CAPACITOR-GRADE FILM.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.25.75	Transparent coextruded biaxially oriented polyester film, capacitor-grade, presented in roll form, of a width not exceeding 790 mm and of a thickness not exceeding 15 μ m (provided for in subheading 3920.62.00)	Free	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 107762. ACID FORM MEMBRANES.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.25.76	Membranes of short side chain (Poly(tetrafluoroethylene-co-perfluoro(3-oxa-4-pentenesulfonic acid)) (CAS No. 1163733-25-2) (provided for in subheading 3920.99.20)	4.1%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107763. MELAMINE RESIN FOAM.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.25.77	Foam of thermoset melamine resin, measuring 1,250 mm or more in width, 500 mm in height and 1,300 mm or more but not more than 3,100 mm in length, with a density not less than 4 and not more than 11 kg/m ³ per EN ISO 845 specimen size 250 mm ³ (provided for in subheading 3921.19.00)	5.4%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107764. INFANT BATHTUBS AND BASINS, OF PLASTICS.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.25.78	Infant bathtubs and wash-basins of plastics, each measuring not over 70 cm in length, 48 cm in width and 29 cm in height (provided for in subheading 3922.10.00) ...	3.4%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107765. BOXES, CASES, CRATES, AND SIMILAR ARTI-
8 CLES OF PLASTICS.

9 Subchapter II of chapter 99 is amended by inserting

10 in numerical sequence the following new heading:

“	9902.25.79	Boxes, cases, crates and similar articles of plastics (provided for in subheading 3923.10.90), the foregoing specially shaped or fitted for the conveyance of lithography machines, apparatus or parts thereof for the manufacture of semiconductor devices or of electronic integrated circuits of subheading 8486.20.00 or 8486.90.00	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107766. NOZZLES, BLACK, OF POLYPROPYLENE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.80	Nozzles of polypropylene, black in color, each measuring 4.5 mm in inside diameter, with an outer diameter of 29 mm and a height of 39.2 mm (provided for in subheading 3923.10.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107767. TIP/CAP COMBINATIONS OF POLYETHYLENE.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.81	Tips of low density polyethylene, each measuring 19.1 mm in height, with outer diameter of 18.4 mm, of a capacity of 20 ml and weighing not over 0.9 g; each such tip attached to a cap of high density polyethylene, measuring 16.2 mm, with outer diameter of 18.4 mm and weighing not over 1.3 g (provided for in subheading 3923.10.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107768. BOTTLES MADE OF LDPE.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.25.82	Bottles of low density polyethylene, each measuring 56 mm in height, having an outer diameter of 27 mm, with a bottle neck having an outer diameter of 16.2 mm, of a capacity of 20 ml, weighing not over 4 g (provided for in subheading 3923.30.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107769. PLASTIC NASAL IRRIGATOR CAPS FOR NETI**
2 **POTS.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.25.83	Nasal irrigator caps of plastics, designed for use on ceramic neti pots (provided for in subheading 3923.50.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107770. TOY CHARACTER BOTTLE TOPPERS.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.25.84	Three-dimensional (3D) toy character bottle toppers of plastics, each consisting of a threaded bottle cap, a straw-like sipper and a 3D children's toy character from children's movies or television programs, having a diameter of at least 32 mm (provided for in subheading 3923.50.00)	2.8%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107771. MELAMINE PLATTERS, OTHER THAN THOSE**
9 **PRESENTED IN SETS.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.25.85	Melamine platters, other than those presented in sets (provided for in subheading 3924.10.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107772. MELAMINE PLATES, OTHER THAN THOSE PRE-**
 2 **SENTED IN SETS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.25.86	Melamine plates, other than those presented in sets (provided for in subheading 3924.10.20)	0.8%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107773. MELAMINE BOWLS NOT PRESENTED IN SETS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.25.87	Melamine bowls, not presented in sets (provided for in subheading 3924.10.20)	0.8%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107774. MELAMINE TRAYS NOT PRESENTED IN SETS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.25.88	Melamine trays, the foregoing other than those presented in sets (provided for in subheading 3924.10.30)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107775. PLASTIC MEASURING CUPS AND SPOONS IN**
 12 **SETS.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.25.89	Measuring cups, spoons, or combinations thereof, the foregoing of plastics, designed for table or kitchen use to measure ingredients, such goods presented in sets each containing from 4 to 12 pieces (provided for in subheading 3924.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107776. LIQUID MEASURING CUPS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.25.90	Household kitchen measuring tools, of plastics, designed to be used for liquid ingredients, such goods with measuring size not exceeding 1 liter (provided for in subheading 3924.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107777. SELF-ANCHORING BEVERAGE CONTAINERS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.25.91	Self-anchoring beverage containers of plastics, each with a base made from orange silicone, such base measuring no more than 60.4 mm (provided for in subheading 3924.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107778. PVC INFANT BATHTUB MATS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.25.92	Polyvinylchloride (PVC) infant bathtub mats, whale-shaped, each with non-slip surface, drainage-allowing perforations and suction cups on the bottom surface, of a length less than 76.2 cm and not over 39.4 cm in width (provided for in subheading 3924.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 107779. REVERSIBLE PLAYMATS.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.25.93	Printed, cushioned mats, each with core of polyurethane foam and outer layer of thermoplastic polyurethane film, measuring approximately 218.4 cm by 132.1 cm and 11.5 mm in thickness when unrolled (provided for in subheading 3924.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107780. HANGERS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.95	Molded plastic hangers of a width not exceeding 6.35 mm, coated or covered with a velvet-like, textile flocking material and incorporating a metal hook (provided for in subheading 3924.90.56)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107781. INFANT BATH RINSING CUPS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.96	Infant bath rinsing cups, of polypropylene plastics, each with interior fins and with a soft thermoplastic rubber lip designed to keep water from infant's forehead; not containing bisphenol A (BPA), polyvinyl chloride (PVC) and phthalate (provided for in subheading 3924.90.56)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107782. BATHTUB SPOUT COVERS.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.25.97	Whale-shaped adjustable bathtub spout covers, of thermoplastic materials (provided for in subheading 3924.90.56)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107783. INFANT TEETHERS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.25.98	Infant teethers of silicone, each measuring not over 10 cm by 10 cm, weighing over 0.05 kg and containing a silicone-encased disk of stainless steel (provided for in subheading 3924.90.56)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107784. LIGHTED DOG FETCH TOYS.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.25.99	Molded balls of thermoplastic rubber, with encased light-emitting diode (LED) lights, each battery-operated, measuring 64 mm in diameter, with a hardness of 40 Shore A per ASTM D2240 (provided for in subheading 3924.90.56)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107785. CERTAIN THERMOPLASTIC NYLON 3-GANG**
8 **SWITCH WALLPLATES.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.26.01	Thermoplastic nylon 3-gang switch wallplates, each measuring approximately 17.14 cm by 12.4 cm (provided for in subheading 3925.90.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107786. MANUAL PLASTIC DISPOSABLE CUTLERY DIS-**
12 **PENSERS.**

13 Subchapter II of chapter 99 is amended by inserting
14 in numerical sequence the following new heading:

“	9902.26.02	Dispensers designed to contain and release pieces of disposable cutlery of plastics, manually operated, each dispenser with press lever single-dispensing operation and designed to hold banded cartridges of same-branded (only) disposable cutlery, such dispensers designed to be wall mounted (provided for in subheading 3925.90.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107787. EAR BULB SYRINGES OF CLEAR SILICONE.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.26.03	Ear bulb syringes, each with tip and bulb of clear silicone and with polystyrene ring connector (provided for in subheading 3926.90.21)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107788. PVC INFLATABLE PILLOWS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.26.04	Inflatable travel pillows of flexible polyvinyl chloride, the exterior of which may be flocked, each with a valve for inflation, such pillows measuring between 60 cm and 70 cm in length and 15 cm to 25 cm in width and weighing between 150 g and 190 g, the foregoing presented with an attached nylon flat cord measuring between 75 cm to 80 cm in length and 1 cm to 1.5 cm in width, and which may each have a cover of polyester (provided for in subheading 3926.90.75)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107789. SELF-INFLATABLE QUEEN AIR MATTRESSES.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.26.05	Pneumatic air mattresses of polyvinyl chloride, each with a flocced surface and built-in 120 V electric pump, measuring approximately 205.7 cm by 157.5 cm by 54.6 cm, weighing 11.3 kg and valued \$34 or more but not over \$40 (provided for in subheading 3926.90.75)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107790. PLASTIC CLIP FASTENERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.06	Fasteners of nylon or of polypropylene, with a filament length of 2.5 mm or more but not over 127 mm, presented on clips each holding the quantity of 25, 50, 100 or 120 pieces, suitable for use in a mechanical attaching device (provided for in subheading 3926.90.85)	3.6%	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 107791. SELF-VENTING SPOUTS FOR DIESEL EXHAUST
 5 FLUID.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.07	Self-venting spouts or nozzles, threaded for connection to plastic containers on one end and fitted for connection to diesel exhaust fluid (DEF) tanks of diesel motor vehicles on the other, the foregoing presented without the containers (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107792. PLASTIC PET CARRIERS.

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.26.08	Carrying cases of hard plastics, each with handle and door of plastics and with no door of metal, the foregoing designed for use for reptiles or amphibians and not for the housing or transport of mammals, measuring not over 381 mm on any side (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107793. PLASTIC MIXING TIPS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.09	Plastic mixing tips, each consisting of a mixer housing, mixing elements and a retaining ring, each designed for use as a disposable mixing tip for two-part chemistries in the dental industry (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107794. CABLE TIES OF PLASTICS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.26.10	Cable ties of nylon, measuring 20 cm or more but not more than 61 cm in length, sold in packs each containing not over 100 pieces and valued not over \$1 per pack (provided for in subheading 3926.90.99)	3.8%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107795. FLEXIBLE CAMERA MOUNTINGS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.11	Camera mounts of plastics, each with an elongated, segmented plastic neck composed of 6 to 8 ball joints, incorporating a base that clips into other types of mounts, engineered to mount cameras of subheading 8525.80.40 (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107796. THREE-PIECE CAMERA MOUNT SETS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.12	Sets each containing three camera mounts of plastics, such mounts designed for cameras of subheading 8525.80.40; with each set containing one mount incorporating an adjustable head-strap designed to encircle the forehead, one mount buoyant in water incorporating a handle designed to allow a user to grip with the hand and one mount in the form of a clip (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107797. MAGNETIC SWIVEL CLIPS FOR CAMERAS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.26.13	Camera mounts of plastics, designed to hold cameras of subheading 8525.80.40, each mount incorporating a clip and magnetic base, capable of rotating the camera 360 degrees on a plane (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107798. HELMET CAMERA MOUNTS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.14	Camera mounts of plastics, each designed to attach camera of subheading 8525.80.40 securely onto the front or side of a helmet (provided for in subheading 3926.90.99) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107799. SHORT EXTENSION POLES FOR USE WITH CAM-
2 ERAS.

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.15	Extension poles of plastics, designed for use with cameras of subheading 8525.80.40; such poles not buoyant in water, each having an adjustable length greater than 11 cm and less than 23 cm and incorporating a collapsible tripod handle (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107800. LONG EXTENSION POLES FOR CAMERAS.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.16	Extension poles of plastics, designed for use with cameras of subheading 8525.80.40; such poles not buoyant in water and without folding extension arms, each pole having an adjustable length between 23 cm and 56 cm and incorporating a collapsible tripod handle (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107801. SWIVEL MOUNTS FOR CAMERAS.

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.26.17	Camera mounts of plastics, designed to hold cameras of subheading 8525.80.40, each mount containing a ball joint and capable of swiveling the camera 360 degrees without detaching the mount (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107802. TRIPOD CAMERA MOUNTS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.18	Camera mounts of plastics, each designed to attach a camera of subheading 8525.80.40 securely onto a tripod (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107803. BULK HYDRAULIC HOSES.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.26.19	Bulk hoses of vulcanized rubber, reinforced with metal, without fittings, designed for hydraulic use (provided for in subheading 4009.21.00)	1.6%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107804. BRAKE HYDRAULIC HOSES.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.20	Brake hoses, with fittings, for the vehicles of subheading 8701.20 or headings 8702, 8703, 8704, 8705 or 8711, such hoses reinforced or otherwise combined only with textile materials (provided for in subheading 4009.32.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107805. BULK FABRIC/METAL-REINFORCED RUBBER**
 2 **HOSES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.21	Hoses of vulcanized rubber (other than hard rubber), reinforced with both textile materials and metal, without fittings, presented in bulk and designed for hydraulic use (provided for in subheading 4009.41.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107806. DISPOSABLE GLOVES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.22	Seamless disposable gloves of vulcanized rubber other than hard rubber, designed for household use, such gloves other than surgical or medical gloves (provided for in subheading 4015.19.10)	1.5%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107807. REUSABLE GLOVES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.26.23	Household reusable seamless gloves, of vulcanized rubber other than hard rubber (provided for in subheading 4015.19.10)	1.2%	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107808. DOG AND CAT APPAREL.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.26.24	Articles of pet apparel, excluding life jackets for pets and pet apparel with attached or built-in collars or harnesses; such articles put up for retail sale (provided for in subheading 4201.00.60)	1%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107809. POLYCARBONATE VANITY CASES.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.26.25	Hard-sided polycarbonate vanity cases with zipper closure, such cases measuring 13 cm (including hinge) in width, 18.2 cm (including top ring) in height, at least 7 cm but not over 7.6 cm deep, each case weighing 167.26 grams or more but not over 184.27 grams (provided for in subheading 4202.12.21) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107810. ALUMINUM VANITY CASES.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.26.26	Hard-sided vanity cases of aluminum, such cases with latch closure and measuring 13.8 cm in width (including hinge and latch), 18.2 cm in height (including top ring) and at least 7.5 cm but not over 7.6 cm in depth; the foregoing weighing at least 240.97 grams but not over 297.67 grams each (provided for in subheading 4202.19.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107811. SUITCASES WITH OUTER SURFACE OF ALU-

8 MINUM WITH BUILT-IN ZIPPER LOCKS.

9 Subchapter II of chapter 99 is amended by inserting

10 in numerical sequence the following new heading:

“	9902.26.27	Suitcases with outer surface of aluminum, with 4 wheels, at least 1 handle, with built-in zipper locks of a type compliant with standards of the Transportation Security Administration keyed for opening with a universal master tool made and patented in the United States, the first side of the locks measuring 3.73 cm or more but not over 17.78 cm, the second side of the locks measuring 1.77 cm or more but not over 7.72 cm and the third side of the locks measuring 1.06 cm or more but not over 3.97 cm (provided for in subheading 4202.19.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107812. LAMINATED RECYCLED REUSABLE SHOPPING

2 TOTE BAGS.

3 Subchapter II of chapter 99 is amended by inserting

4 in numerical sequence the following new heading:

“	9902.26.29	Shopping tote bags made from laminated 100 percent recycled PET fabric made from recycled plastic bottles, each bag having a width of 38.1 cm and shoulder straps with a length of 59.69 cm (provided for in subheading 4202.92.31)	12.7%	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107813. REUSABLE SHOPPING STYLE TOTE BAGS.

6 Subchapter II of chapter 99 is amended by inserting

7 in numerical sequence the following new heading:

“	9902.26.31	Reusable shopping-style tote bags of plastic, each with handles, load capacity not over 13.61 kg and measuring at least 43.18 cm but not over 63.5 cm in width, at least 38.1 cm but not over 50.8 cm in height and 19.94 cm but not over 23.5 cm in depth (provided for in subheading 4202.92.45), the foregoing other than of woven man-made fiber fabric visibly coated on the outer surface with plastics	6.9%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107814. WATERPROOF TOTE BAGS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.32	Waterproof tote bags of woven man-made fiber fabric visibly coated on the outer surface with plastics, each bag with welded seams, two or more adjustable handles, a reinforced bottom, and with a toothless plastic fully watertight zipper on both the primary compartment and the side pocket (provided for in subheading 4202.92.45)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107815. WATERPROOF DUFFLE BAGS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.26.33	Waterproof duffle bags of woven man-made fiber fabric visibly coated on the outer surface with plastics, each with welded seams, a toothless plastic fully watertight zipper, a reinforced bottom and a separate watertight zippered compartment at the bottom (provided for in subheading 4202.92.45)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107816. WATERPROOF ZIPPERED BAGS, WITHOUT HAN-**
 8 **DLES, OF PLASTIC SHEETING.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.26.34	Waterproof bags of clear thermoplastic polyurethane (TPU) film and woven man-made fiber fabric visibly coated on the outer surface with plastics, each with welded seams and incorporating a toothless plastic fully watertight zipper closure; such bags measuring not over 26.2 cm wide, 27.0 cm high and 8.2 cm deep (provided for in subheading 4202.92.45), the foregoing without handles	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107817. WATERPROOF BACKPACKS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.26.35	Waterproof backpacks of woven man-made fiber fabric visibly coated on the outer surface with plastics, each with welded seams, a toothless plastic fully watertight zipper and a reinforced bottom, the foregoing not presented with a detachable front pouch having its own shoulder strap (provided for in subheading 4202.92.45) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107818. WATERPROOF WAIST PACKS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.26.36	Waterproof waist packs of woven man-made fiber fabric visibly coated on the outer surface with plastics, each with welded seams and toothless plastic fully watertight zipper and adjustable waist strap (provided for in subheading 4202.92.45)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107819. GUITAR CASES.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.26.37	Guitar cases, each having a guitar-shaped (not rectangular) exterior, a polyester plush interior lining and a single carrying handle, such handle with a covering of a kind known as Tolex; the foregoing cases made from plywood covered with sheeting of plastics and incorporating 4 or 5 metal locking clasps and valued over \$40 but not over \$60 each (provided for in subheading 4202.92.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107820. JEWELRY BOXES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.38	Jewelry boxes constructed of medium density fiberboard (MDF) covered with sheeting of plastics on the outer surface, each box with an embossed design covering more than 50 percent of the exterior and incorporating one exterior window through which the jewelry can be viewed, the foregoing with compartmentalized interior sections lined with velvet (provided for in subheading 4202.92.97)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107821. SILICONE RUBBER CAMERA CASES WITH
5 STRAPS.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.39	Camera cases of silicone rubber, designed to hold cameras of subheading 8525.80.40, each case containing openings for the operation of the camera and an adjustable nylon strap and measuring not more than 52 mm in height, 76 mm in width and 29 mm in depth (provided for in subheading 4202.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107822. LEATHER GLOVES WITH FLIP MITTS FOR**
 2 **HUNTING.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.40	Full-fingered gloves, each with a palm side of leather and a back side comprising a camouflage-printed knitted fabric wholly of polyester and laminated to expanded polytetrafluoroethylene (EPTFE), such gloves with insulation comprising 40 percent by weight of synthetic microfiber and 60 percent by weight of duck down; each having a mitt sewn to the back of the glove as a flap, with leather tips for each finger and thumb designed to improve grip, such mitt designed to cover the fingers for additional warmth; the foregoing gloves designed for use in the sport of hunting (provided for in subheading 4203.21.80)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107823. MEN’S LEATHER GLOVES VALUED AT \$18 OR**
 6 **MORE PER PAIR.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.26.41	Men’s full-fingered gloves with a palm side of leather and a backside of woven fabric comprising 89 percent or more but not over 95 percent by weight of man-made fibers and 5 percent or more but not over 11 percent by weight of elastomeric fibers, such fabric fully lined with a waterproof membrane; such gloves stuffed with synthetic microfiber for thermal insulation, with elasticized wrist and valued at \$18 or more/pr; the foregoing other than gloves specially designed for use in sports (provided for in subheading 4203.29.30)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107824. BELTS OF CALF SKIN.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.42	Belts of calf skin (provided for in subheading 4303.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107825. BAMBOO ENGINEERED FLOORING: 12.5–12.9 MM**
 5 **THICK.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.43	Plywood flooring with a face ply of bamboo (<i>Phyllostachys pubescens</i>), such face ply measuring less than 4 mm in thickness; each flooring panel measuring at least 12.5 mm but not over 12.9 mm in thickness and at least 125.0 mm but not over 230.6 mm in width (provided for in subheading 4412.10.05)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107826. BAMBOO ENGINEERED FLOORING: 14.1–14.5 MM**
 9 **THICK.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.26.44	Plywood flooring with a face ply of bamboo (<i>Phyllostachys pubescens</i>), such face ply measuring less than 4 mm in thickness; each flooring panel measuring at least 14.1 mm but not over 14.5 mm in thickness and at least 125.0 mm but not over 230.6 mm in width (provided for in subheading 4412.10.05)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107827. BAMBOO ENGINEERED FLOORING: 15.7–16.1 MM**

2 **THICK.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.45	Plywood flooring with a face ply of bamboo (<i>Phyllostachys pubescens</i>), such face ply measuring less than 4 mm; each flooring panel measuring at least 15.7 mm but not over 16.1 mm in thickness and at least 125.0 mm but not over 230.6 mm in width (provided for in subheading 4412.10.05)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107828. STRAND BAMBOO FLOORING: 12.5–12.9 MM**

6 **THICK.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.26.46	Strand bamboo (<i>Phyllostachys pubescens</i>) flooring, tongued and grooved, continuously shaped along any of its ends, surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply, such flooring measuring at least 12.5 mm but not over 12.9 mm in thickness and at least 126.8 mm but not over 127.2 mm in width (provided for in subheading 4418.91.90)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107829. STRAND BAMBOO FLOORING: 14.1–14.5 MM**

10 **THICK.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.26.47	Strand bamboo (Phyllostachys pubescens) flooring, tongued and grooved, continuously shaped along any of its ends, surface covered with a clear or trans- parent material which does not obscure the grain, texture or markings of the face ply, such flooring measuring at least 14.1 mm but not over 14.5 mm in thickness and at least 126.8 mm but not over 127.2 mm in width (provided for in subheading 4418.91.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107830. STRAND BAMBOO FLOORING: 10.9–11.3 MM**

2 **THICK.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.26.48	Strand bamboo (Phyllostachys pubescens) flooring, tongued and grooved, continuously shaped along any of its ends, surface covered with a clear or trans- parent material which does not obscure the grain, texture or markings of the face ply, such flooring measuring at least 10.9 mm but not over 11.3 mm in thickness and at least 126.8 mm but not over 127.2 mm in width (provided for in subheading 4418.91.90)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107831. CHOPSTICKS MADE OF BAMBOO.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.26.49	Bamboo chopsticks (provided for in subheading 4419.12.00)	0.7%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107832. DRYING RACKS OF WOOD.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.26.50	Drying racks of wood designed to mount on the wall and fold up accordion style, the foregoing used for drying delicate clothing (provided for in subheading 4420.90.80) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107833. BAMBOO SKEWERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.51	Skewers or sticks made of bamboo, the foregoing not over 31 cm in length (provided for in subheading 4421.91.60)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107834. WOOD BLINDS WITH LOUVERED SLATS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.26.52	Wood blinds with louvered boards (provided for in subheading 4421.99.40)	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 107835. 100 PERCENT COTTON WOVEN CRIMPED UN-
 8 BLEACHED FABRIC.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.26.53	Woven fabrics wholly of cotton, unbleached, crimped, with yarn number between 43 and 68, presented folded into 3 layers, measuring less than 84 cm wide before folding and less than 28 cm wide after folding; weighing less than 25 g/m ² before folding and less than 75 g/m ² after folding (measuring 3 layers at once); piece length less than 76 cm; put up layered on rolls of up to 200 pieces per roll, with edges not attached in any way, such fabric easily unfolded (provided for in subheading 5208.11.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107836. WOVEN FABRICS OF COTTON, CONTAINING 85**
 2 **PERCENT OR MORE BY WEIGHT OF COTTON,**
 3 **NOT MORE THAN 200 GRAMS PER SQUARE**
 4 **METER.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.26.54	Woven fabrics of cotton, containing 85 percent or more by weight of cotton, weighing not more than 200 g/m ² , unbleached, satin weave or twill weave, 256 cm or greater in width; such fabrics having a thread count exceeding 200 or an average yarn number exceeding 68 (provided for in subheading 5208.19.20)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107837. 100 PERCENT COTTON WOVEN BLEACHED FAB-**
 8 **RIC PIECES, OPEN WEAVE.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.26.56	Fabrics wholly of cotton, bleached, open weave, average yarn number between 43 and 68 metric, weighing less than 60 g/m ² ; presented folded in layers ranging in number from 2 to 16 layers, in pieces on rolls or stacked in a box, or on bolts, or continuous length on large rolls; measuring 89 cm to 92 cm in width before folding, folded widths between 22 cm and 42 cm in width, lengths vary depending upon packaging but ranging from 22 cm to 950 m (provided for in subheading 5208.21.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107838. INCONTINENCE UNDERPAD FABRICS OF COT-**
 2 **TON.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.57	Woven fabrics wholly of cotton, bleached, twill weave, of single ply yarns, weighing between 132 and 140 g/m ² , measuring 182 to 194 cm in width, with 286 and 304 decitex in the warp and between 358 and 380 decitex in the filling, with 25 to 27 yarns per cm in the warp and 16 to 18 yarns per cm in the filling (provided for in sub-heading 5208.29.20)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107839. WOVEN FABRICS OF COTTON WITH AN AVER-**
 6 **AGE YARN NUMBER BETWEEN 55 AND 60.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.26.58	Woven fabrics of cotton, containing over 50 percent but less than 85 percent by weight of cotton, mixed mainly with man-made fibers, weighing not more than 200 g/m ² , unbleached, plain weave, in widths of 305 cm or greater; such fabrics having an average yarn number exceeding 55 but not exceeding 60 (provided for in sub-heading 5210.11.60)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107840. WOVEN FABRIC OF COTTON OF YARN NUMBER**
 10 **69 OR HIGHER.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.26.59	Woven fabrics of cotton, containing over 50 percent but less than 85 percent by weight of cotton, mixed mainly with man-made fibers, weighing not more than 200 g/m ² , unbleached, plain weave, of yarn number 69 or higher number, in widths of 226 cm or greater (provided for in subheading 5210.11.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107841. WOVEN FABRICS OF COTTON WITH AN AVER-**
 2 **AGE YARN NUMBER EXCEEDING 68.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.60	Woven fabric of cotton, containing over 50 percent but less than 85 percent by weight of cotton, mixed solely with man-made fibers, weighing not more than 200 g/m ² , unbleached, satin weave or twill weave, other than 3-thread or 4-thread twill or cross twill, in widths of 226 cm or greater; such fabrics having an average yarn number exceeding 68 (provided for in subheading 5210.19.20)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107842. INCONTINENCE UNDERPAD FABRICS, COTTON,**
 6 **PLAIN WEAVE, OF YARN NUMBER 42 OR**
 7 **LOWER.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.61	Woven fabrics of cotton, of yarn number 42 or lower, containing by weight 77 percent to 83 percent of cotton and 17 percent to 23 percent of polyester, bleached, plain weave, weighing 165 to 175 g/m ² , measuring 182 to 194 cm in width, constructed with single ply yarns with 239 to 253 decitex in the warp and with two ply yarns of 573 to 609 decitex in the filling, 19 to 21 yarns per cm in the warp and 9 to 11 single yarns per cm in the filling (provided for in subheading 5210.21.40)	Free	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 107843. INCONTINENCE UNDERPAD FABRICS, COTTON,**
 2 **PLAIN WEAVE, OF YARN NUMBER BETWEEN**
 3 **43 AND 68.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.26.62	Woven fabrics of cotton, of yarn numbers 43 to 68, such fabrics containing by weight 51 percent to 55 percent of cotton and 45 percent to 49 percent of polyester, bleached, plain weave of single ply yarns, weighing 99 to 105 g/m ² , measuring 182 to 194 cm in width, with 184 to 196 decitex in the warp and filling, 29 to 31 yarns per cm in the warp and 19 to 21 yarns per cm in the filling (provided for in subheading 5210.21.60)	Free	No change	No change	On or before 12/31/2023 ”.
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6 **SEC. 107844. INCONTINENCE UNDERPAD FABRICS,**
 7 **BLEACHED.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.63	Woven fabrics of cotton, 3-thread or 4-thread twill, containing by weight 51 percent to 55 percent of cotton and 45 percent to 49 percent of polyester, bleached, of single ply yarns, weighing 132 to 140 g/m ² , measuring 182 to 194 cm in width, with 162 to 172 decitex in the warp and 358 to 380 decitex in the filling, 29 to 31 yarns per cm in the warp and 21 to 23 yarns per cm in the filling (provided for in subheading 5210.29.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107845. INCONTINENCE UNDERPAD FABRICS, PRINT-
2 ED.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.26.64	Woven fabrics of cotton, 3-thread or 4-thread twill, containing by weight 51 percent to 55 percent of cotton and 45 percent to 49 percent of polyester, printed, made from single ply yarns, weighing 132 to 140 g/m ² , measuring 182 to 194 cm in width, with 162 to 172 decitex in the warp and 358 to 380 decitex in the filling, 29 to 31 yarns per cm the warp and 21 to 23 yarns per cm in the filling (provided for in subheading 5210.59.10)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107846. UNTWISTED FILAMENT POLYVINYL ALCOHOL
6 YARN, MEASURING 1,100 TO 1,330 DECITEX.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.26.65	Synthetic (polyvinyl alcohol) filament yarn, untwisted, measuring from 1,100 to 1,330 decitex and consisting of 200 filaments (provided for in subheading 5402.49.91)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107847. UNTWISTED FILAMENT POLYVINYL ALCOHOL**
 2 **YARN.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.66	Synthetic (polyvinyl alcohol) filament yarn, untwisted, measuring 1,330 to 2,070 decitex and consisting of between 600 and 1000 filaments (provided for in subheading 5402.49.91)	0.5%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107848. POLYPROPYLENE (PP) MONOFILAMENT.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.67	Synthetic monofilament of polypropylene, of 67 decitex or more and of which no cross-sectional dimension exceeds 1 mm (provided for in subheading 5404.12.90)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107849. ACRYLIC FIBER TOW WITH AN AVERAGE**
 9 **DECITEX OF 0.9.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.26.68	Acrylic filament tow containing at least 85 percent but not more than 94 percent by weight of acrylonitrile units and 1 percent or more but not over 4 percent of water, raw white (undyed), crimped, with an average decitex of 0.9 (plus or minus 10 percent) and an aggregate filament measure in the tow bundle between 660,000 and 1,300,000 decitex, with a length greater than 2 m (provided for in subheading 5501.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107850. BLACK POLYESTER BI-COMPONENT FIBERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.71	Synthetic staple fibers, not carded, combed or otherwise processed for spinning, the foregoing comprising black polyester bi-component fibers measuring between 4.4 and 6.7 decitex and with fiber length between 50 and 51 mm; having an outer copolymer sheath that melts at a lower temperature than the core; the foregoing of a kind used for bonding fibers together (provided for in sub-heading 5503.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107851. ACRYLIC STAPLE FIBERS WITH AN AVERAGE**
 5 **DECITEX OF 2.2, FIBER LENGTH OF 100 MM.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.72	Acrylic staple fibers containing at least 85 percent by weight of acrylonitrile units and 2 percent or more but not over 3 percent of water, raw white (undyed), crimped, with an average decitex of 2.2 (plus or minus 10 percent) and fiber length of 100 mm (plus or minus 10 percent) (provided for in sub-heading 5503.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107852. MODACRYLIC STAPLE FIBERS NOT PROC-**
 9 **ESSED FOR SPINNING.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.26.73	Modacrylic staple fibers containing 35 percent or more but not over 85 percent by weight of acrylonitrile units and 1 percent or more but not over 3 percent of water, pigmented, crimped, with an average decitex between 1.9 and 3.3 (plus or minus 10 percent) and a fiber length between 45 and 51 mm (plus or minus 10 percent) (provided for in subheading 5503.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107853. SHORT POLYPROPYLENE FIBERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.74	Polypropylene fibers, 6.66 decitex, with a fiber length of 0.5 mm (provided for in subheading 5503.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107854. POLYOXADIAZOLE FIBERS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.26.75	Synthetic staple fibers of polyoxadiazole, not carded, combed or otherwise processed for spinning, measuring between 1 and 2 decitex and with fiber length between 38 mm and 51 mm (provided for in subheading 5503.90.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 107855. ARTIFICIAL STAPLE FIBERS OF VISCOSE
 8 RAYON, 38–42 MM IN LENGTH.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.26.76	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, each measuring 1.5 or more but not over 1.8 decitex and having a fiber length measuring 38 mm or more but not over 42 mm (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107856. ARTIFICIAL FIBERS OF VISCOSE RAYON FOR**
 2 **THE MANUFACTURE OF FEMININE HYGIENE**
 3 **PRODUCTS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.26.77	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, each measuring 2.9 or more but not over 3.7 decitex and having a fiber length measuring 28 mm, the foregoing suitable for use in producing goods of heading 9619 (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107857. FLAME RETARDANT RAYON FIBERS, MEAS-**
 7 **URING 4.78 DECITEX.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.78	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, containing 28 percent or more but not over 33 percent by weight of silica, measuring 4.78 decitex in lengths of 60 mm (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107858. FLAME RETARDANT RAYON FIBERS, MEAS-**
 2 **URING 4.55 DECITEX.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.79	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, containing 28 percent or more but not over 33 percent by weight of silica measuring 4.55 decitex in lengths of 60 mm (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107859. FLAME RETARDANT RAYON FIBERS, MEAS-**
 6 **URING 4.4 DECITEX.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.26.80	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, each containing 28 percent or more but not over 33 percent by weight of silica, measuring 4.4 decitex and 60 mm in length (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107860. OTHER FLAME RETARDANT RAYON FIBERS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.26.81	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning and containing 28 percent or more but not over 33 percent by weight of silica (provided for in subheading 5504.10.00); the foregoing other than fibers measuring 2.2 decitex in lengths of 38 mm, measuring 4.7 decitex in lengths of 51 mm or measuring 3.3, 4.4, 4.55, 4.7, 4.78 or 5.0 decitex in lengths of 60 mm	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107861. CELLULOSIC MAN-MADE VISCOSE RAYON STA-**
 2 **PLE FIBERS, MEASURING 1.3–1.5 DECITEX.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.82	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, measuring 1.3 decitex but not over 1.5 decitex and having a fiber length each measuring 20 mm or more but not over 150 mm (provided for in subheading 5504.10.00), the foregoing other than fibers with a length of 38 mm or more but not over 42 mm	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107862. VISCOSE RAYON STAPLE FIBERS, MEASURING**
 6 **1.5–1.67 DECITEX, WITH A FIBER LENGTH OF**
 7 **38–42 MM.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.83	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, each measuring greater than 1.5 decitex but not over 1.67 decitex and having a fiber length measuring 20 mm or more but not over 150 mm (provided for in subheading 5504.10.00), the foregoing other than fibers with a length of 38 mm or more but not over 42 mm	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107863. CELLULOSIC MAN-MADE VISCOSE RAYON STA-**
 2 **PLE FIBERS, MEASURING 1.67–2 DECITEX.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.84	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, measuring greater than 1.67 decitex but not over 2 decitex and having a fiber length each measuring 20 mm or more but not over 150 mm (provided for in subheading 5504.10.00), the foregoing other than fibers with a length of 38 mm or more but not over 42 mm	0.6%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107864. VISCOSE RAYON STAPLE FIBERS, MEASURING**
 6 **1–2 DECITEX, WITH A FIBER LENGTH OF 4–8**
 7 **MM.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.85	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, measuring 1 decitex or more but not over 2 decitex and having a fiber length each measuring 4 mm or more but less than 8 mm (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107865. VISCOSE STAPLE FIBERS USED IN TEXTILE,**
 2 **MEDICAL, OR HYGIENE APPLICATIONS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.26.86	Staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, measuring over 2 decitex but not over 3.3 decitex and having a fiber length each measuring over 55 mm or more but not over 60 mm (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107866. VISCOSE RAYON STAPLE FIBERS, MEASURING**
 6 **1.51–2 DECITEX, WITH A FIBER LENGTH OF 8–**
 7 **16 MM.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.87	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, measuring 1.51 decitex or more but not over 2.0 decitex and having a fiber length each measuring 8 mm or more but not over 16 mm (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107867. VISCOSE RAYON STAPLE FIBERS, MEASURING**
 11 **1–1.5 DECITEX, WITH A FIBER LENGTH OF 8–16**
 12 **MM.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.26.88	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, measuring 1 decitex or more but not over 1.5 decitex and having a fiber length each measuring 8 mm or more but not over 16 mm (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107868. FLAME RETARDANT VISCOSE RAYON STAPLE**
 2 **FIBERS, WITH A DECITEX OF 4.7 MM AND A**
 3 **FIBER LENGTH OF 51–60 MM.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.26.89	Artificial staple fibers of viscose rayon, not carded, combed or otherwise processed for spinning, each measuring 4.7 decitex (plus or minus 10 percent) and having a fiber length measuring 51 mm but not over 60 mm (provided for in subheading 5504.10.00), the foregoing other than fibers containing 28 percent or more but not over 33 percent by weight of silica, measuring 4.7 decitex and 60 mm in length	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107869. VISCOSE RAYON STAPLE FIBERS FOR**
 7 **NONWOVEN PRODUCTION.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.26.90	Staple fibers of viscose rayon, with decitex ranging from either 0.5 decitex to less than 0.9 decitex or greater than 2 decitex to 3.5 decitex, the foregoing with a fiber length of 25 mm to 55 mm (provided for in subheading 5504.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107870. BLACK VISCOSE RAYON STAPLE FIBERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.91	Artificial staple fibers, not carded, combed or otherwise processed for spinning, each black in color, having a decitex of 1.7 but not over 2, with cut length measuring 30 mm but not over 80 mm (provided for in subheading 5504.10.00), the foregoing other than fibers of 1.7 decitex or more but not over 1.8 decitex, with fiber length measuring 38 mm or more but not over 42 mm	Free	No change	No change	On or before 12/31/2023 ”.
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4 **SEC. 107871. ACRYLIC OR MODACRYLIC STAPLE FIBERS**
 5 **WITH A DECITEX OF 3-5.6.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.92	Acrylic or modacrylic staple fibers, carded, combed or otherwise processed for spinning, containing by weight 92 percent or more of polyacrylonitrile, not more than 0.1 percent of zinc and 2 percent or more but not over 8 percent of water, undyed, with an average decitex of 3 to 5.6 (provided for in subheading 5506.30.00)	Free	No change	No change	On or before 12/31/2023 ”.
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8 **SEC. 107872. MADE UP HAND-CAST STRING-DRAWN FISHING**
 9 **NETS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.26.93	Made up hand-cast string-drawn fishing nets, of nylon monofilament, each with attached string or rope, incorporating a neoprene cuff and attachment for user’s waistband belt (provided for in subheading 5608.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107873. KNITTED CARPETS CONTAINING 75 PERCENT**
 2 **OR MORE OF COTTON, WITH A RUBBER BACK-**
 3 **ING.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.26.94	Carpets and other textile floor coverings, knitted, made up, containing 75 percent or more by weight of cotton fibers, each with a rubber backing (provided for in subheading 5705.00.20)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107874. KNITTED CARPETS CONTAINING 75 PERCENT**
 7 **OR MORE BY WEIGHT OF POLYESTER, WITH A**
 8 **RUBBER BACKING.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.26.95	Whether or not made up knitted carpets and other textile floor coverings, made up, containing 75 percent or more by weight of polyester fibers, each with a rubber backing (provided for in subheading 5705.00.20)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107875. FAUX LEATHER FABRICS.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.26.96	Fabrics of ‘faux leather’, polyurethane-coated, of man-made fibers, containing by weight 50 percent or more but not over 62 percent of polyurethane, 36 percent or more but not over 45 percent of man-made fibers and 2 percent or more but not over 5 percent of elastomeric fibers, for use in women’s apparel, weighing 330 to 360 g/m ² , measuring 132 cm to 137 cm in width (provided for in subheading 5903.20.25)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107876. GRASS CATCHER BAGS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.26.97	Grass catcher bags of man-made fiber fabric, used primarily with push lawn mowers, riding lawn mowers and chipper/shredder/vacuums (provided for in subheading 5911.90.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107877. OXYGENATION MEMBRANE CAPILLARY MATE-
5 RIAL.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.26.98	Knitted or crocheted fabrics of polymethylpentene (PMP) oxygenation membrane capillary fibers, such fabrics consisting of PMP tubes arranged and secured in a knitted fabric of PMP (provided for in subheading 6003.30.60)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 107878. TEXTILE KNITTED FABRICS COMPOSED OF
9 MICROMODAL AND ELASTANE.

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.26.99	Knitted fabrics containing by weight 66 to 79 percent micromodal and 21 to 34 percent elastane, measuring over 30 cm in width, weighing 155 to 220 g/m ² , knitted with fine machine gauges of 44 to 50 (provided for in subheading 6004.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107879. TEXTILE TECHNICAL KNITTED FABRICS COM-**
 2 **BINING TECHNICAL COTTON AND ELASTANE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.27.01	Technical knitted fabrics containing by weight 71 percent technical cotton and 29 percent elastane, measuring 170 to 180 cm in width, weighing 160 to 200 g/m ² , valued at \$14.50 or more per linear meter (provided for in subheading 6004.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107880. TEXTILE KNIT FABRICS OF MODAL, CASH-**
 6 **MERE, AND SPANDEX.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.27.02	Textile knitted fabric containing by weight 78 percent modal, 14 percent cashmere and 8 percent spandex, weighing 75 to 85 grams per square meter, with cuttable width of 130 to 140 cm, valued at not less than \$17 per linear meter as presented (provided for in subheading 6006.43.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107881. WOMEN’S AND GIRLS’ DRESSES, KNITTED OR**
 2 **CROCHETED, OF SYNTHETIC FIBERS IN-**
 3 **FUSED WITH MINERALS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.27.05	Women’s and girls’ dresses, knitted or crocheted, of synthetic fibers infused with minerals including silicon dioxide, titanium dioxide or aluminum oxide ground to a size not greater than 1 micron, such dresses specially designed for the sport of competitive cheerleading (provided for in subheading 6104.43.20)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107882. WOMEN’S AND GIRLS’ SKIRTS AND DIVIDED**
 7 **SKIRTS OF SYNTHETIC FIBERS INFUSED**
 8 **WITH MINERALS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.27.06	Women’s and girls’ skirts and divided skirts of synthetic fibers infused with minerals including silicon dioxide, titanium dioxide or aluminum oxide ground to a size not greater than 1 micron, such skirts or divided skirts specially designed for the sport of competitive cheerleading (provided for in subheading 6104.53.20)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107883. WOMEN’S AND GIRLS’ KNIT CARDIGANS OR**
 12 **PULLOVERS CONTAINING 70 PERCENT OR**
 13 **MORE OF SILK.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.27.09	Women’s or girls’ knitted or crocheted pullovers and cardigans, containing 70 percent or more by weight of silk or silk waste, each with more than 9 stitches/2 cm, measured in the direction the stitches were formed, and an average of less than 10 stitches/linear cm in each direction counted on an area measuring at least 10 cm by 10 cm, such apparel articles that reach the waist (provided for in subheading 6110.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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**1 SEC. 107884. MEN’S AND BOYS’ KNIT CARDIGANS OR PULL-
2 OVERS OF LINEN.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.27.10	Men’s or boys’ knitted or crocheted pullovers and cardigans, of linen, each with more than 9 stitches/2 cm, measured in the direction the stitches were formed, and an average of less than 10 stitches/linear cm in each direction counted on an area measuring at least 10 cm by 10 cm, such apparel articles that reach the waist (provided for in subheading 6110.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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**5 SEC. 107885. BABIES’ KNIT SWEATERS, PULLOVERS,
6 SWEATSHIRTS, WAISTCOATS (VESTS), AND
7 CARDIGANS, OF ARTIFICIAL FIBERS.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.27.11	Babies’ knitted or crocheted sweaters, pullovers, sweatshirts, waistcoats (vests) and cardigans, the foregoing of artificial fibers and other than those imported as parts of sets (provided for in subheading 6111.90.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107886. WOMEN’S AND GIRLS’ TOPS, KNITTED OR CRO-**
 2 **CHETED, OF MAN-MADE FIBERS INFUSED**
 3 **WITH MINERALS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.27.15	Women’s and girls’ tops, knitted or crocheted, of man-made fibers infused with minerals including silicon dioxide, titanium dioxide or aluminum oxide ground to a size not greater than 1 micron, such tops specially designed for the sport of competitive cheerleading (provided for in subheading 6114.30.10)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107887. MEN’S AND BOYS’ TOPS, KNITTED OR CRO-**
 7 **CHETED, OF MAN-MADE FIBERS INFUSED**
 8 **WITH MINERALS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.27.16	Men’s and boy’s tops, knitted or crocheted, of man-made fibers infused with minerals including silicon dioxide, titanium dioxide or aluminum oxide ground to a size not greater than 1 micron, such tops specially designed for the sport of competitive cheerleading (provided for in subheading 6114.30.10)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107888. MEN’S 3 MM WETSUITS.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.27.17	Men’s full-body wetsuits, each made from three-layer fabric composed of a knitted outer layer of polyester and spandex bonded to a fleece knit pile inner layer of polyester and spandex with a center core of expanded rubber for its body, and a three-layer fabric composed of knitted inner and outer layers of polyester with a center core of expanded rubber for its sleeves, shoulders and lower legs, measuring no more than 3.4 mm in thickness in the torso, such wetsuits valued \$97 or more but not over \$130 each (provided for in subheading 6114.30.30)	Free	No change	No change	On or before 12/31/2023 ”.
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1 SEC. 107889. MEN’S 5.5 AND 6.5 MM WETSUITS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.18	Men’s full-body wetsuits, each made from three-layer fabric composed of a knitted outer layer of polyester and spandex bonded to a fleece knit pile inner layer of polyester and spandex with a center core of expanded rubber for its body, and a three-layer fabric composed of knitted inner and outer layers of polyester with a center core of expanded rubber for its sleeves, shoulders and lower legs, measuring 5.1 mm or more but not over 7 mm in thickness in the torso, such wetsuits valued \$120 or more but not over \$175 each (provided for in subheading 6114.30.30)	Free	No change	No change	On or before 12/31/2023 ”.
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4 SEC. 107890. MEN’S 3.5 MM WETSUITS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.19	Men’s full-body wetsuits, made from three-layer fabric composed of a knitted outer layer of polyester and spandex bonded to a fleece knitted pile inner layer of polyester and spandex with a center core of expanded rubber for its body, and a three-layer fabric composed of knitted inner and outer layers of polyester with a center core of expanded rubber for its sleeves, shoulders and lower legs, measuring 3.5 mm or more but not over 4 mm in thickness in the torso, such wetsuits each valued at \$102 or more but not over \$150 (provided for in subheading 6114.30.30)	Free	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 107891. MEN’S 4.5 MM WETSUITS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.20	Men’s full-body wetsuits, each made from a three-layer fabric composed of a knitted outer layer of polyester and spandex bonded to a fleece knitted pile inner layer of polyester and spandex with a center core of expanded rubber for its body, and a three-layer fabric composed of a knitted inner of polyester and outer layers with a center core of expanded rubber for its sleeves, shoulders and lower legs, measuring 4.1 mm or more but not over 5 mm in thickness in the torso, such wetsuits valued \$105 or more but not over \$160 each (provided for in subheading 6114.30.30)	Free	No change	No change	On or before 12/31/2023 ”.
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4 **SEC. 107892. WOMEN’S 3 MM WETSUITS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.21	Women’s full-body wetsuits, each made from three-layer fabric composed of a knitted outer layer of polyester and spandex bonded to a fleeee knit pile inner layer of polyester and spandex with a center core of expanded rubber for its body, and a three-layer fabric composed of knitted inner and outer layers of polyester with a center core of expanded rubber for its sleeves, shoulders and lower legs, measuring no more than 3.4 mm in thickness in the torso, such wetsuits valued \$97 or more but not over \$130 each (provided for in subheading 6114.30.30)	Free	No change	No change	On or before 12/31/2023 ”.
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1 SEC. 107893. WOMEN’S 3.5 MM WETSUITS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.22	Women’s full-body wetsuits, made from three-layer fabric composed of a knitted outer layer of polyester and spandex bonded to a fleeee knitted pile inner layer of polyester and spandex with a center core of expanded rubber for its body, and a three-layer fabric composed of knitted inner and outer layers of polyester with a center core of expanded rubber for its sleeves, shoulders and lower legs, measuring 3.5 mm or more but not over 4 mm in thickness in the torso, such wetsuits each valued \$102 or more but not over \$150 (provided for in subheading 6114.30.30)	Free	No change	No change	On or before 12/31/2023 ”.
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4 SEC. 107894. WOMEN’S 4.5 MM WETSUITS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.23	Women’s full-body wetsuits, each made from three-layer fabric composed of a knitted outer layer of polyester and spandex bonded to a fleeee knitted pile inner layer of polyester and spandex with a center core of expanded rubber for its body, and a three-layer fabric composed of knitted inner and outer layers of polyester with a center core of expanded rubber for its sleeves, shoulders and lower legs, measuring 4.1 mm or more but not over 5 mm in thickness in the torso, such wetsuits valued \$105 or more but not over \$160 each (provided for in subheading 6114.30.30)	Free	No change	No change	On or before 12/31/2023 ”.
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1 SEC. 107895. WOMEN’S 5.5 AND 6.5 MM WETSUITS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.24	Women’s full-body wetsuits, of three-layer fabric composed of a knitted outer layer of polyester and spandex bonded to a polyester and spandex fleeee knitted pile inner layer with a center core of expanded rubber for its body, and a three-layer fabric composed of knitted inner and outer layers of polyester with a center core of expanded rubber for its sleeves, shoulders and lower legs with material measuring 5.1 mm or more but not over 7 mm in thickness in the torso, such wetsuits valued \$120 or more but not over \$175 each (provided for in subheading 6114.30.30)	Free	No change	No change	On or before 12/31/2023 ”.
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4 SEC. 107896. INSULATED HANDMUFFS OF KNIT POLYESTER.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.25	Hand muffs of knitted fabrics of polyester laminated with plastics, such muffs stuffed with synthetic microfiber for thermal insulation, each with side openings having elastic closures, with one exterior pocket with zipper closure and weighing not more than 500 g (provided for in subheading 6117.80.95)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107897. MEN’S STOCKINGFOOT WADER BOTTOM SUB-**
 2 **ASSEMBLIES, OF COMPRESSED NEOPRENE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.27.26	Men’s stockingfoot wader bottom subassemblies, constructed from neoprene (originally measuring 6 mm to 8 mm in thickness) compressed to 4 mm in thickness, laminated on both sides with a knitted nylon fabric, whose height exceeds 20.5 cm; each such stockingfoot formed anatomically (provided for in subheading 6117.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107898. MEN’S STOCKINGFOOT WADER BOTTOM SUB-**
 6 **ASSEMBLIES, OF NON-COMPRESSED NEO-**
 7 **PRENE.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.27.27	Men’s stockingfoot wader bottom subassemblies, made from non-compressed neoprene having a thickness of 4 mm, laminated on both sides with a knitted nylon fabric, height exceeding 20.5 cm; each such stockingfoot formed anatomically (provided for in subheading 6117.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107899. FISHING WADER POCKET POUCH ASSEMBLIES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.28	Pocket pouches, each with outer shell of woven textile fabric visibly coated with rubber or plastics and laminated to an inner layer of knitted fabric, with a zippered cargo pocket and other pockets designed to organize tippets and leaders and with dual entry zippers; the foregoing designed to be affixed to a fishing wader and not put up for individual retail sale (provided for in subheading 6117.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107900. MARTIAL ARTS UNIFORMS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.40	Women’s and girls’ judo, karate and other oriental martial arts uniforms of cotton, presented as ensembles each consisting of a top and a bottom, with or without an accompanying belt (provided for in subheading 6204.22.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107901. WOMEN’S OR GIRLS’ LINEN WOVEN BLOUSES,**
 8 **SHIRTS AND SHIRT-BLOUSES, AND SLEEVE-**
 9 **LESS TANK STYLES.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.27.48	Women’s or girls’ woven blouses, shirts and shirt-blouses and sleeveless tank styles, the foregoing of linen and extending from the neck area to or below the waist, with or without sleeves, with full or partial opening or no opening, with pockets below the waist or tightening at the bottom (provided for in subheading 6211.49.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107902. WOMEN’S OR GIRLS’ LINEN WOVEN**
 2 **WASHSUITS, SUNSUITS, OR ONE-PIECE PLAY-**
 3 **SUITS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.27.49	Women’s or girls’ woven washsuits, sunsuits and one-piece playsuits, of linen (provided for in subheading 6211.49.80)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107903. WOMEN’S OR GIRLS’ LINEN WOVEN COVER-**
 7 **ALLS OR JUMPSUITS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.27.50	Women’s or girls’ woven coveralls or jumpsuits, of linen (provided for in subheading 6211.49.80)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107904. WOMEN’S SHAWLS AND SIMILAR GOODS, 100**
 11 **PERCENT SILK.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.27.51	Women’s shawls, scarves and similar goods, wholly of silk, valued less than \$7 each (provided for in subheading 6214.10.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107905. WINTER CYCLING GLOVES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.52	Winter cycling gloves, each with woven outer shell of man-made fibers and a merino wool lining (provided for in subheading 6216.00.46) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107906. LOCK POCKET TENTS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.59	Dome-shaped tents of woven fabric of polyester, each tent with attached polyethylene floor and fiberglass poles permanently attached to the rear bottom corners of the tent by means of polyvinyl chloride end connectors sewn into webbing straps, with the opposite ends having polyvinyl chloride ball-shaped caps that insert into mesh fabric pockets 10.7 cm to 12.1 cm long at the front bottom corners of the tent and attach to the tent at intervals via webbing straps with fitted plastic clips, the foregoing tents each valued at \$19 or higher (provided for in subheading 6306.22.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107907. DARK ROOM TENTS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.27.60	Tents of woven fabric of polyester, with light-blocking dark pigment coating, such tents with attached polyethylene floor, measuring 144.7 cm by 213.3 cm or more but not over 426.8 cm by 304.8 cm, with a center height of at least 142.2 cm but not over 201 cm, each such tent valued at \$30 or higher (provided for in subheading 6306.22.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107908. BI-COMPONENT MICROFIBER TUBE MOP RE-**
 2 **FILLS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.27.62	Replacement mop heads, constructed from circular knit bi-component microfiber fabric tubes containing by weight 65 to 90 percent of polyester and 10 to 35 percent of nylon, sewn together with raw edges enclosed, valued at least \$2 but no more than \$4 each (provided for in subheading 6307.10.20)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107909. MICROFIBER DUSTER REFILLS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.27.63	Duster refill pads made from knitted high pile microfiber fabric containing by weight 60 percent to 90 percent of polyester and 10 percent to 40 percent of nylon, valued less than \$1.80 each (provided for in subheading 6307.10.20)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107910. RFID MOP PADS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.27.64	Finished mop pads made from warp knit fabric containing by weight 60 percent to 90 percent of polyester and 10 percent to 40 percent of nylon, weighing at least 300 g/m ² but no more than 700 g/m ² , such mop pads each having an RFID chip permanently stitched inside them (provided for in subheading 6307.10.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107911. MICROFIBER CLEANING CLOTHS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.27.65	Microfiber cloths made from warp knit fabric containing by weight 60 percent to 90 percent of polyester and 10 percent to 40 percent of nylon, weighing at least 190 g/m ² but no more than 360 g/m ² , such cloths having edges finished with an overcast stitch, valued at least \$0.06 but not more than \$0.90 each (provided for in subheading 6307.10.20)	4%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107912. MICROFIBER MOP PADS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.27.66	Finished mop pads made from warp knit microfiber fabric containing by weight 60 percent to 90 percent of polyester and 10 percent to 40 percent of nylon, each weighing at least 300 g/m ² but no more than 700 g/m ² and valued at least \$0.40 but no more than \$4.90 (provided for in subheading 6307.10.20)	2%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107913. GOLF BAG BODY FLATS.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.27.70	Golf bag bodies made of woven fabric of man-made textile materials, sewn together with pockets, each presented with golf bag rain hood, sling, webbing clips and top and bottom collars (provided for in subheading 6307.90.98), the foregoing presented either without bottoms or with bottoms not attached to such bodies	1.2%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107914. BATHTUB ELBOW RESTS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.71	Elbow pads of textile materials, with faux neoprene shell and foam inner layer, with non-slip backing with suction cups to attach to the bath tub, containing no bisphenol-A (BPA) or phthalates, measuring approximately 40 cm in length by 10.2 cm in width by 15.9 cm in height (provided for in subheading 6307.90.98)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107915. DOOR SWINGS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.72	Door swings, each comprising two straps wholly of polypropylene and measuring approximately 1.52 m in length, such straps each having two cuffs wholly of velour, an acrylic bar with end caps wholly of polyurethane and two adjustable buckles wholly of polyoxymethylene (provided for in subheading 6307.90.98)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107916. UNDER BED RESTRAINTS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.27.73	Sets of bed restraints designed to restrain a bed's occupant, each comprising four straps wholly of polypropylene and measuring approximately 1.37 m in length, such straps each connected by one large O-ring wholly of iron and having one small O-ring; each restraint with 4 cuffs wholly of velour; such cuffs each with one small O-ring wholly of iron attached to a carabiner hook wholly of zinc alloy and with two buckles wholly of polyoxymethylene, with a hook-and-loop fastener strap wholly of polyester (provided for in subheading 6307.90.98)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107917. BATH KNEELER.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.76	Knee pads of man-made fiber neoprene fabric, containing no bisphenol A (BPA) or phthalates, measuring approximately 43.2 cm in length by 28 cm in width by 3.3 cm in height (provided for in subheading 6307.90.98)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107918. TWO-PIECE CAMERA MOUNT KITS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.78	Two-piece camera mount kits of textile materials, presented in sets, designed for cameras of subheading 8525.80.40; each set containing one chest harness of textile materials and one plastic mount designed to securely attach a camera onto tubes measuring 9 to 35 mm in diameter and incorporating a base capable of rotating the camera 360 degrees (provided for in subheading 6307.90.98)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107919. SLEEVE COVERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.79	Sleeve covers of non-woven fabric of man-made fibers (provided for in subheading 6307.90.98)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107920. MEN’S CYCLING SHOES VALUED OVER \$18 PER**
 5 **PAIR.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.27.82	Cycling shoes with outer soles and uppers of rubber or plastics, valued over \$18/pr, for men, the foregoing having a cleat mounting system on the sole for attaching to bicycle pedals (provided for in subheading 6402.19.90), the foregoing other than winter cycling boots	4.6%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107921. WOMEN’S CYCLING SHOES VALUED OVER \$16**
 9 **PER PAIR.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.27.83	Cycling shoes with outer soles and uppers of rubber or plastics, valued over \$16/pr, for women, having a cleat mounting system on the sole for attaching to bicycle pedals (provided for in subheading 6402.19.90); the foregoing other than winter cycling boots for women	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107922. MEN'S GOLF SHOES WITH OUTERS AND UP-**
 2 **PERS OF RUBBER OR PLASTICS, VALUED**
 3 **OVER \$20 PER PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.27.84	Golf shoes with outer soles and uppers of rubber or plastics, for men, such shoes whether designed to be worn on-course, off-course or both, the foregoing with spikes, sprigs, cleats, stops, clips, bars or the like intended to enhance traction and grip, valued over \$20/pr (provided for in subheading 6402.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107923. GOLF SHOES OTHER THAN FOR MEN, WITH**
 7 **OUTERS AND UPPERS OF RUBBER OR PLAS-**
 8 **TICS, VALUED OVER \$20 PER PAIR.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.27.85	Golf shoes with outer soles and uppers of rubber or plastics, whether designed to be worn on- or off-course, the foregoing with spikes, sprigs, cleats, stops, clips, bars or the like intended to enhance traction and grip, valued over \$20/pr, for persons other than men (provided for in subheading 6402.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107924. WINTER CYCLING BOOTS FOR MEN.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.27.86	Winter cycling boots for men, designed to be compatible with flat or clipless pedals, the foregoing with or without removeable liner, with boa closure system and lugged rubber outsole with microglass inserts (provided for in subheading 6402.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107925. WINTER CYCLING BOOTS FOR WOMEN.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.87	Winter cycling boots with outer soles and uppers of rubber or plastics, for women, designed to be compatible with flat or clipless pedals, with or without removeable liner, the foregoing with boa closure system and lugged rubber outsole with microglass inserts (provided for in subheading 6402.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107926. CHILDREN’S FOOTWEAR VALUED OVER \$15
5 PER PAIR.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.27.92	Footwear for persons other than men or women, with outer soles and uppers of rubber or plastics (other than footwear described in subheading note 1 to chapter 64), that is designed for outdoor activities, such as hiking shoes, trekking shoes, running shoes and trail running shoes, which provides protection against water that is imparted by the use of a laminated textile fabric, valued over \$15/pr (provided for in subheading 6402.91.50); the foregoing, if valued over \$18/pr, without openings in the bottom and/or side of the sole, or covered openings in the upper above the sole unit, or a combination thereof, designed to permit moisture vapor transport from under the foot	Free	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 107927. WOMEN’S PROTECTIVE ACTIVE FOOTWEAR,**
 2 **VALUED OVER \$25 PER PAIR, 15.35–25.4 CM IN**
 3 **HEIGHT.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.27.93	Footwear for women, with outer soles and uppers of rubber or plastics (other than footwear described in subheading note 1 to chapter 64), that is designed for outdoor activities, such as hiking shoes, trekking shoes, running shoes and trail running shoes, valued over \$25/pr, which provides protection against water that is imparted by the use of a laminated textile fabric, with or without insulation, whose height from the bottom is at least 15.35 cm and does not exceed 25.4 cm (provided for in subheading 6402.91.50); the foregoing, if valued over \$27/pr, has openings in the bottom and/or side of the sole, or covered openings in the upper above the sole unit, or a combination thereof, designed to permit moisture vapor transport from under the foot	17.4%	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 107928. CHEER SHOES COVERING THE ANKLE.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.27.95	Women’s footwear with outer soles and uppers of rubber or plastics; such outer soles measuring not over 14 mm in thickness, such footwear covering the ankle, with a welded thermoplastic polyurethane external ankle brace in each shoe, valued over \$12/pr and weighing not more than 0.5 kg/pr (provided for in subheading 6402.91.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107929. SIDELINE CHEER SHOES.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.27.97	Women’s footwear with outer soles of rubber or plastics measuring not over 14 mm in thickness and with uppers of plastics, such footwear designed for use in cheerleading activities, weighing no more than 0.5 kg/pr (provided for in subheading 6402.99.31) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107930. MEN’S ATHLETIC FOOTWEAR, VALUED UNDER**
 8 **\$9 PER PAIR.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.27.98	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles and uppers of rubber or plastics, the foregoing for men, not covering the ankle and valued not over \$9/pr (provided for in subheading 6402.99.31)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107931. ATHLETIC FOOTWEAR FOR WOMEN, VALUED**
 2 **NOT OVER \$9 PER PAIR.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.27.99	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles and uppers of rubber or plastics, for women, not covering the ankle, valued not over \$9/pr (provided for in subheading 6402.99.31), the foregoing other than footwear for women designed for use in cheerleading activities	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107932. ATHLETIC FOOTWEAR FOR CHILDREN, VAL-**
 6 **UED NOT OVER \$8 PER PAIR.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.28.01	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles and uppers of rubber or plastics, for persons other than men or women, such footwear not covering the ankle and valued not over \$8/pr (provided for in subheading 6402.99.31)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107933. MEN’S GOLF SHOES, WITH OUTER SOLES AND**
 10 **UPPERS OF RUBBER OR PLASTICS, NOT COV-**
 11 **ERING THE ANKLE, VALUED \$15 PER PAIR OR**
 12 **OVER.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.28.02	Men’s golf shoes, designed to be worn on- or off- course, with outer soles and uppers of rubber or plastics, not covering the ankle, having uppers of which over 90 percent of the external surface area is rubber or plastics, valued \$15/pr or higher (provided for in subheading 6402.99.31)	3.3%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107934. GOLF SHOES OTHER THAN FOR MEN, WITH**
 2 **OUTER SOLES AND UPPERS OF RUBBER OR**
 3 **PLASTICS, NOT COVERING THE ANKLE, VAL-**
 4 **UED \$15 PER PAIR OR OVER.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.28.03	Golf shoes, designed to be worn on- or off-course, with outer soles and uppers of rubber or plastics, not covering the ankle, having uppers of which over 90 percent of the external surface area is rubber or plastics, valued \$15/pr or higher, for persons other than men (provided for in subheading 6402.99.31) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107935. MEN’S RUBBER/PLASTIC FOOTWEAR, VALUED**
 8 **NOT OVER \$5 PER PAIR.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.28.04	Footwear for men, with outer soles and uppers of rubber or plastics, not covering the ankle, valued not over \$5/pr, the foregoing other than house slippers, work footwear and tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6402.99.31)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107936. WOMEN'S RUBBER/PLASTIC FOOTWEAR, VAL-**
 2 **UED NOT OVER \$6 PER PAIR.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.28.05	Footwear for women, with outer soles and uppers of rubber or plastics, not covering the ankle, valued not over \$6/pr, the foregoing other than house slippers, work footwear and tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6402.99.31)	4.3%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107937. CHEER SHOES WITH SOLE LESS THAN 12 MM.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.28.07	Women's footwear with outer soles and uppers of rubber or plastics, each sole measuring not over 12 mm in thickness, the foregoing footwear designed for use in cheerleading activities, valued over \$12/pr and weighing not over 0.5 kg/pr (provided for in subheading 6402.99.90)	1%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107938. MEN'S GOLF SHOES WITH OUTERS AND UP-**
 9 **PERS OF RUBBER OR PLASTICS, VALUED**
 10 **OVER \$19 PER PAIR.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.28.08	Golf shoes for men, designed to be worn on- or off-course, with outer soles and uppers of rubber or plastics, valued over \$19/pr (provided for in subheading 6402.99.90)	7.1%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107939. GOLF SHOES OTHER THAN FOR MEN, OUTER**
 2 **SOLES AND UPPERS OF RUBBER OR PLAS-**
 3 **TICS, VALUED OVER \$19 PER PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.09	Golf shoes with outer soles and uppers of rubber or plastics, designed to be worn on- or off-courses, such footwear valued over \$19/pr, for persons other than men (provided for in subheading 6402.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107940. MEN'S GOLF SHOES, OUTER SOLES OF RUB-**
 7 **BER, PLASTICS, LEATHER OR COMPOSITION**
 8 **LEATHER AND UPPERS OF LEATHER (EXCEPT**
 9 **PIGSKIN UPPERS).**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.28.10	Golf shoes for men, with outer soles of rubber, plastics, leather or composition leather and uppers of leather (except pigskin uppers), not welt, the foregoing with spikes, sprigs, cleats, stops, clips, bars or the like intended to enhance traction and grip and other than footwear which contains laminated textile with openings in the bottom and/or side of the sole or covered openings in the upper above the sole, or a combination thereof, designed to vent moisture (provided for in subheading 6403.19.30)	5%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107941. WOMEN'S LEATHER FOOTWEAR, LINED WITH**
 2 **PIGSKIN WITH ZIPPER, VALUED \$47-\$60 PER**
 3 **PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.13	Footwear for women, with outer soles and uppers of leather, covering the ankle, each with zipper closure, lined wholly or in part with pigskin, valued over \$47 but not over \$60/pr, whose height from the bottom of the outer sole to the top of the upper is over 43 cm, with a heel height over 60 mm (provided for in subheading 6403.51.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107942. WOMEN'S LEATHER FOOTWEAR, LINED WITH**
 7 **PIGSKIN, VALUED \$31-\$40 PER PAIR.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.14	Footwear for women, with outer soles and uppers of leather, covering the ankle, each lined wholly or in part with pigskin, with zipper closure, valued over \$31 but not over \$40/pr, whose height from the bottom of the outer sole to the top of the upper does not exceed 21 cm, with a heel height over 70 mm (provided for in subheading 6403.51.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107943. WOMEN'S SLIP-ON COW/CALF HAIR FOOTWEAR,**
 11 **VALUED \$50-\$60 PER PAIR.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.28.15	Footwear of the slip-on type for women with outer soles and uppers of leather, covering the ankle, lined wholly or in part with pigskin, valued over \$50 but not over \$60/pr, whose height from the bottom of the outer sole to the top of the upper is over 50 cm, with a heel height over 90 mm (provided for in subheading 6403.51.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107944. WOMEN’S LEATHER FOOTWEAR LINED WITH
2 SHEEPSKIN.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.28.16	Footwear for women with outer soles and uppers of leather, having open toe and/or open heel and with buckle closure, with lining wholly or in part of sheepskin, valued over \$23 but not over \$27/pr, heel height under 26 mm (provided for in subheading 6403.59.90)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107945. WOMEN’S LEATHER SLIP-ON FOOTWEAR LINED
6 WITH SHEEP LEATHER.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.28.17	Footwear for women, with outer soles and uppers of leather, each with open toe and/or open heel; of the slip-on type, that is, held to the foot without the use of laces or buckles or other fasteners; lined wholly or in part of sheep leather; valued over \$18 but not over \$26/pr; with heel height over 60 mm but not over 90 mm (provided for in subheading 6403.59.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107946. WOMEN’S LEATHER SLIP-ON FOOTWEAR LINED**
 2 **WITH PIGSKIN.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.28.18	Footwear for women with outer soles and uppers of leather; of the slip-on type, that is, held to the foot without the use of laces or buckles or other fasteners; with lining wholly or in part of pigskin, valued over \$21 but not over \$27/pr, heel height under 26 mm (provided for in subheading 6403.59.90)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107947. WOMEN’S LEATHER FOOTWEAR, LINED WITH**
 6 **PIGSKIN, VALUED \$21–\$27 PER PAIR.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.28.19	Footwear for women with outer soles and uppers of leather, with open toe and/or open heel and with buckle closure, with lining wholly or in part of pigskin, valued over \$21 but not over \$27/pr, with heel height over 60 mm but not over 90 mm (provided for in subheading 6403.59.90)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107948. WOMEN’S FOOTWEAR WITH LEATHER UPPERS,**
 10 **LINED WITH PIGSKIN, CLOSED TOE OR HEEL**
 11 **WITH FUNCTIONAL ZIPPERS ON SIDES.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.28.30	Footwear for women, with outer soles of rubber or plastics and uppers of leather, each with closed toe and closed heel, covering the ankle, functional zipper on the medial side and a functional zipper on the lateral side, lined wholly or in part with pigskin, with foxing or foxing-like band, whose height from the bottom of the outer sole to the top of the upper does not exceed 14 cm, valued over \$18 but not over \$22/pr (provided for in sub-heading 6403.91.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107949. WOMEN’S FOOTWEAR WITH LEATHER UPPERS,**
 2 **LINED WITH PIGSKIN WITH ADJUSTABLE**
 3 **LACES.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.36	Footwear for women, with outer soles of rubber or plastics and uppers of leather, closed toe and heel, such footwear covering the ankle, having closure with adjustable laces, lined wholly or in part with pigskin, whose height from the bottom of the outer sole to the top of the upper is over 21 cm but not over 23 cm, with a heel height of at least 75 mm, valued over \$36 but not over \$38/pr (provided for in sub-heading 6403.91.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107950. COMPETITIVE CHEER SHOES WITH LEATHER**
 7 **UPPERS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.39	Women’s footwear with uppers of leather and outer soles of rubber or plastics, such soles measuring not over 9 mm in thickness, the foregoing designed for use in cheerleading activities, valued over \$2.50/pr and weighing no more than 0.5 kg/pr (provided for in subheading 6403.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107951. WOMEN’S FOOTWEAR WITH LEATHER UPPERS,**
 2 **WITH STRAP AND BUCKLE, VALUED \$27–\$40**
 3 **PER PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.43	Footwear for women, with outer soles of rubber or plastics and uppers of leather, each with a strap that wraps around the leg above the ankle bone and includes a functional buckle, a heel height of 92 mm or more but not over 97 mm, valued at \$27 or more but not over \$40/pr (provided for in subheading 6403.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107952. CHILDREN’S LEATHER UPPER ATHLETIC**
 7 **FOOTWEAR, VALUED NOT OVER \$9 PER PAIR.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.45	Tennis shoes, basketball shoes and the like, for persons other than men or women, such footwear with uppers of leather and outer soles of rubber or plastics, valued over \$2.50/pr but not over \$9/pr (provided for in subheading 6403.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107953. MEN’S ATHLETIC TYPE FOOTWEAR WITH UP-**
 2 **PERS OF TEXTILE MATERIALS OF VEGE-**
 3 **TABLE FIBERS AND OUTER SOLES OF RUB-**
 4 **BER OR PLASTIC WITH TEXTILE FLOCKING.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.28.46	Men’s footwear with uppers of vegetable fibers and outer soles of rubber or plastics, having outer soles with textile materials having the greatest surface area in contact with the ground, of an athletic type, with or without foxing or foxing-like band; such footwear valued over \$6.50 but not over \$12/pr (provided for in subheading 6404.11.81)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107954. ATHLETIC FOOTWEAR FOR MEN, WITH A BEL-**
 8 **LOWS TONGUE, VALUED OVER \$6.50 BUT NOT**
 9 **OVER \$12 PER PAIR.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.28.47	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, for men, with outer soles of rubber or plastics and uppers of textile materials other than vegetable fibers, such footwear having a bellows tongue, valued over \$6.50 but not over \$12/pr, such outer soles with textile materials having the greatest surface area in contact with the ground but not taken into account under the terms of additional U.S. note 5 to chapter 64 (provided for in subheading 6404.11.85) ...	10.3%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107955. ATHLETIC FOOTWEAR FOR WOMEN, WITH A**
 2 **BELLOWS TONGUE, VALUED OVER \$6.50 BUT**
 3 **NOT OVER \$12 PER PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.48	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, for women, with outer soles of rubber or plastics and uppers of textile materials other than vegetable fibers, each having a bellows tongue, valued over \$6.50 but not over \$12/pr, such outer soles with textile materials having the greatest surface area in contact with the ground but not taken into account under the terms of additional U.S. note 5 to chapter 64 (provided for in subheading 6404.11.85)	10%	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107956. ATHLETIC FOOTWEAR FOR CHILDREN, BEL-**
 7 **LOWS TONGUE, VALUED OVER \$6.50 BUT NOT**
 8 **OVER \$12 PER PAIR.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.28.49	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, for persons other than men and women, such footwear with outer soles of rubber or plastics and uppers of textile materials other than vegetable fibers, having a bellows tongue, valued over \$6.50 but not over \$12/pr, such outer soles with textile materials having the greatest surface area in contact with the ground but not taken into account under the terms of additional U.S. note 5 to chapter 64 (provided for in subheading 6404.11.85)	7.7%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107957. ATHLETIC FOOTWEAR FOR MEN, VALUED**
 2 **OVER \$6.50 BUT NOT OVER \$9 PER PAIR.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.28.50	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, for men, with outer soles of rubber or plastics and uppers of textile materials other than vegetable fibers, in which elastic strips are attached to either side of the tongue and anchored beneath the insole, valued over \$6.50 but not over \$9/pr, such outer soles with textile materials having the greatest surface area in contact with the ground but not taken into account under the terms of additional U.S. note 5 to chapter 64 (provided for in subheading 6404.11.85)	10.3%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107958. ATHLETIC FOOTWEAR FOR CHILDREN, VAL-**
 6 **UED OVER \$6.50 BUT NOT OVER \$9 PER PAIR.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.28.51	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, for persons other than men or women, such footwear with outer soles of rubber or plastics and uppers of textile materials other than vegetable fibers, in which elastic strips are attached to either side of the tongue and anchored beneath the insole, valued over \$6.50 but not over \$9/pr, such outer soles with textile materials having the greatest surface area in contact with the ground but not taken into account under the terms of additional U.S. note 5 to chapter 64 (provided for in subheading 6404.11.85)	6.8%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107959. CHEER SHOES WITH UPPERS OF TEXTILE MA-**
 2 **TERIALS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.28.56	Footwear for women, with outer soles of rubber or plastics measuring not over 14 mm in thickness and with uppers of textile materials, such footwear designed for use in cheerleading activities, valued over \$12/ pr and weighing no more than 0.5 kg/pr (provided for in subheading 6404.11.90)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107960. WOMEN’S FOOTWEAR WITH TEXTILE UPPERS**
 6 **AND 50 PERCENT OR MORE OF THE SURFACE**
 7 **AREA OF WHICH IS LEATHER.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.59	Footwear for women, with outer soles of rubber or plastics and uppers of textile materials, having uppers of which over 50 percent of the external surface area (including any leather accessories or reinforcements) is leather, the foregoing other than sports footwear, tennis shoes, basketball shoes, training shoes and the like (provided for in subheading 6404.19.15)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107961. WOMEN’S FOOTWEAR WITH TEXTILE UPPERS,**
 11 **OPEN TOES OR HEELS, VALUED \$15-\$30 PER**
 12 **PAIR.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.28.61	Footwear with outer soles of rubber or plastics, with uppers of textile material other than vegetable fibers and having outer soles with textile materials having the greatest surface area in contact with the ground, but not taken into account under the terms of additional note U.S. note 5 to chapter 64, with open toes or open heels or of the slip-on type, weighing 10 percent or more of rubber or plastics, valued \$15/pr or higher but not more than \$30/pr; the foregoing for women (other than house slippers) (provided for in subheading 6404.19.37)	11.3%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107962. MEN'S TEXTILE UPPER FOOTWEAR, WITH**
 2 **OPEN TOES OR OPEN HEELS, VALUED NOT**
 3 **OVER \$12 PER PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.62	Footwear for men, with open toes or open heels, other than house slippers; the foregoing with outer soles of rubber or plastics and uppers of textile materials, such uppers consisting of straps not exceeding 26 mm in width and having no heel straps, valued not over \$12/pr (provided for in subheading 6404.19.39)	16.4%	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107963. WOMEN'S TEXTILE UPPER FOOTWEAR, WITH**
 7 **OPEN TOES OR OPEN HEELS, VALUED NOT**
 8 **OVER \$12 PER PAIR.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.28.63	Footwear for women, with open toes or open heels and other than house slippers; such footwear with outer soles of rubber or plastics and uppers of textile materials, such uppers consisting of straps not exceeding 26 mm in width and having no heel straps, valued not over \$12/pr (provided for in subheading 6404.19.39)	30.2%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107964. CHILDREN’S TEXTILE UPPER FOOTWEAR,**
 2 **WITH OPEN TOES OR OPEN HEELS, VALUED**
 3 **NOT OVER \$12 PER PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.64	Footwear for persons other than men or women, such footwear with open toes or open heels (other than house slippers), with outer soles of rubber or plastics and uppers of textile materials, with straps not exceeding 20 mm in width and having no heel straps, valued not over \$12/pr (provided for in subheading 6404.19.39)	20.2%	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107965. OXFORD-STYLE WORK FOOTWEAR WITH STEEL**
 7 **SAFETY TOE AND STATIC DISSIPATING PRO-**
 8 **TECTION.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.28.67	Footwear for men or women, with outer soles of rubber or plastics and uppers of textile materials, not covering the ankle, valued at over \$12/pr, incorporating a protective toe cap of steel and with electrostatic dissipating properties meeting ASTM F2413 standards with an ESD classification of SD-10 (provided for in subheading 6404.19.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107966. OXFORD FOOTWEAR WITH TEXTILE UPPERS**
 2 **AND COMPOSITE TOE, VALUED OVER \$20 PER**
 3 **PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.70	Footwear for men or women, with outer soles of rubber or plastics and uppers of textile materials, not covering the ankle, valued over \$20/pr, incorporating a protective toe cap of materials other than metal (provided for in subheading 6404.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107967. MEN’S MID-CUT FOOTWEAR WITH A TEXTILE**
 7 **UPPER AND A PROTECTIVE TOE CAP.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.71	Footwear for men, with outer soles of rubber or plastics and uppers of textile materials, covering the ankle to a height of less than 15.24 cm, incorporating a protective toe cap of alloy materials, valued over \$12/pr (provided for in subheading 6404.19.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107968. WOMEN’S FOOTWEAR WITH LEATHER SOLES**
 11 **AND TEXTILE UPPERS, OPEN TOES OR HEELS,**
 12 **VALUED \$12–\$24 PER PAIR.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.28.72	Footwear for women with outer soles of leather or composition leather and uppers of textile materials, each with open toe and/or open heel, not over 50 percent by weight of textile materials and rubber or plastics with at least 10 percent by weight being rubber or plastics, valued over \$12.00 but not over \$24.00/pr (provided for in subheading 6404.20.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107969. FOOTWEAR FOR WOMEN VALUED OVER \$20**
 2 **BUT NOT OVER \$24 PER PAIR.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.28.73	Footwear for women with outer soles of leather or composition leather and uppers of textile materials, with closed toe and closed heel, not over 50 percent by weight of textile materials and rubber or plastics with at least 10 percent by weight being rubber or plastics; such footwear with a heel counter of pig suede and a zipper at the back of the shoe, each shoe featuring at least one strap that wraps around the leg above the ankle and does not cover the ankle; the foregoing valued over \$20 but not over \$24/pr (provided for in subheading 6404.20.40)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107970. WOMEN'S FOOTWEAR WITH LEATHER SOLES**
 6 **AND TEXTILE UPPERS, VALUED \$15-\$20 PER**
 7 **PAIR.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.74	Footwear for women with outer soles of leather or composition leather and uppers of textile materials, not elsewhere specified or included, valued over \$15 but not over \$20/pr, the foregoing other than footwear containing less than 10 percent by weight of rubber or plastics and other than containing 50 percent or less by weight of textile materials and rubber or plastics with at least 10 percent by weight being rubber or plastics (provided for in sub-heading 6404.20.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107971. WOMEN’S FOOTWEAR WITH LEATHER SOLES**
 2 **AND TEXTILE UPPERS, VALUED \$20–\$25 PER**
 3 **PAIR.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.75	Footwear for women, with outer soles of leather or composition leather and uppers of textile materials, not elsewhere specified or included, valued over \$20 but less than \$25/pr; the foregoing other than footwear containing less than 10 percent by weight of rubber or plastics and other than containing 50 percent or less by weight of textile materials and rubber or plastics with at least 10 percent by weight being rubber or plastics (provided for in sub-heading 6404.20.60)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107972. WOMEN’S FOOTWEAR WITH CORK SOLES AND**
 7 **TEXTILE UPPERS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.76	Footwear for women, with uppers of textile materials and outer soles of cork or agglomerated cork, each with open toe and/or open heel, valued over \$13 but not over \$18/pr (provided for in subheading 6405.20.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107973. MEN’S FOOTWEAR WITH FELT SOLES, NOT**
 2 **COVERING THE ANKLE, VALUED \$20 PER**
 3 **PAIR OR HIGHER.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.77	Footwear for men, with uppers of which over 30 percent of the external surface is polyurethane measuring 0.25 mm in thickness, with cemented outer soles of which over 50 percent of the external surface is felt, having the characteristics required for normal use, including durability and strength; the foregoing not covering the ankle and valued \$20/pr or higher (provided for in subheading 6405.20.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107974. WOMEN’S AND GIRLS’ FOOTWEAR WITH CORK**
 7 **UPPERS, VALUED LESS THAN \$25 PER PAIR.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.78	Women’s and girls’ footwear with uppers of cork (other than disposable and designed for one-time use), valued less than \$25/pr (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107975. WOMEN’S FOOTWEAR WITH COW/CALF HAIR**
 2 **UPPERS, VALUED \$35-\$40 PER PAIR, COV-**
 3 **ERING THE ANKLE.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.28.79	Footwear for women, with uppers of cow or calf hair and outer soles of rubber or plastics, such footwear with closed toe and heel, covering the ankle, with a lace closure, having an upper with exterior surface area over 80 percent cow or calf hair, valued over \$35 but not over \$40/pr (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 107976. WOMEN’S FOOTWEAR WITH COW/CALF HAIR**
 7 **UPPERS, VALUED \$35-\$40 PER PAIR, NOT COV-**
 8 **ERING THE ANKLE.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.28.80	Footwear for women, with uppers of cow or calf hair and outer soles of rubber or plastics, each with closed toe and closed heel, not covering the ankle, of the slip-on type, having an upper with exterior surface area over 70 percent cow or calf hair, valued over \$35 but not over \$40/pr (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 107977. WOMEN’S FOOTWEAR WITH COW/CALF HAIR**
 12 **UPPERS, VALUED \$19-\$25 PER PAIR.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.28.81	Footwear for women, with uppers of cow or calf hair and outer soles of rubber or plastics, each with closed toe and closed heel, not covering the ankle, of the slip-on type, having an upper with exterior surface area over 85 percent cow or calf hair, valued over \$19 but not over \$25/pr (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107978. WOMEN’S FOOTWEAR WITH COW/CALF HAIR
2 UPPERS, VALUED \$50–\$55 PER PAIR.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.28.82	Footwear for women, with uppers of cow or calf hair and outer soles of rubber or plastics, such footwear covering the ankle, with zipper closure, with exterior surface area over 70 percent cow or calf hair, valued over \$50 but not over \$55/pr (provided for in subheading 6405.90.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 107979. WOMEN’S FOOTWEAR, LEATHER SOLES AND
6 RUBBER/PLASTIC UPPERS, VALUED \$16–\$18
7 PER PAIR.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.28.83	Footwear for women with uppers of rubber or plastics and outer soles of composition leather, with open toe and/or heel, valued over \$16 but not over \$18/pr (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107980. WOMEN'S FOOTWEAR WITH COW/CALF HAIR**
 2 **UPPERS, VALUED \$19-\$34 PER PAIR.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.28.84	Footwear for women, with uppers of cow or calf hair and outer soles of rubber or plastics, such footwear covering the ankle, with zipper or buckle closure, with exterior surface area over 90 percent of cow or calf hair, valued over \$19 but not over \$34/pr (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107981. FOOTWEAR FOR WOMEN, VALUED OVER \$50**
 6 **BUT NOT OVER \$60 PER PAIR.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.28.85	Footwear of the slip-on type, for women, with uppers of cow or calf hair and outer soles of rubber or plastics, such footwear with closed toe and heel, covering the ankle, having an upper with exterior surface area over 90 percent cow or calf hair, whose height from the bottom of the outer sole to the top of the upper is over 42 cm, valued over \$50 but not over \$60/pr (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 107982. CALF HAIR UPPER FOOTWEAR.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.28.86	Footwear with uppers of calf hair (provided for in subheading 6405.90.90), the foregoing other than goods described in any other heading of this subchapter	3.1%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107983. GAITERS OF MAN-MADE FIBERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.28.87	Woven gaiters of man-made fibers, not containing elastomeric fiber, seamless, each with full front hook-and-loop closure, boot lace loop attachment, with webbing or cord at the top for tightening and boot strap at the bottom (provided for in subheading 6406.90.15)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 107984. HATS OF VEGETABLE FIBERS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.28.88	Hats and other headgear of vegetable fibers, of unspun fibrous vegetable materials or of paper yarn, sewed (provided for in subheading 6504.00.30)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 107985. HAIRNETS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.28.89	Hair-nets (provided for in subheading 6505.00.01)	1%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 107986. COTTON KNIT HATS, VALUED \$8 OR LESS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.28.90	Women’s and girls’ hats and other headgear, of cotton, knitted, other than visors or hats that provide no covering for the crown of the head; such goods valued up to \$8 each (provided for in subheading 6505.00.15); the foregoing other than hats and other headgear described in subheading 9902.14.63	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107987. BABIES’ WOVEN COTTON HATS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.28.91	Babies’ headwear of cotton, not knitted (provided for in subheading 6505.00.20)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107988. HATS OF MAN-MADE FIBER, VALUED \$5–\$25.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.28.92	Hats and other headgear, of man-made fibers, knitted or crocheted or made up from knitted or crocheted fabrics in the piece (but not in strips), not in part of braid, each valued at least \$5 but not more than \$12 (provided for in subheading 6505.00.60)	6.4%	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 107989. WATERPROOF AND INSULATED HATS WITH
8 EAR FLAPS, VALUED OVER \$15.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.28.93	Dome-shaped hats, of man-made fibers, each with ear flaps constructed entirely of 2-layer laminate consisting of woven face fabric wholly of polyester and expanded polytetrafluoroethylene (PTFE) membrane, each such hat fully lined with woven ripstop fabric wholly of nylon, the crown and earflaps having insulation wholly of polyester, adjustable by a 2 mm elastic cord covered in a braided textile sheath and back cord lock; such hats valued over \$15 each (provided for in subheading 6505.00.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107990. FISHING WADING STAFFS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.28.94	Wading sticks of carbon fiber, each measuring 3.5 cm to 4.5 cm in diameter, adjustable from approximately 129.5 cm to 142.2 cm in length and weighing 227 g; the foregoing not put up for sale in pairs (provided for in heading 6602.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107991. PLASTIC PLANTS FOR AQUARIUMS, NOT
5 GLUED OR BOUND.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.28.95	Foliage and flowers of plastics, representing desert or underwater plants, each inserted directly into a base or suction cup, measuring not over 55.88 cm in height, not assembled by gluing or similar means or by binding with flexible materials such as wire, paper, textile materials or foil; the foregoing presented put up for retail sale as goods designed for a household terrarium or aquarium (provided for in subheading 6702.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107992. NATURAL STONE LEDGER TILE OF SAND-**
 2 **STONE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.28.96	Natural stone tiles of sandstone; such cut pieces each measuring less than 6.985 cm in width and 6.985 cm in length and collectively glued together or to a mesh backing to form a panel; such finished tiles measuring 15.24 cm or more but not over 40.64 cm in width and 45.72 cm or more but not over 60.96 cm in length (provided for in subheading 6802.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107993. MARBLE MOSAIC AND PEBBLE TILES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.28.97	Marble mosaic and pebble tiles, each with the individual mosaic and pebble pieces measuring 50.8 mm in width and ranging from 50.8 mm to 152.4 mm in length; each tile measuring approximately 304.8 mm wide and 304.8 mm long (provided for in subheading 6802.10.00)	2.6%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 107994. NATURAL STONE LIMESTONE TILES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.28.98	Natural stone tiles made of limestone quarried from India with a surface area greater than 101.6 mm square and ranging in size from 50.8 to 304.8 mm in width and 152.4 mm to 406.44 mm in length; the foregoing honed and 12.7 mm in thickness (provided for in subheading 6802.91.05)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 107995. NATURAL STONE MARBLE TILES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.28.99	Natural stone tiles made of marble quarried from Greece, Italy, Turkey, and Spain, each tile with a surface area greater than 101.6 mm ² ; the foregoing in sizes ranging from 50.8 to 304.8 mm in width and 152.4 mm to 406.44 mm in length (provided for in subheading 6802.91.05)	1%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 107996. WATERJET NATURAL STONE MOSAIC TILE.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.29.01	Waterjet cut mosaic tiles, composed of natural marble stone, such marble stone tiles measuring more than 7 cm in width and more than 7 cm in length and covering over 50 percent of the surface area, in combination with tiles of glass, metal, mother of pearl or other materials, with surface faces honed or polished and edges worked beyond simple straight cuts and affixed to a mesh backing, having a width not less than 22.86 cm but not more than 45.72 cm and a length not less than 20.32 cm but not more than 45.72 cm (provided for in subheading 6802.91.15)	2.2%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 107997. MARBLE ENTERTAINING AND SERVEWARE.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.29.02	Serving trays, serving boards, cake stands, bowls, pastry boards, rolling pins and similar articles of marble, for preparing or serving food (provided for in subheading 6802.91.15)	1%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 107998. ARTICLES OF MARBLE FOR KITCHEN AND DIN-**
 2 **ING ROOM.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.03	Coasters, trivets, paper towel holders, napkin holders and similar articles of marble, the foregoing designed for use in the home and not for contact with food (provided for in subheading 6802.91.15)	1%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 107999. NATURAL STONE LEDGER TILES OF TRAVER-**
 6 **TINE.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.29.04	Natural stone tiles of travertine, each composed of small, cut pieces of travertine; such cut pieces each measuring less than 69.85 mm in width and 68.85 mm in length and collectively glued to a mesh backing; such finished tiles measuring 152.4 mm or more but not over 406.4 mm in width and 457.2 mm or more but not over 609.6 mm in length (provided for in subheading 6802.91.25)	0.6%	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108000. TRAVERTINE DECORATIVE TILE.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.29.05	Travertine decorative tiles with smooth-satin finish, rectangular-shaped, each tile measuring 50.8 mm or more but not more than 203.2 mm in width and 101.6 mm or more but not more than 304.8 mm in length (provided for in subheading 6802.91.25)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108001. LIMESTONE DECORATIVE TILES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.29.06	Limestone decorative tiles each with smooth-satin finish and rectangular-shaped stones, each tile measuring in size from 12.7 mm to 101.6 mm in width and 152.4 mm to 406.4 mm in length (provided for in subheading 6802.91.25)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108002. BLANK, EMBOSSED, AND PRINTED STONE-**
 5 **WARE COASTER DISKS AND TRIVETS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.29.07	Blank, embossed and printed stoneware coaster disks and trivets (provided for in subheading 6912.00.48)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108003. ROLLED GREEN GLASS SHEETS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.08	Rolled glass in sheets, of a yellow-green color not colored throughout the mass, not finished or edged-worked, textured on one surface imparted by the rolling process, imported in sheets of a width not exceeding 1,600 mm and a length not exceeding 900 mm, having a thickness not exceeding 6 mm (provided for in subheading 7003.19.00) ...	0.2%	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108004. FRAMED REAR-VIEW MIRRORS.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.29.09	Framed rear-view mirrors, such goods comprising parts of machines of heading 8429 or vehicles of heading 8701, 8704 or 8430, such mirrors measuring not over 929 cm ² in reflecting area and not containing LED or fluorescent lighting (provided for in subheading 7009.10.00)	1.4%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108005. WALL MIRRORS, UNFRAMED.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.29.10	Glass mirrors, unframed, each greater than 5,000 cm ² in reflecting area, not containing LED or fluorescent lighting, designed for mounting on the wall (provided for in subheading 7009.91.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108006. WALL MIRRORS, FRAMED.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.29.11	Glass mirrors, framed, each greater than 5,000 cm ² in reflecting area, not containing LED or fluorescent lighting, designed for mounting on the wall (provided for in subheading 7009.92.50)	3.1%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108007. STEMWARE (CRYSTALLINE) DRINKING GLASS-
8 **ES VALUED OVER \$0.30 BUT NOT OVER \$3**
9 **EACH, OTHER THAN THOSE PRESENTED IN**
10 **SETS.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.29.12	Stemware (crystalline) drinking glasses valued over \$0.30 but not over \$3 each other than those presented in sets (provided for in subheading 7013.28.20)	21.2%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108008. DOUBLE-WALLED INSULATED GLASS TUM-**
2 **BLERS.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.29.13	Double-walled drinking glasses of specially tempered borosilicate glass, with or without handles (provided for in subheading 7013.37.05) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108009. DIAMOND-SHAPED STEMMED WINE GLASSES.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.29.14	Hexagonal, stemmed wine glasses, each with diamond-shaped base and made from specially toughened borosilicate glass (provided for in subheading 7013.37.05)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108010. TWISTED-CENTER STEMLESS WINE GLASS.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.29.15	Stemless wine glasses, each with twisted center indentation, of specially tempered borosilicate glass (provided for in subheading 7013.37.05)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108011. CRYSTALLINE DRINKING GLASSES, WITHOUT**
 2 **STEMS, NOT IN SETS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.16	Crystalline drinking glasses without stems, valued over \$0.30 but not over \$3 each, other than those presented in sets (provided for in subheading 7013.37.20)	21.1%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108012. DOUBLE-WALLED INSULATED GLASS BOWLS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.29.17	Double-walled (insulated) bowls of specially tempered borosilicate glass, such bowls of a kind used for table or kitchen purposes (provided for in subheading 7013.49.10)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108013. LEAF-SHAPED GLASS DECANTERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.18	Leaf-shaped decanters of pressed and toughened (specially tempered) borosilicate glass (provided for in subheading 7013.49.10)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108014. SET OF FOUR APPETIZER PLATES MADE OF**
 12 **GLASS WITH STEEL CADDY HOLDER, VALUED**
 13 **AT \$2 EACH.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.29.19	Set of four appetizer plates made of glass with steel caddy holder valued at \$2 each (provided for in subheading 7013.49.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108015. SPICE RACK WITH GLASS JARS AND WOODEN**
2 **LIDS VALUED NOT OVER \$3 EACH.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.29.20	Spice racks, each presented with glass jars and wooden lids, valued not over \$3 each (provided for in subheading 7013.49.20)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108016. GLASS LENS BLANKS FOR INFRARED APPLICA-**
6 **TIONS.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.29.21	Glass lens blanks that are not optically worked, containing one or more of sulfur, selenium or tellurium, certified by the importer as suitable for infrared applications (CAS No. 57673-50-4, 39290-81-8, 1450602-84-2 or 1303-36-2) (provided for in subheading 7014.00.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108017. HAIR ACCESSORIES OF GLASS BEADS, IMITA-**
10 **TION PEARLS, AND IMITATION STONES, VAL-**
11 **UED LESS THAN \$7.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.29.22	Hair accessories of glass beads, imitation pearls and imitation stones valued less than \$7 (provided for in subheading 7018.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108018. FILTER BAGS WITH ACID-RESISTANT COATING,**
 2 **OF WOVEN FIBERGLASS LAMINATED TO**
 3 **EPTFE, WEIGHING AT LEAST 325 G/M² BUT**
 4 **NOT OVER 350 G/M².**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.29.23	Filter bags with acid-resistant coating; such bags of woven fiberglass fabric laminated to an expanded polytetrafluoroethylene (ePTFE) membrane, coated with an acid-resistant on its backing, weighing at least 325 g/m ² but not over 350 g/m ² ; the foregoing with a burst strength of 4137 kPa (600 psi) or higher per ASTM D3786 (provided for in subheading 7019.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108019. FIBERGLASS REPLACEMENT WICKS FOR OUT-**
 8 **DOOR GARDEN TORCH.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.24	Replacement wicks exclusively of fiberglass for garden, patio and table top burning torches of subheading 9405.50, the foregoing for outdoor use (provided for in subheading 7019.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108020. FILTER BAGS OF WOVEN FIBERGLASS FABRIC**
 2 **LAMINATED TO AN EPTFE, WITH A POLY-**
 3 **TETRAFLUOROETHYLENE COATED BACKING,**
 4 **NOT ACID RESISTANT, WEIGHING AT LEAST**
 5 **721 G/M² BUT NOT OVER 771 G/M².**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.29.25	Filter bags of woven fiber-glass fabric without an acid-resistant coating; laminated to an expanded polytetrafluoroethylene (ePTFE) membrane with a polytetrafluoroethylene coated backing, weighing at least 721 g/m ² but not over 771 g/m ² ; the foregoing with a burst strength of 6205 kPa (900 psi) or higher per ASTM D3786 (provided for in subheading 7019.90.10)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108021. SILVER CATALYST.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.26	Silver exceeding 99.9 percent purity, in spherical shapes formed from silver anodes in an electrochemical process, such shapes with surface areas of 80 mm ² or greater (CAS No. 7440-22-4) and ready for use as catalysts (provided for in subheading 7106.91.50)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108022. SILVER ROUND BLANKS.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.29.27	Silver round blanks (CAS No. 7440-22-4), semimanufactured and weighing not more than 1,000 grams (provided for in subheading 7106.92.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108023. FERROBORON ALLOY.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.29.28	Ferroboron alloys in powders, lumps, granules or chunks (provided for in subheading 7202.99.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108024. CAST IRON NONMALLEABLE THREADED MAIN**
 5 **BODY COMBO CASTINGS FOR RESIDENTIAL**
 6 **FUEL OIL TANKS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.29.29	Main body combo castings of nonmalleable cast iron designed for residential fuel oil tanks (provided for in subheading 7307.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108025. CAST IRON NONMALLEABLE THREADED VENT**
 10 **CAPS FOR RESIDENTIAL FUEL OIL TANKS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.29.30	Threaded vent caps of nonmalleable cast iron designed for residential fuel oil tanks (provided for in subheading 7307.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108026. CAST IRON NONMALLEABLE THREADED BUSH-**
 2 **INGS FOR RESIDENTIAL FUEL OIL TANKS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.31	Threaded bushings of non-malleable cast iron to be installed to a residential fuel oil tank opening (provided for in subheading 7307.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108027. CAST IRON NONMALLEABLE THREADED TANK**
 6 **ADAPTERS FOR RESIDENTIAL FUEL OIL**
 7 **TANKS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.29.32	Threaded tank adapters of nonmalleable cast iron designed for residential fuel oil tanks (provided for in subheading 7307.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108028. CAST IRON NONMALLEABLE THREADED FILL**
 11 **ALARM MAIN BODY FOR RESIDENTIAL FUEL**
 12 **OIL TANKS.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.29.33	Fittings of nonmalleable cast iron, each comprising the main body of a fill alarm designed for residential fuel oil tanks (provided for in subheading 7307.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108029. CAST IRON NONMALLEABLE THREADED FILL**
 2 **BOX CAPS FOR RESIDENTIAL FUEL OIL**
 3 **TANKS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.29.34	Threaded fill box caps of nonmalleable cast iron designed for residential fuel oil tanks (provided for in subheading 7307.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108030. CAST IRON NONMALLEABLE THREADED LEG**
 7 **FLANGES FOR RESIDENTIAL FUEL OIL**
 8 **TANKS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.35	Threaded leg flanges of nonmalleable cast iron designed for residential fuel oil tanks (provided for in subheading 7307.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108031. PORTABLE GAS COOKING STOVES.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.29.36	Portable propane gas camping stoves, each with one adjustable burner rated to generate up to 10,000 British thermal units (BTUs) of power, with casing of steel and pan support of steel covered with porcelain, the foregoing valued \$4 or more but not over \$20 each (provided for in subheading 7321.11.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108032. PORTABLE OUTDOOR COOKERS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.29.37	Portable outdoor cookers, fueled by natural gas or propane, put up in sets for retail sale (provided for in subheading 7321.11.10)	1.2%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108033. SELF-ANCHORED BEVERAGE CONTAINERS.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.29.38	Self anchoring beverage containers made of stainless steel with a base partially made of orange colored silicone material with said orange silicone base measuring no more than 60.325 mm (provided for in subheading 7323.93.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108034. STAINLESS STEEL HANDMADE KITCHEN**
8 **SINKS.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.29.39	Handmade, top mounted, residential kitchen sinks of stainless steel, consisting of 1 or 2 bowls, 0.64 mm or more but not exceeding 1.2 mm in thickness, 13.97 cm or more but not exceeding 25.4 cm in depth, 43.18 cm or more but not exceeding 55.88 cm in width, and 68.58 cm or more but not exceeding 83.82 cm in length (provided for in subheading 7324.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108035. LOOSE FRAME BASKETS.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.29.40	Steel wire loose frame basket (provided for in subheading 7326.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108036. TWO-STORY FIRE ESCAPE LADDERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.29.41	Fire escape ladders of iron or steel, measuring not over 4.3 m in length when fully extended, with a ladder load rating of 170 kg and designed to be hung from a windowsill measuring 15 cm or more but not over 33 cm in width; such ladders each having window brackets and rungs (stairs) of steel and webbing of nylon that connect the rungs to each other and to the window bracket; with slip resistant rungs and stabilizers, the foregoing designed for residential use and valued not over \$28 each (provided for in subheading 7326.90.86)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108037. THREE-STORY FIRE ESCAPE LADDERS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.29.42	Fire escape ladders of iron or steel, measuring 4.4 m or more but not more than 7.4 m in length when fully extended, with a ladder load rating of 170 kg and designed to be hung from a windowsill measuring 15 cm or more but not over 33 cm in width; such ladders each composed of window brackets and rungs (stairs) of steel and webbing of nylon that connect the rungs to each other and to the window bracket; with slip resistant rungs and stabilizers, the foregoing designed for residential use and valued not over \$47 each (provided for in subheading 7326.90.86) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108038. WORK SUPPORT STANDS OF STEEL.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.29.43	Portable work support stands of steel, each with a hand-tightened clamp (provided for in subheading 7326.90.86) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108039. LOCKING FIXTURES OF IRON OR STEEL.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.29.44	Locking fixtures of iron and steel, the foregoing designed to secure moving parts of lithography machine modules or apparatus, and parts thereof (provided for in subheading 7326.90.86)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108040. STAINLESS STEEL PHONE HANDLE-AND-STAND**
8 **ACCESSORIES.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.29.45	Mobile phone handle-and-stand accessories of stainless steel, each comprising two circular slabs measuring 4 mm in thickness, with adhesive on one side of one circular slab, the slabs connected by an adjustable arm; valued not over \$4.50 each (provided for in subheading 7326.90.86)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108041. CIRCULAR AND S-SHAPED STAINLESS STEEL**
12 **CARABINERS.**

13 Subchapter II of chapter 99 is amended by inserting
14 in numerical sequence the following new heading:

“	9902.29.46	Carabiners or rings made of stainless steel, with a spring-loaded gate used to connect and secure non-load bearing components, valued no more than \$10 (provided for in subheading 7326.90.86)	1%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108042. PIECES OF REFINED UNWROUGHT COPPER
2 CATHODE 99.9999 PERCENT PURE.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.29.47	Pieces of copper cathode, refined and unwrought, 99.9999 percent pure, measured by glow discharge mass spectrometry (GDMS) to have sulfur content not exceeding 150 parts per billion (ppb), aluminum content not exceeding 15 ppb and iron content not exceeding 15 ppb (provided for in subheading 7403.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 108043. ULTRA-THIN AND WIDE-WIDTH ALUMINUM
6 FOIL.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.29.48	Aluminum foil (whether or not printed, or backed with paper, paperboard, plastics or similar backing materials), rolled but not further worked, such foil of a thickness (excluding any backing) of 6.35 microns and with a width between 1085 mm to 1899 mm, or of a thickness of 7 microns to 9 microns with a width between 1549 mm to 1899 mm (provided for in subheading 7607.11.30)	1.9%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108044. ETCHED CAPACITOR ALUMINUM FOIL OF A**
 2 **THICKNESS 0.018–0.126 MM.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.49	Etched capacitor foil of aluminum, 0.018 mm or more but not over 0.126 mm in thickness, electrochemically oxidized (“formed”) and containing 99.8 percent or more by weight of aluminum, of a kind used for manufacturing electrolytic capacitors (provided for in subheading 7607.19.10)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108045. STOVE TOP COFFEE MAKERS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.29.50	Kitchen stove top coffee makers of aluminum, each with a capacity not exceeding 3 liters (provided for in subheading 7615.10.71)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108046. ALUMINUM SHOWER CADDIES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.51	Shower caddies made of aluminum wire with a dimension of 12 mm by 8 mm or less, designed to be hung over shower heads to hold bath accessories (provided for in subheading 7615.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108047. STEP STOOLS OF ALUMINUM.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.29.52	Step stools of aluminum, each having three steps, of a width of no less than 22 cm, with a folding safety bar and rubber non-slip feet (provided for in subheading 7616.99.51)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108048. ALUMINUM LADDERS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.29.53	Articulated ladders of aluminum with a ladder load rating of 137 kg consisting of one or more pairs of locking joints and extendable sections, valued not over \$100 (provided for in subheading 7616.99.51)	1.5%	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108049. CIRCULAR AND S-SHAPED ALUMINUM
5 CARABINERS.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.29.54	Carabiner or rings of aluminum, either single or double, each with a spring-loaded gate used to connect and secure non-load bearing components, valued no more than \$3.25 (provided for in subheading 7616.99.51)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 108050. STATIONARY SPRINKLERS OF ZINC.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.29.55	Household irrigation sprinklers of zinc, designed to stay in one spot during use, with no moving irrigation arms and no adjustable watering patterns on the outside, of maximum dimension of 11 cm by 8.1 cm by 3.2 cm (provided for in subheading 7907.00.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108051. TUNGSTEN WASTE AND SCRAP.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.29.56	Tungsten (wolfram) waste and scrap (provided for in subheading 8101.97.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108052. COBALT ALLOYS.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.29.57	Cobalt alloys (provided for in subheading 8105.20.30)	2.8%	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108053. CERTAIN GALLIUM (GA).**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.29.58	Gallium (CAS No. 7440-55-3) (provided for in subheading 8112.92.10), the foregoing other than goods described in heading 9902.15.12	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108054. NIOBIUM (COLUMBIUM) RINGS NO THICKER**
11 **THAN 20 MM.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.29.59	Rings of Niobium (columbium) (other than unwrought, waste and scrap and powders), measuring not over 20 mm in thickness (provided for in subheading 8112.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108055. TUNGSTEN SECONDARY RAW MATERIAL.**

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.29.60	Used cermets and articles thereof, including waste and scrap, the foregoing imported for the extraction of tungsten (provided for in heading 8113.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108056. GEAR-DRIVEN BOLT CUTTERS AND PIPE CUT-**
5 **TERS.**

6 Subchapter II of chapter 99 is amended by inserting

7 in numerical sequence the following new heading:

“	9902.29.61	Pipe cutters and bolt cutters, each with a gear-driven mechanism (provided for in subheading 8203.40.30)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108057. ROTARY CUTTERS.**

9 Subchapter II of chapter 99 is amended by inserting

10 in numerical sequence the following new heading:

“	9902.29.62	Rotary cutting hand tools, of iron or steel, designed to cut fabrics and craft materials, each with a replaceable circular blade and plastic handle with blade lock (provided for in subheading 8205.51.30) ...	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108058. FOOD GRATERS.**

12 Subchapter II of chapter 99 is amended by inserting

13 in numerical sequence the following new heading:

“	9902.29.63	Food graters with blades or working surfaces of base metal, with nonworking parts of plastic, such graters not exceeding 31 cm in overall length (provided for in subheading 8205.51.30)	0.8%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108059. HAND TOOLS FOR APPLYING PLASTIC CLIP**
 2 **FASTENERS TO GARMENTS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.64	Hand tools of plastics, designed for insertion and application of plastic clip fasteners, such hand tools each with an outer body and internal mechanism of plastics, containing a replaceable hollow steel needle with an outside diameter measuring less than 2.4 mm through which a fastener is fed and inserted into the intended target material (provided for in subheading 8205.59.80)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108060. STEEL WORKSTATIONS WITH VISES ADJUST-**
 6 **ABLE BY FOOT PEDAL.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.29.65	Clamping workstations, each with steel vise, adjustable by foot pedal lever, weighing less than 20 kg, with a jaw width between 0 and 94 cm (provided for in subheading 8205.70.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108061. FIXED CARBIDE CUTTER AND ROLLER CONE**
 10 **DRILL BITS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.29.66	Rotary rock drill bits, and parts thereof, each such bit with cutting part containing by weight over 0.2 percent of chromium, molybdenum or tungsten or over 0.1 percent of vanadium (provided for in subheading 8207.19.30), designed for use with rock drilling and earth boring tools of heading 8430	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108062. ROTARY FOOD GRATERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.29.67	Rotary food graters, each incorporating blade drums of stainless steel and a suction base, operated by hand, weighing not more than 1.5 kg (provided for in heading 8210.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108063. COFFEE PRESSES.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.29.68	Coffee presses designed to brew ground coffee, each consisting of a glass cylinder, a plastic or metal handle or frame and a stainless steel mesh filter; the foregoing having a capacity of 0.5 liters or more but not over 1.5 liters (provided for in heading 8210.00.00)	1.1%	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 108064. VACUUM INSULATED COFFEE SERVERS WITH
 8 A BREW-THROUGH LID.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.69	Vacuum insulated coffee servers with liners of steel, each with a capacity over 2 liters, having a brew-through lid, feet attached to the base and a hole at bottom of server for lever faucet attachment (provided for in heading 8210.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108065. VACUUM INSULATED COFFEE SERVERS WITH**
 2 **NO LID.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.70	Vacuum insulated coffee servers with liners of steel, each with a capacity over 2 liters, presented with base with feet but no lid and with a hole at bottom of server for lever faucet attachment (provided for in heading 8210.00.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108066. VACUUM INSULATED COFFEE SERVERS WITH**
 6 **FITTED HINGED LID.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.29.71	Vacuum insulated coffee servers, each with outer layer and liner of steel, with a capacity over 2 liters, with tightly fitted hinged lid with a center hole designed to allow brewed beverages to pass directly into such server with top lever action for dispensing and steel base plate (provided for in heading 8210.00.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108067. COMMERCIAL VACUUM INSULATED COFFEE**
 10 **SERVERS WITH SIGHT GAUGE.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.29.72	Commercial vacuum insulated coffee servers, each with outer layer and liner of steel, plastic base, a capacity over 2 liters, plastic carrying handle, bottom lever faucet, see-through contents window and a brew-thru lid (provided for in heading 8210.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108068. COMMERCIAL VACUUM INSULATED COFFEE**
 2 **SERVERS WITH PLASTIC BASE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.73	Commercial vacuum insulated coffee servers, each with outer layer and liner of steel, plastic base, capacity over 2 liters, plastic carrying handle, bottom lever faucet and brew-thru lid (provided for in heading 8210.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108069. COMMERCIAL VACUUM INSULATED COFFEE**
 6 **SERVERS WITH PLASTIC BASE AND STAND.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.29.74	Commercial vacuum insulated coffee servers, each with outer layer and liner of steel, with plastic base and stand, with a capacity over 2 liters, with plastic carrying handle, with bottom lever faucet and brew-thru lid (provided for in heading 8210.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108070. CRAFT KNIVES WITH FIXED PEN-LIKE OR RE-**
 10 **TRACTABLE BLADES.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.29.75	Craft knives with fixed pen-like or retractable blade design, each with removable thin angled or scoop like blades of steel; such knives measuring between 152.4 mm and 228.6 mm in length and between 6.35 mm and 25.4 mm in diameter, valued between \$0.50 and \$2 each (provided for in subheading 8211.93.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108071. CRAFT KNIVES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.29.76	Craft knives, each with thermoplastic over mold grip, maximum handle dimensions measuring 135 mm in length, 26 mm in width and 17 mm in height (provided for in subheading 8211.93.00); the foregoing other than craft knives with fixed pen-like or retractable blade design, with removable scoop like blades of steel	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108072. BLADES FOR CRAFT KNIVES WITH NON-FIXED
 5 BLADES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.29.77	Blades for craft knives, non-fixed, angled or scoop like shaped; such blades not over 58 mm in length (provided for in subheading 8211.94.50)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 108073. ERGONOMIC PINKING SHEARS.

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.78	Ergonomic pinking shears, valued over \$30/dozen, with contoured plastic handles and with stainless steel blades, with the lower blade extending a minimum of 7 mm past the end of the upper blade (provided for in subheading 8213.00.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108074. SPRING-ACTION SCISSORS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.29.79	Scissors, each with a spring-action design that also features a slide lock and with only 1 loop handle, valued over \$1.75/dozen (provided for in subheading 8213.00.90), the foregoing other than goods described in heading 9902.15.30	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108075. ELECTRONIC LOCKS FOR LOCKERS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.29.80	Electronically actuated locks, of a kind used for locking furniture, each enclosed in metal housing and operated by a keypad or radio-frequency identification device (RFID), such goods each containing a key slot to operate the lock with an electronic key with a built-in power jumper (provided for in subheading 8301.30.00) ...	1.6%	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 108076. LUGGAGE LOCKS OF BASE METAL, PACKAGED
 8 FOR RETAIL SALE.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.29.81	Luggage locks of base metal, packaged for retail sale, of a type compliant with standards of the Transportation Security Administration, such locks each keyed for opening with a universal master tool made and patented in the United States (provided for in subheading 8301.40.30) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108077. KEY-OPERATED DOOR HANDLES, PUSH-PULL-**
 2 **ROTATE.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.82	Door locks, locksets and other locks of base metal, key-operated, suitable for use with interior or exterior doors, but excluding garage, overhead or sliding doors; such locks capable of unlatching door knobs or levers by pushing, pulling or rotating (provided for in subheading 8301.40.60)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108078. VENT MOUNTED MAGNETIC MOBILE PHONE**
 6 **HOLDER FOR AUTOMOBILES.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.29.83	Hands-free cell phone mounts of base metal, suitable for mounting cell phones to the air vents of motor vehicles, each with a 25 mm diameter polished steel ball securely mounted on an aluminum die cast base containing a two-prong lever-release clip and a ring-shaped magnet socket filled with a silicone pad (provided for in subheading 8302.30.30)	1.3%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108079. DASH MOUNTED MAGNETIC MOBILE PHONE**
 2 **HOLDER FOR AUTOMOBILES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.84	Hands-free cell phone mounts of base metal, suitable for mounting cell phones to the dashboard of motor vehicles, each with of a 25 mm diameter polished steel ball securely mounted on a machined aluminum base with adhesive material and a ring-shaped magnet socket filled with a silicone pad (provided for in subheading 8302.30.30)	0.9%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108080. WINDSHIELD MOUNTED MAGNETIC MOBILE**
 6 **PHONE HOLDER FOR AUTOMOBILES.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.29.85	Hands-free cell phone mounts of base metal, suitable for mounting cell phones to the windshield of motor vehicles, each with a 25 mm diameter polished steel ball securely mounted on a stamped and formed aluminum arm with a 72 mm diameter suction device and a ring-shaped magnet socket filled with a silicone pad (provided for in subheading 8302.30.30)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108081. STEEL LATCHES WITH PLASTIC PLUNGERS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.29.86	Steel latches, each measuring 5 cm in length and designed to secure the steps of a recreational vehicle in a locked position, such latches each containing a plunger of plastic measuring 1.7 cm by 1.5 cm and a compression spring (provided for in subheading 8302.30.30)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108082. NON-KEY-OPERATED DOOR HANDLES.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.29.87	Non-key-operated door handle assemblies, of base metal, suitable for use with interior or exterior doors, excluding garage, overhead or sliding doors; the foregoing with handles capable of opening a door by pushing, pulling or rotating (provided for in subheading 8302.41.60)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108083. CURTAIN RINGS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.29.88	Curtain or drapery rings of base metal, specially designed for use with curtain or drapery rods, presented in sets of 10 rings (provided for in subheading 8302.41.60)	2.2%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108084. BRACKETS.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.29.89	Brackets of iron or steel, of aluminum or of zinc, such brackets specially designed for use with curtain or drapery rods (provided for in subheading 8302.41.60)	2.5%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108085. CURTAIN RODS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.29.90	Telescoping curtain rods of base metal, whether or not presented with mounting hardware (provided for in subheading 8302.41.60)	1.8%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108086. CURTAIN ROD HARDWARE.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.29.91	Endeaps of base metal, specially designed for use with curtain or drapery rods (provided for in subheading 8302.41.60)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108087. CURTAIN TIEBACKS.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.29.92	Tiebacks of base metal, specially designed for use with curtains or drapes (provided for in subheading 8302.41.60)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108088. CURTAIN ROD FINIALS.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.29.93	Finials of base metal, specially designed for use with curtain or drapery rods (provided for in subheading 8302.41.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108089. CURVED SHOWER RODS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.29.94	Curved shower rods of stainless steel and aluminum, each capable of being installed by tension or by mounting with wall brackets (provided for in subheading 8302.41.60)	0.8%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108090. SHOWER HOOKS AND RINGS.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.29.95	Shower curtain hooks or rings, the foregoing of aluminum, of iron or steel or of zinc (provided for in subheading 8302.41.60)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108091. STRAIGHT SHOWER RODS.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.29.96	Straight shower rods, of aluminum or stainless steel, either designed to be mounted by means of tension or incorporating a dual mount permitting the mounting by either tension or by use of a bracket (provided for in subheading 8302.41.60)	1.1%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108092. STEEL WINDOW RODS.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.29.97	Tension or screw-mount curtain or drapery rods, made of closed tubing of steel (provided for in subheading 8302.41.60); the foregoing other than telescoping curtain rods of base metal	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108093. ANTITHEFT STEEL CASES WITH DIGITAL**
 2 **LOCKS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.29.98	Reinforced safes of welded steel, each weighing 11.8 kg or less, valued \$19 or more but not over \$38, with digital lock (provided for in heading 8303.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108094. STAINLESS STEEL HOSE KITS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.29.99	Mechanical kits each containing flexible hoses of base metal with fittings, clamps, manifolds and other hardware designed for use with machines and apparatus of subheading 8486.20.00 (provided for in subheading 8307.10.30)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108095. STAINLESS STEEL HOSES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.30.01	Flexible stainless steel hoses with fittings, designed for used with machines and apparatus of subheading 8486.20.00 (provided for in subheading 8307.10.30); the foregoing not presented in kits containing goods described in other subheadings	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108096. WRIST WATCH STRAP BUCKLES NOT OVER 18**
 12 **MM.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.30.02	Buckles of stainless steel, of a kind used for wrist watch straps measuring not over 18 mm (provided for in subheading 8308.90.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108097. WRIST WATCH STRAP BUCKLES OVER 18 MM.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.30.03	Buckles of stainless steel, of a kind used for wrist watch straps measuring over 18 mm (provided for in subheading 8308.90.60)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108098. USED CYLINDER HEADS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.30.04	Used cast-iron cylinder heads designed for use in spark-ignition internal combustion piston engines (provided for in subheading 8409.91.99) ...	0.8%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108099. CYLINDER HEADS USED SOLELY OR PRIN-
8 CIPALLY WITH CERTAIN ENGINES.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.30.05	Cast-iron cylinder heads for use solely or principally with engines of heading 8708, such engines designed to be installed in vehicles classifiable in subheading 8701.20 or 8704.23 and with bore greater than 126 mm (provided for in subheading 8409.99.91)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108100. ENGINE BLOCKS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.06	Engine blocks, each weighing over 272 kg but not over 317 kg, for compression-ignition internal combustion piston engines (diesel or semi-diesel engines), such engines each having a cylinder capacity of approximately 12.4 liters and for vehicles of subheading 8701.20 or 8704.23 (provided for in subheading 8409.99.91)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108101. SWIRLER ASSEMBLIES FOR TURBINES.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.07	Swirler assemblies, designed to be used in non-aircraft gas turbines (provided for in subheading 8411.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108102. BARRELS FOR FUEL MIXING.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.08	Barrels of nickel alloy, for fuel mixing within non-aircraft gas turbines of heading 8411 (provided for in subheading 8411.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108103. INJECTOR ASSEMBLIES FOR CERTAIN TUR-**
 11 **BINES.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.30.09	Injector assemblies of fuel injection components, designed to deliver fuel in the combustion system for use in non-aircraft gas turbines of heading 8411 (provided for in subheading 8411.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108104. STEM ASSEMBLIES FOR CERTAIN TURBINES.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.30.10	Fuel tube air-swirlers forming stem assemblies of nickel alloys and stainless steel for use in non-aircraft gas turbines of heading 8411 (provided for in subheading 8411.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108105. TIP ASSEMBLIES FOR NON-GAS TURBINES.

5 Subchapter II of chapter 99 is amended by inserting

6 in numerical sequence the following new heading:

“	9902.30.11	Tip assemblies of nickel alloy, for use in non-aircraft gas turbines of heading 8411 (provided for in subheading 8411.99.90)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108106. HIGH PRESSURE FUEL PUMPS.

8 Subchapter II of chapter 99 is amended by inserting

9 in numerical sequence the following new heading:

“	9902.30.12	High pressure fuel pumps, each incorporating a dual layered damper enclosed with a multi-step stamped cover to aid in stabilizing pressure, certified by the importer to be used in regulating the fuel supply into the fuel rail, designed for use in gasoline direct injection (GDI) spark-ignition internal combustion piston engines (provided for in subheading 8413.30.90); the foregoing other than used goods	1.3%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108107. DRY SCROLL VACUUM PUMPS 364X333X485 MM.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.13	Dry scroll vacuum pumps, measuring approximately 364 mm in height, 333 mm in width and 485 mm in length, valued over \$1,000 each (provided for in subheading 8414.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108108. DRY SCROLL VACUUM PUMPS 297X260X420 MM.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.14	Dry scroll vacuum pumps, measuring approximately 297 mm in height, 260 mm in width and 420 mm in length, valued over \$1,000 each (provided for in subheading 8414.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108109. DRY SCROLL VACUUM PUMPS 254X260X420 MM.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.15	Dry scroll vacuum pumps, each measuring approximately 254 mm in height, 260 mm in width and 420 mm in length and valued over \$1,000 (provided for in subheading 8414.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108110. DRY SCROLL VACUUM PUMPS 181X140X358 MM.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.30.16	Dry scroll vacuum pumps, each measuring approximately 181 mm in height, 140 mm in width and 358 mm in length and valued over \$1,000 (provided for in sub-heading 8414.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108111. TURBOMOLECULAR VACUUM PUMPS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.17	Turbomolecular vacuum pumps, valued over \$1,000 each (provided for in sub-heading 8414.10.00)	0.2%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108112. ROTARY VANE VACUUM PUMPS VALUED OVER
5 \$500 EACH.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.30.18	Rotary vane vacuum pumps, incorporating vanes mounted to a rotor inside a cavity, such pumps valued over \$500 each (provided for in sub-heading 8414.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 108113. VACUUM DIFFUSION PUMPS VALUED OVER
9 \$900 EACH.

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.30.19	Vacuum diffusion pumps, using a high speed jet of vapor to direct gas molecules, valued over \$900 each (provided for in subheading 8414.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108114. HAND- OR FOOT-OPERATED AIR PUMPS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.20	Hand- or foot-operated air pumps (provided for in sub-heading 8414.20.00)	2.8%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108115. ROOF VENT FANS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.21	Ventilation fans, designed for permanent installation on the rooftop of recreational and specialty vehicles, each consisting of an electric D/C motor with an output wattage over 9 W but not exceeding 28 W, a plastic fan blade of a diameter between 15.24 cm and 30.48 cm and a base plate (provided for in sub-heading 8414.51.30)	2.8%	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108116. 12-AMP CORDED ELECTRIC LEAF BLOWERS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.22	Electric centrifugal blowers, of a kind used solely or principally for blowing leaves, each with a self-contained AC electric motor not exceeding 12 A and an output not exceeding 1.45 kW (provided for in subheading 8414.59.65)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108117. CORDLESS BATTERY POWERED LEAF BLOW-**
 11 **ERS NOT EXCEEDING 20 VOLTS.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.30.26	Air pumps designed for use in aquarium tanks having a volume of 3.78 liters or more but not over 1,135.7 liters, such pumps with housings of plastics and feet of rubber, powered by 120 V AC (provided for in subheading 8414.80.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108121. HEAT PUMPS FOR RESIDENTIAL USE.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.27	Heat pumps designed for residential use, each with copper piping, an aluminum plate-fin heat exchanger, a rotary inverter compressor and a fan covered with galvanized steel sheets, such pumps measuring between 555 mm and 702 mm in height, between 770 mm and 845 mm in width and between 300 mm and 363 mm in depth (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108122. HEAT PUMPS (OUTDOOR UNITS) FOR SPLIT
 5 AIR CONDITIONER SYSTEMS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.30.28	Heat pumps (outdoor units) designed for use with split air conditioner systems for residential use, such units consisting of copper piping, an aluminum plate-fin heat exchanger, a rotary inverter compressor and a fan, all of which is covered with galvanized steel sheets to form units measuring between 703 mm and 810 mm in height, between 845 mm and 946 mm in width and between 335 mm and 386 mm in depth (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108123. HIGH-WALL INDOOR UNITS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.29	Heat pumps designed for residential use, consisting of a fan coil, electrical circuit boards, electrical components and motors, covered in a molded plastic casing, such heat pumps measuring between 280 mm and 343 mm in height, between 835 mm and 1,186 mm in width and between 198 mm and 258 mm in depth (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108124. SINGLE-ZONE OUTDOOR UNITS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.30	Heat pumps designed for residential use, each consisting of a rotary compressor, a fan coil and aluminum plate-fin heat exchanger, covered in galvanized steel, such heat pumps measuring between 300 mm and 322 mm in depth, 770 mm in width and 555 mm in height (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108125. MINI HEAT PUMPS FOR SPLIT AIR CONDIT-**
 8 **IONER SYSTEMS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.30.31	Heat pumps (outdoor units) designed for use with split air conditioner systems for residential use, such units each consisting of copper piping, aluminum plate-fin heat exchanger, a rotary inverter compressor and a pair of fans, all of which is covered with galvanized steel sheets to form units measuring 1,327.15 mm in height, 901.7 mm in width and 400 mm in depth (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108126. MULTI-ZONE OUTDOOR UNIT DUCTLESS SYS-**
 2 **TEMS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.32	Heat pumps designed for residential use, each consisting of copper piping, aluminum plate-fin heat exchanger, a rotary inverter compressor, a pair of fans and covered in galvanized steel sheets, such heat pumps measuring 1,333 mm in height, 1,045 mm in width and 380 mm in depth (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108127. INDOOR UNITS OF SPLIT AIR CONDITIONER**
 6 **SYSTEMS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.30.33	Indoor units of split air conditioner systems, designed for use with ducted systems, consisting of motors, pumps and fans covered in steel casing, such units measuring approximately 1,400 mm in width, 447 mm in height and 898 mm in depth (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108128. DUCTLESS 18000 BTU HEAT PUMPS, SINGLE**
 2 **ZONE INVERTER.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.34	Heat pumps designed for residential use with ductless air conditioning machines, each with a motor, a fan, brazed tubes and aluminum plate-fin heat exchanger and covered in sheet metal, such heat pumps measuring between approximately 551.2 mm and 1,341.12 mm in height, between 779.8 mm and 899.2 mm in width and between 289.6 mm and 680.7 mm in depth (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108129. SINGLE-PHASE HEAT PUMP.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.30.35	Heat pumps designed for residential use with both ducted and ductless systems, each with two fans, finned tube and hermetic rotary compressor and covered in galvanized steel, measuring 154.9 cm in height, 101.1 cm in width and 37.1 cm in depth (provided for in subheading 8415.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108130. STEEL VACUUM PITCHERS WITH PLASTIC**
 9 **HINGED LID.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.30.36	Vacuum insulated thermal pitchers, each with stainless steel interior and exterior, with a capacity exceeding 1 liter but not exceeding 2 liters, measuring approximately 27.9 cm or more but not over 30.5 cm in height, with plastic brew-through lid for direct brewing and plastic spout and handle for pouring, used and marketed for commercial coffee brewers of subheading 8419.81 (provided for in subheading 8419.90.95)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108131. OIL FILTERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.37	Oil filters for use solely or principally with diesel engines, such engines producing 63 kW of power (provided for in subheading 8421.23.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108132. BATTERY POWERED NASAL IRRIGATORS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.38	Battery-operated personal nasal irrigators (provided for in subheading 8424.89.90) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108133. STRUTS TO ABSORB VIBRATION.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.39	Spring struts designed to absorb vibration in household- or laundry-type washing machines, such struts each measuring in overall length 350 mm or more but not over 380 mm and in diameter approximately 35 mm or more but not over 40 mm, with 8 mm threads at each end (provided for in subheading 8450.90.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108134. TABLE SAWS (25.4 CM.), OPERABLE CORDED**
 2 **AND CORDLESS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.40	Brushless table saws for working wood, cork, bone, hard rubber, hard plastics or similar hard materials, each capable of being powered by either a 36 V DC lithium-ion battery or by AC power, with blade measuring 25.4 cm (provided for in subheading 8465.91.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108135. SLIDING MITER SAWS (25.4 CM) WITH LASER,**
 6 **CORDED AND CORDLESS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.30.41	Brushless miter sawing machines, each capable of being powered by either a 36 V DC lithium-ion battery or by AC power, not numerically controlled, for working wood, cork, bone, hard rubber, hard plastics or similar hard materials, with 25.4 cm blade, capable of adjusting bevel of cut, with laser guides and slide rail (provided for in subheading 8465.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108136. ELECTROMECHANICAL ROTARY HAMMERS,**
 10 **CORDED AND CORDLESS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.30.42	Rotary hammer tools, of a kind for working in the hand, each with self-contained brushless electromechanical motor, such tools capable of performing drilling and chiseling and of being powered both by a 36 V DC lithium-ion battery and by AC power, with a minimum speed of 260 RPM and a maximum speed of 590 RPM (provided for in subheading 8467.21.00)	0.9%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108137. ELECTROMECHANICAL HAMMER IMPACT
2 DRIVERS, CORDED AND CORDLESS.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.30.43	Hand-held brushless electromechanical impact drivers, designed to drive screws at varying speeds, each capable of being powered by a 36 V DC lithium-ion battery or by AC power as required by the user (provided for in subheading 8467.21.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 108138. ROTARY HAMMER DRILL TOOLS WITH SELF-
6 CONTAINED ELECTRIC MOTOR.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.30.44	Rotary drill and hammer tools with self-contained electric motor, each with pneumatic hammering mechanism designed to engage with carbide drill bits and an electromechanical mechanism that separates the drive from the internal gearings, each with rated amperage that does not exceed 9 A, and with triaxial vibration values, measured in accordance with European Norm 60745, that does not exceed 17 m/s ² (provided for in subheading 8467.21.00)	0.5%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108139. DRILL DRIVER TOOLS WITH SELF-CONTAINED**
 2 **ELECTRIC MOTOR.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.45	Drill driver tools with self-contained electric motor, each encased in a rubberized glass-fiber reinforced casing that engages a smooth or slotted shank drill-bit, powered by 10.8 V, 21.6 V or 120 V, with rated amperage that does not exceed 12 A, and with triaxial vibration values, measured in accordance with European Norm 60745, that does not exceed 3.5 m/s ² (provided for in subheading 8467.21.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108140. EXTRUDERS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.30.46	Extruders, designed for processing thermoplastics, with a screw size of 6.4 cm or greater (provided for in subheading 8477.20.00)	2.2%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108141. THREE-DIMENSIONAL DRAWING PENS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.30.47	Three-dimensional (3D) drawing devices, each with an exterior on/off switch, dual control buttons to activate the device's motor or control speed of extruding filament, removable metal nozzle and removable maintenance panel, such drawing devices measuring between 10 mm and 50 mm in length and between 5 mm and 20 mm in width (provided for in subheading 8477.80.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108142. PROFESSIONAL GRADE THREE-DIMENSIONAL**
 2 **DRAWING PENS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.48	Three-dimensional (3D) drawing devices, each with dual control buttons to activate the device’s motor or control the direction of the extruding filament, an exterior liquid crystal display (LCD), a magnetically affixed removable panel and removable metal nozzle, such drawing devices measuring between 5 cm and 15 cm in length and between 1 cm and 3 cm in width (provided for in subheading 8477.80.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108143. ELECTRIC MULTI-FUNCTIONAL BLOWER VACU-**
 6 **UMS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.30.49	Electromechanical appliances capable of blowing, vacuuming and mulching, each with a self-contained AC electric motor not exceeding 12 A and an output not exceeding 1.45 kW (provided for in subheading 8479.89.65)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108144. AUTOSAMPLERS (MULTISAMPLERS) FOR LIQ-**
 10 **UID CHROMATOGRAPHS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.30.50	Autosamplers (“multisamplers”) for liquid chromatographs, such autosamplers capable of lifting and handling both microliter plates and vials and each measuring approximately 320 mm in height, 468 mm in depth and 396 mm in width (provided for in subheading 8479.89.94)	0.2%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108145. AUTOSAMPLERS (VIALSAMPLERS) FOR LIQUID**

2 **CHROMATOGRAPHS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.51	Autosamplers (“vialsamplers”) for liquid chromatographs, such autosamplers capable of lifting and handling only vials and measuring approximately 320 mm in height, 468 mm in depth and 396 mm in width (provided for in subheading 8479.89.94)	0.5%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108146. HYDRAULIC HAMMER ASSEMBLY.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.30.52	Hydraulic hammers designed for use on backhoes, shovels, clamshells or draglines and suitable for use in demolishing concrete or asphalt (provided for in subheading 8479.89.94)	2.2%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108147. SEGMENTED BLADDER-OPERATED MOLDS,**
 9 **WITH MORE THAN 25-INCH RIM DIAMETER.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.30.53	Segmented bladder-operated molds, designed to be used for molding/forming and curing “green tires” with a rim diameter measuring over 63.5 cm (provided for in subheading 8480.79.90), such tires for off-the-road use	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108148. USED VALVES FOR DIRECTIONAL CONTROL.

2 Subchapter II of chapter 99 is amended by inserting

3 in numerical sequence the following new heading:

“	9902.30.54	Used hydraulic directional control valves (provided for in subheading 8481.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108149. KEG SPEARS WITH PRESSURE RELEASE
5 VALVES.

6 Subchapter II of chapter 99 is amended by inserting

7 in numerical sequence the following new heading:

“	9902.30.55	Keg spears, each with automatic (not hand operated) relief valve designed to release pressure at approximately 30 bar (provided for in subheading 8481.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 108150. MULTIPORT DISTRIBUTION CONTROLLERS.

9 Subchapter II of chapter 99 is amended by inserting

10 in numerical sequence the following new heading:

“	9902.30.56	Solenoid actuated valves equipped with multiple apparatus (up to two sub multiport distribution controllers) for electrical control and 6, 8, 10 or 16 ports for variable refrigerant flow all of which is covered in a galvanized steel plate box with white powder coating, such valves measuring 323.85 mm in height and between 939.8 mm and 1,181.1 mm in width (provided for in subheading 8481.80.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108151. SUBSEA MODULAR TREES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.57	Subsea trees, each comprising an assembly of valves, capable of regulating and containing the hydrocarbon flow from a well, such trees also capable of preventing the release of hydrocarbons from a well into the environment (provided for in subheading 8481.80.90)	1.5%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108152. FLOW SELECTOR UNIT-MULTI-PORT 6-BRANCH**
 5 **ENGINE CRANKSHAFTS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.30.58	Solenoid actuated control valves consisting of brazed copper pipes and galvanized steel plates, each designed for use with residential heat pumps and fan coils and measuring 215.9 mm in height, 1,056.64 mm in width and 568.96 mm in length (provided for in subheading 8481.80.90)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108153. ENGINE CRANKSHAFTS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.30.59	Engine crankshafts used in engines under headings 8407 or 8408, such crankshafts weighing between 275 kg and 650 kg, or between 100 kg and 130 kg (provided for in subheading 8483.10.30), the foregoing other than goods described in heading 9902.15.96	1.5%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108154. TURBOCHARGER JOURNAL BEARINGS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.60	Journal bearings, each designed to support and permit free rotation of a rotor within a turbocharger (provided for in subheading 8483.30.80) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108155. MID-RANGE BEARING HOUSINGS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.61	Mid-range bearing housings, shell cast and sand molded, of gray cast iron, machine finished and designed for compression-ignition internal combustion diesel engines with cylinder capacities of 5.9 liters or more but not exceeding 10 liters, each bearing housing with an overall length between 55 mm and 135 mm and weighing at least 6 kg but not over 25 kg (provided for in subheading 8483.30.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108156. HEAVY DUTY BEARING HOUSINGS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.62	Heavy duty bearing housings, shell cast and sand molded of gray cast iron, machine finished, designed for compression-ignition internal combustion diesel engines, such engines with cylinder capacity of 10 liters or more but not exceeding 16 liters, each bearing housing with an overall length between 55 mm and 135 mm and weighing 6 kg or more but not exceeding 25 kg (provided for in subheading 8483.30.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108157. FIXED RATION GEAR BOXES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.63	Fixed ratio gearboxes designed for use with generating sets of heading 8502 (provided for in subheading 8483.40.50)	2.4%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108158. TRACK DRIVE GEAR BOXES.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.64	Track drive gear boxes, designed for use in machinery of heading 8429 or 8436 (provided for in subheading 8483.40.50)	1.5%	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108159. SWING BEARING ASSEMBLY.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.65	Geared swing bearing assemblies, of a kind used to rotate the cab of machinery described in subheading 8429.52.10 (provided for in subheading 8483.90.50)	1.5%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108160. GEARS FOR USE IN MACHINERY OR WITHIN**
 11 **ENGINES.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.30.66	Transmission timing gears or gear drive gears, the foregoing of alloy steel and designed to be used in machinery or within an engine, such gears each weighing between 1.885 kg and 500 kg, measuring between 30 mm and 505 mm in diameter and between 15 mm and 285 mm in width (provided for in subheading 8483.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108161. 14Y STEPPER MOTORS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.67	Electric DC stepper motors of an output under 18.65 W, measuring between 20 mm and 39 mm in length (provided for in subheading 8501.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108162. AIR DOOR ACTUATORS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.68	Air door actuator DC motor of an output under 18.65 W for heating, ventilating and air conditioning (HVAC) climate-control systems (provided for in subheading 8501.10.40)	2.1%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108163. SERVO MOTORS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.69	Ferrite type DC electric motors, of a kind used to control air temperature in permanently installed heating, ventilation and air conditioning systems in the automotive industry, each motor with an operating voltage ranging between 8 V and 14.5 V (amp side voltage ranging between 10 V and 16 V), ring varistor, brush and D cut output shaft (provided for in subheading 8501.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108164. DC BRUSHED RHOMBIC WINDING NDFEB MAG-
2 NET MOTORS, WITH OUTPUT UNDER 18.65 W.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.30.70	Electric DC, brushed, ironless core motors with rhombic winding and NdFeB magnets, each motor with an output under 18.65 W and a diameter exceeding 8 mm but not exceeding 15 mm (provided for in subheading 8501.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 108165. DC BRUSHED RHOMBIC WINDING NDFEB MAG-
6 NET MOTORS.

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.30.71	Electric DC, brushed, ironless core motors with rhombic winding and NdFeB magnets, each motor with an output under 18.65 W and a diameter exceeding 15 mm (provided for in subheading 8501.10.40)	0.4%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108166. DC BRUSHED RHOMBIC WINDING ALNICO**
 2 **MAGNET MOTORS, WITH OUTPUT UNDER**
 3 **18.65 W.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.30.72	Electric DC, brushed ironless core motors with rhombic winding and AlNiCo magnets, each motor with an output under 18.65 W (provided for in subheading 8501.10.40) ...	0.2%	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108167. DC BRUSHLESS RHOMBIC WINDING NDFEB**
 7 **MAGNET MOTORS, WITH OUTPUT UNDER**
 8 **18.65 W.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.30.73	Electric DC, brushless slotless motors with rhombic winding and NdFeB magnets, each motor with an output under 18.65 W and a diameter exceeding 8 mm (provided for in subheading 8501.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108168. DC BRUSHED RHOMBIC WINDING NDFEB MAG-**
 12 **NET MOTORS, WITH OUTPUT OVER 18.65 BUT**
 13 **NOT OVER 37.5 W.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.30.74	Electric DC, brushed, ironless core motors with rhombic winding and NdFeB magnets, each motor with an output of 18.65 W or more but not exceeding 37.5 W (provided for in subheading 8501.10.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108169. DC BRUSHED RHOMBIC WINDING ALNICO**
 2 **MAGNET MOTORS, WITH OUTPUT OVER 18.65**
 3 **W BUT NOT OVER 37.5 W.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.30.75	Electric DC, brushed ironless core motors with rhombic winding and AlNiCo magnets, each motor with an output of 18.65 W or more but not exceeding 37.5 W (provided for in subheading 8501.10.60) ...	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108170. DC BRUSHLESS SLOTLESS RHOMBIC WINDING**
 7 **NDFeB MAGNET MOTORS OUTPUT OVER 18.65**
 8 **W BUT NOT OVER 37.5 W.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.30.76	Electric DC, brushless slotless motors consisting of rhombic winding and NdFeB magnets, each with an output of 18.65 W or more but not exceeding 37.5 W (provided for in subheading 8501.10.60)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108171. DC BRUSHED RHOMBIC WINDING NDFEB MAG-**
 12 **NET MOTORS OUTPUT OVER 37.5 W BUT NOT**
 13 **OVER 74.6 W.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.30.77	Electric DC, brushed ironless core motors with rhombic winding and NdFeB magnets, each motor with an output exceeding 37.5 W but not exceeding 74.6 W (provided for in subheading 8501.31.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108172. DC BRUSHLESS SLOTLESS RHOMBIC WINDING**
 2 **NDFeB MAGNET MOTORS OUTPUT OVER 37.5**
 3 **W BUT NOT OVER 74.6 W.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.30.78	Electric DC, brushless slotless motors with rhombic winding and NdFeB magnets, each motor with an output exceeding 37.5 W but not exceeding 74.6 W (provided for in subheading 8501.31.20)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108173. MOTORS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.30.79	Electric DC motors, of an output exceeding 37.5 W but not exceeding 74.6 W (provided for in subheading 8501.31.20); the foregoing excluding brushed ironless core motors or brushless slotless motors containing rhombic winding and NdFeB magnets	2.6%	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108174. DC MOTORS OF AN OUTPUT EXCEEDING 74.6 W**
 10 **BUT NOT EXCEEDING 735 W.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.30.80	DC motors of an output exceeding 74.6 W but not exceeding 735 W, weighing 2.6 kg, measuring 155 mm in length, each equipped with an electronic power steering control module with an exterior surface of carbon steel coated on both sides with an aluminum-silicon alloy; where the three phase neutral point is external to the motor and located within the control module as certified by the importer (provided for in subheading 8501.31.40)	2.5%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108175. DC MOTORS, OF AN OUTPUT EXCEEDING 74.6 W
2 BUT NOT EXCEEDING 735 W.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.30.81	DC motors, of an output exceeding 74.6 W but not exceeding 735 W, each valued not over \$18 (provided for in subheading 8501.31.40); the foregoing excluding products described in heading 9902.16.07 and DC motors with rhombic winding and NdFeB magnets	3.3%	No change	No change	On or before 12/31/2023	”.
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5 SEC. 108176. DC BRUSHED RHOMBIC WINDING NDFEB MAG-
6 NET MOTORS OUTPUT OVER 74.6 W BUT NOT
7 OVER 735 W.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.30.82	Electric DC, brushed ironless core motors with rhombic winding and NdFeB magnets, each motor with an output exceeding 74.6 W but not exceeding 735 W (provided for in subheading 8501.31.40); the foregoing excluding products described in heading 9902.16.07	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108177. DC BRUSHLESS SLOTLESS RHOMBIC WINDING**
 2 **NDFEB MAGNET MOTORS OUTPUT OVER 74.6**
 3 **W BUT NOT OVER 735 W.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.30.83	Electric DC, brushless slotless motors containing rhombic winding and NdFeB magnets, each motor of an output exceeding 74.6 W but not exceeding 735 W (provided for in subheading 8501.31.40); the foregoing excluding products described in heading 9902.16.07	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108178. DC MOTORS OF AN OUTPUT EXCEEDING 750 W**
 7 **BUT NOT EXCEEDING 14.92 KW.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.84	DC motors of an output exceeding 750 W but not exceeding 14.92 kW, each weighing 3.04 kg or more but not over 3.37 kg, each measuring 187 mm or more in length but not over 198 mm, each equipped with an electronic power steering control module with an exterior surface of carbon steel coated on both sides with an aluminum-silicon alloy, in which the three phase neutral point is external to the motor and located within the control module as certified by the importer (provided for in subheading 8501.32.20)	2.1%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108179. DC ELECTRIC MOTOR FOR NON-AIRCRAFT GAS**
 11 **TURBINES.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.30.85	Electric DC motors of an output exceeding 750 W but not exceeding 14.92 kW, such motors used in non-aircraft gas turbines (provided for in subheading 8501.32.20)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108180. AC ALTERNATORS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.86	AC alternators with copper windings for diesel engines, gas engines or turbines, each weighing approximately between 57 kg and 250 kg, and rated from 1 kVA to 75 kVA (provided for in subheading 8501.61.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108181. AC ALTERNATORS WITH COPPER WINDINGS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.30.87	AC alternators with copper windings for diesel engines, gas engines or turbines rated from 75 kVA to 375 kVA (provided for in subheading 8501.62.00)	1.8%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108182. WOUND STATORS AND ROTOR ASSEMBLIES.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.30.88	Stators and rotors for the goods of heading 8501, for motors over 18.65 W, such motors being used in oilfield electrical submersible pumps (ESPs) (provided for in subheading 8503.00.65)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 108183. ROTORS.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.30.89	Rotors suitable for motors of heading 8501 exceeding 18.65 W but not over 735 W (provided for in subheading 8503.00.65)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108184. STATORS FOR WASHING MACHINES, WITH A 27-**
 2 **TOOTH DESIGN.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.90	Stators for brushless permanent magnet alternating current three-phase motors exceeding 18.65 W but not exceeding 735 W, with a 27 tooth design, each having a variable speed range of zero to 1,200 revolutions per minute and having the capability of producing starting torque up to 5.7 kg-m; the foregoing stators for use in laundry appliances and each having a helical wrapped lamination, overmolded resin construction, a 4.2 to one tooth length/width ratio, and having the capability of 68 A-weighted decibel sound levels, each stator having a diameter of 260.6 mm and a maximum height of 58 mm (provided for in subheading 8503.00.65)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108185. STATORS FOR WASHING MACHINES, WITH AN**
 6 **18-TOOTH DESIGN.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.30.91	Stators for brushless permanent magnet alternating current three-phase motors exceeding 18.65 W but not over 735 W, with an 18 tooth design, each having a variable speed range of zero to 900 revolutions per minute and having the capability of producing starting torque of up to 1.1 kg-m, the foregoing stators each having a nested helical wrapped lamination, an overmolded resin construction, and the capability of 60 A-weighted decibel sound levels, and having a diameter of 208 mm and a height of 45 mm (provided for in sub-heading 8503.00.65)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108186. ROTORS FOR WASHING MACHINES, WITH A**
 2 **HEIGHT OF 60.8 MM.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.92	Rotors for brushless permanent magnet alternating current three-phase motors exceeding 18.65 W but not over 735 W, each with 24 poles and a variable speed range of zero to 1,200 revolutions per minute and having the capability of producing starting torque of up to 5.7 kg-m, the foregoing rotors designed for use in a laundry appliance, with an overmolded resin construction and 20 percent contour discreet magnets capable of 68 A-weighted decibel sound levels, with a diameter of 296 mm and a height 60.8 mm (provided for in sub-heading 8503.00.65)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108187. ROTORS FOR WASHING MACHINES, WITH A**
 6 **HEIGHT OF 49 MM.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.30.93	Rotors for brushless permanent magnet AC 3-phase motors exceeding 18.65 W but not over 735 W, with 24 poles, a variable speed range of zero to 900 revolutions per minute, producing starting torque of up to 1.1 kg-m, with an overmolded resin construction, designed to mount directly to the transmission input shaft, and including a flux ring for an electro-magnetic shifter, with a diameter of 236 mm and a height 49 mm (provided for in subheading 8503.00.65)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108188. 6 V LEAD-ACID STORAGE BATTERIES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.30.94	6 V Lead-acid storage batteries, with a maximum length of 17 cm, maximum width of 9 cm and maximum height of 17 cm, of a kind used for the source of power for medical devices (provided for in subheading 8507.20.80)	0.3%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108189. 12 V LEAD-ACID STORAGE BATTERIES, USED
5 FOR THE AUXILIARY SOURCE OF POWER.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.30.95	12 V Lead-acid storage batteries, of a kind used for the auxiliary source of power for burglar or fire alarms and similar apparatus of subheading 8531.10.00 (provided for in subheading 8507.20.80)	2.5%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108190. LEAD-ACID STORAGE BATTERIES, USED FOR**
 2 **WHEELCHAIRS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.96	12 V Lead-acid storage batteries, of a kind used for the source of power for wheelchairs and mobility scooters of subheading 8713.90.00 (provided for in subheading 8507.20.80)	3.1%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108191. 12 V LEAD-ACID STORAGE BATTERIES, RATED**
 6 **AT LESS THAN 15 AMPERE-HOURS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.30.97	12 V Lead-acid storage batteries, with a maximum length of 20 cm, maximum width of 10 cm and maximum height of 10 cm, rated at less than 15 ampere-hours, of a kind used for the source of power for medical devices (provided for in subheading 8507.20.80)	3%	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108192. 12 V LEAD-ACID STORAGE BATTERIES, RATED**
 10 **AT 15 AMPERE-HOURS OR MORE.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.30.98	12 V Lead-acid storage batteries, with a maximum length of 35 cm, maximum width of 18 cm and maximum height of 25 cm, rated at 15 ampere-hours or more, of a kind used for the source of power for medical devices (provided for in subheading 8507.20.80)	3.1%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108193. CELL BOX ASSEMBLIES, WEIGHING 15 KG OR**
 2 **MORE BUT NOT OVER 18 KG.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.30.99	Lithium-ion battery cell boxes having aluminum cases, of a kind used for electrically powered motorcycles of heading 8711, containing numerous individual lithium-ion battery cells, such cell boxes having a minimum specific energy density of 175 watt-hour per kg, a minimum volumetric specific energy of 380 watt-hour per liter and weighing 15 kg or more but not over 18 kg (provided for in subheading 8507.60.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108194. CELL BOX ASSEMBLIES, WEIGHING 30 KG OR**
 6 **MORE BUT NOT OVER 36 KG.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.31.01	Lithium-ion battery cell boxes having aluminum cases, of a kind used for electrically powered motorcycles of heading 8711, containing numerous individual lithium-ion battery cells, such cell boxes having a minimum specific energy density of 168 watt-hour per kg, a minimum volumetric specific energy of 370 watt-hour per liter and weighing 30 kg or more but not over 36 kg (provided for in subheading 8507.60.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108195. CELL BOX ASSEMBLIES, WEIGHING 36 KG OR**
 10 **MORE BUT NOT OVER 49 KG.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.31.02	Lithium-ion battery cell boxes having aluminum cases, of a kind used for electrically powered motorcycles of heading 8711, containing numerous individual lithium-ion battery cells, such cell boxes having a minimum specific energy density of 180 watt-hour per kg, a minimum volumetric specific energy of 385 watt-hour per liter and weighing 36 kg or more but not over 49 kg (provided for in subheading 8507.60.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108196. CELL BOX ASSEMBLIES NX.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.03	Lithium-ion battery cell boxes having aluminum cases, of a kind used for electrically powered motorcycles of heading 8711, containing numerous individual lithium-ion battery cells, such cell boxes having a minimum specific energy density of 210 watt-hour per kg, a minimum volumetric specific energy of 445 watt-hour per liter and weighing 18 kg or more but not over 30 kg (provided for in subheading 8507.60.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108197. FOOD PROCESSORS WITH A CAPACITY GREAT-**
 5 **ER THAN 2.9 LITERS BUT NOT EXCEEDING 3.1**
 6 **LITERS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.31.04	Electromechanical food processors, of a kind used for domestic purposes, with a self-contained electric motor with a minimum of two speeds and a sealable clear plastic bowl, the foregoing having a capacity greater than 2.9 liters but not exceeding 3.1 liters, each lid being attached to the plastic bowl with a hinge, the foregoing food processors having three paddle buttons, each button featuring an indicator light (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108198. FOOD PROCESSORS WITH A CAPACITY GREAT-**
2 **ER THAN 1.6 LITERS BUT NOT EXCEEDING 2.2**
3 **LITERS.**

4 Subchapter II of chapter 99 is amended by inserting
5 in numerical sequence the following new heading:

“	9902.31.05	Electromechanical food processors, of a kind used for domestic purposes, with a self-contained electric motor with a minimum of two speeds and a sealable clear plastic bowl, the foregoing having a capacity greater than 1.6 liters but not exceeding 2.2 liters, each lid being attached to the plastic bowl with a hinge, the foregoing food processors having three paddle buttons, each button featuring an indicator light (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108199. CORDLESS HAND BLENDERS.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.31.06	Electromechanical cordless handheld food and beverage blending devices, of a kind used for domestic purposes, each with a self-contained electric motor, a non-removable rechargeable lithium ion battery, and a plastic housing with a brushed aluminum trim band; the foregoing blending devices, each having a battery indicator light on the top of the handle, a variable speed control button, a safety lock and a removable stainless steel blending arm (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108200. CORDLESS HAND MIXERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.07	Electromechanical cordless handheld food mixers, of a kind used for domestic purposes, each with a self-contained motor and a rechargeable lithium ion battery, the foregoing having at least seven speed options, a battery indicator light, and a handle containing a chrome plated speed control lever and a plastic button for ejecting beaters, each food mixer with the ability to stand on one end unassisted (provided for in subheading 8509.40.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108201. CORDED HAND BLENDERS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.31.08	Electromechanical domestic corded handheld food and beverage blending devices, each with a self-contained electric motor and a plastic housing with a brushed aluminum trim band and a removable stainless steel blending arm, the foregoing not having a non-removable rechargeable lithium ion battery (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108202. BURR COFFEE GRINDERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.09	Electromechanical burr coffee grinders, of a kind used for domestic purposes, each with an aluminum trim band, internal portafilter holder that can accommodate multiple sizes of portafilters, a self-contained electric motor, the foregoing coffee grinders having one clear plastic top storage vessel and one clear plastic bottom storage vessel, having a rotary lever for selecting grind size immediately below the top storage vessel and a grinding enclosure containing a liquid crystal display, control buttons and a rotating knob for selecting desired coffee amount (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108203. ELECTRIC FOOD PROCESSORS WITH BOWL**
 5 **SCRAPER.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.10	Electromechanical food processors of a kind used for domestic purposes, each containing an electric motor with an output wattage not exceeding 450 W, a processing bowl with a capacity no greater than 1.9 liters, a twist-locking lid, a built-in bowl scraper controlled by a rotating handle on the lid, a stainless steel S-blade for chopping and mixing and a reversible disc for slicing and shredding (provided for in subheading 8509.40.00)	1.2%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108204. ELECTRIC FOOD PROCESSORS WITH SNAP-**
 2 **LOCKING LID.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.11	Electromechanical food processors of a kind used for domestic purposes, each containing an electric motor with an output wattage not exceeding 500 W, a processing bowl with a capacity greater than 1.9 liters but not exceeding 2.88 liters, a lid-locking mechanism incorporating one or more clips, a stainless steel S-blade for chopping and mixing and a blade for slicing and shredding (provided for in subheading 8509.40.00)	2.6%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108205. ELECTRIC JUICE EXTRACTORS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.12	Electromechanical juice extractors of a kind used for domestic purposes, each containing an electric motor with an output wattage of 800 W or greater, a chute measuring 7.62 cm in width, a pulp bin and a mesh filtering basket with an integrated cutting blade designed to separate pulp from juice (provided for in subheading 8509.40.00) ...	3.3%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108206. ELECTRIC DRINK MIXERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.13	Electromechanical drink mixers of a kind used for domestic purposes, each including two-speed settings, a tiltable mixing head, a stainless steel mixing cup with a capacity no greater than 0.83 liters and no more than one spindle (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108207. SPIRALIZING FOOD PROCESSORS WITH A CA-**
 2 **PACITY EQUAL TO OR GREATER THAN 2.36 LI-**
 3 **TERS BUT NOT EXCEEDING 2.64 LITERS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.31.14	Electromechanical food processors of a kind used for domestic purposes, each containing an electric motor with an output wattage not exceeding 450 W, a capacity equal to or greater than 2.36 liters but not exceeding 2.64 liters, a twist-locking lid, spiral blade, ribbon blade, reversible stainless steel disc and stainless steel S-blade attachments (provided for in subheading 8509.40.00), the foregoing without a locking arm designed to secure the lid or a dough kneading blade	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108208. SPIRALIZING FOOD PROCESSORS WITH A CA-**
 7 **PACITY EQUAL TO OR GREATER THAN 2.83 LI-**
 8 **TERS BUT NOT EXCEEDING 3.07 LITERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.15	Electromechanical food processors of a kind used for domestic purposes, each containing an electric motor with an output wattage not exceeding 450 W, a capacity equal to or greater than 2.83 liters but not exceeding 3.07 liters, a locking arm designed to secure the lid, a pour spout, spiral blade, ribbon blade, reversible stainless steel disk, S-blade and a dough blade designed for kneading (provided for in subheading 8509.40.00), the foregoing not including an attachment designed for dicing	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108209. DICING FOOD PROCESSORS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.16	Electromechanical food processors of a kind used for domestic purposes, each containing an electric motor with an output wattage not exceeding 600 W, a capacity of at least 3.31 liters, a locking arm designed to secure the lid, a pour spout, an attachment designed for dicing, a slicing blade, a shredding disc, a S-blade and a dough blade designed for kneading (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108210. COMPACT FOOD PROCESSOR WITH SMOOTHIE
 5 FUNCTION.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.17	Electromechanical food processors of a kind used for domestic purposes, each containing an electric motor with an output wattage not exceeding 250 W, a capacity not exceeding 0.94 liters and two clamps designed to secure the lid (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108211. JUICE EXTRACTORS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.31.18	Electromechanical domestic juice extractors, each with a self-contained electric motor with an output wattage not exceeding 1100 W, an 8.89 cm wide chute and a pitcher with a capacity no greater than 1 liter (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108212. INTEGRATED BABY FOOD MAKING SYSTEMS.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.31.19	Integrated baby food making systems, such systems including: (i) an electromechanical nutrient extractor of a kind used for domestic purposes to puree baby food, each with a self-contained electric motor with a maximum output wattage of 200 W and two interchangeable blade assemblies; (ii) an open-topped batch bowl with a capacity of 0.94 liters; (iii) a single-serve, double-handled tip-proof cup with a capacity of 0.29 liters and a twist-off lid; (iv) six single-serve storage cups, each with a capacity of 0.05 liters and twist-off lids with numerical dials; (v) a spatula; and (vi) a freezer tray with a six-cup grid and a lid (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108213. ELECTRIC JUICE MIXERS AND GRINDERS.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.31.20	Electromechanical combination food grinders, juicers and mixers of a kind used for domestic purposes, each consisting of a base with a self-contained electric motor with an output wattage not exceeding 1,400 W, a stainless-steel blade assembly, and three interchangeable stainless-steel square jars with a capacity of 0.5 liters or more and not exceeding 1.5 liters, the foregoing with lids fitted with gaskets and locking tabs (provided for in subheading 8509.40.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108214. ULTRASONIC HUMIDIFIERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.21	Electromechanical ultrasonic humidifiers, each with self-contained electric motor, of a kind used for domestic purposes, with cool and warm mist, with clean transducer ultrasonic membrane light (provided for in subheading 8509.80.50)	3.2%	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108215. AUTOMATIC LITTERBOXES, VALUED NO MORE
 5 THAN \$100.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.22	Litterboxes, each with self-contained electric motor powered by an external adapter that plugs into a wall socket or electrical outlet and may have batteries for back-up, such devices which rake and/or disperse cat waste into a compartment after a certain amount of time has passed once the mechanism is triggered by cat entering the litterbox; the foregoing designed for domestic use, valued no more than \$100 (provided for in subheading 8509.80.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108216. ELECTRIC TOOTHBRUSHES.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.31.23	Battery-operated electric toothbrushes (provided for in subheading 8509.80.50)	3.6%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108217. ULTRASONIC COOL/WARM MIST HUMIDIFIERS**
5 **WITH AROMATHERAPY.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.31.24	Ultrasonic humidifiers with self-contained electric motor, with options for warm or cool mist, four output settings, having a 3.785 liter tank capacity, a drawer for aromatherapy oils, with a rectangular base measuring 23.6 cm by 22.1 cm by 23.9 cm, weighing no more than 5 kg empty and valued \$15 or more but not over \$19 (provided for in subheading 8509.80.50)	0.8%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108218. 2-IN-1 CAN OPENER.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.31.25	Hand-held battery-operated automatic can openers, each with self-contained electric motor, such can openers with a weight not exceeding 1.36 kg exclusive of extra interchangeable parts or detachable auxiliary devices (provided for in subheading 8509.80.50)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108219. FOOD SPIRALIZING DEVICES.**

12 Subchapter II of chapter 99 is amended by inserting
13 in numerical sequence the following new heading:

“	9902.31.26	Food spiralizing devices of a kind used for domestic purposes, designed for use on electromechanical food stand mixers, such devices designed for peeling, coring and slicing fruits and vegetables and capable of cutting such food into spiral strands and shapes, the foregoing with four or more interchangeable cutting blades and a peeling blade (provided for in subheading 8509.90.55)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108220. CERAMIC BOWLS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.27	Ceramic bowls designed for use on electromechanical stand food mixers, each having a capacity greater than 4.5 liters but not exceeding 4.9 liters, the foregoing each having a base with four protrusions designed to interlock with a stand food mixer base (provided for in subheading 8509.90.55)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108221. FOOD GRINDERS FOR CERTAIN
 5 ELECTROMECHANICAL STAND FOOD MIXERS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.28	Food grinding devices designed for use on electromechanical domestic food stand mixers, each having a molded plastic or metal housing with a singular stainless steel blade, and an auger (provided for in subheading 8509.90.55)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108222. PASTA PRESS EXTRUDERS FOR CERTAIN**
 2 **STAND FOOD MIXERS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.29	Pasta-making devices designed for use on electromechanical domestic stand food mixers, each having a molded plastic housing with metal auger and cutting arm, the foregoing having five interchangeable steel discs for forming various pasta shapes (provided for in subheading 8509.90.55)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108223. STAINLESS STEEL BOWLS FOR CERTAIN**
 6 **ELECTROMECHANICAL STAND FOOD MIXERS,**
 7 **WITH CAPACITY GREATER THAN 4.2 LITERS**
 8 **BUT NOT EXCEEDING 4.8 LITERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.30	Stainless steel bowls designed for use on electromechanical stand food mixers, each having a capacity greater than 4.2 liters but not exceeding 4.8 liters (whether or not having a single stainless steel vertically oriented welded handle), the foregoing each having a rolled top edge and welded stainless steel base with four protrusions designed to interlock with a stand food mixer base (provided for in subheading 8509.90.55)	0.7%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108224. STAINLESS STEEL BOWLS FOR CERTAIN**
 2 **ELECTROMECHANICAL STAND FOOD MIXERS,**
 3 **WITH CAPACITY GREATER THAN 2.8 LITERS**
 4 **BUT NOT EXCEEDING 3.4 LITERS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.31.31	Stainless steel bowls designed for use on electromechanical stand food mixers, each having a capacity greater than 2.8 liters but not exceeding 3.4 liters (whether or not having a single stainless steel vertically oriented welded handle), the foregoing each having a rolled top edge and welded stainless steel base with four protrusions designed to interlock with a stand food mixer base (provided for in subheading 8509.90.55)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108225. STAINLESS STEEL BOWLS FOR CERTAIN**
 8 **ELECTROMECHANICAL STAND FOOD MIXERS,**
 9 **WITH CAPACITY GREATER THAN 5.6 LITERS**
 10 **BUT NOT EXCEEDING 8.6 LITERS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.31.32	Stainless steel bowls designed for use on electromechanical stand food mixers, each having a capacity greater than 5.6 liters but not exceeding 8.6 liters (whether or not having a single stainless steel vertically oriented welded handle), the foregoing each having a rolled edge and two welded stainless steel side brackets with circular holes designed to interlock with the arm of the stand mixer (provided for in subheading 8509.90.55)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108226. PASTA ROLLERS AND CUTTERS FOR STAND**
 2 **FOOD MIXERS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.33	Metal pasta rolling and cutting devices designed for use on electromechanical food stand mixers, each not having a molded plastic housing (provided for in subheading 8509.90.55)	1%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108227. GLASS BOWLS FOR CERTAIN**
 6 **ELECTROMECHANICAL STAND FOOD MIXERS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.31.34	Glass bowls designed for use on electromechanical stand food mixers, each having a capacity greater than 4.5 liters but not exceeding 4.9 liters, the foregoing each having a base with four protrusions designed to interlock with a stand food mixer base (provided for in subheading 8509.90.55)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108228. BODY TRIMMERS FOR DETAILED HAIR TRIM-**
 10 **MING.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.31.35	Hair clippers, with self-contained electric motor, vertical reciprocating stamped stainless steel blade and aluminum housing (provided for in subheading 8510.20.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108229. HAIR CLIPPER SETS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.36	Hair clipper sets, with self-contained electric motor, comprised of blade guide combs and one or more hair clippers, wherein at least one clipper is corded, has a non-detachable ground steel blade and is used for human hair, all put up in sets for retail sale, valued at \$5 or less (provided for in subheading 8510.20.90)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108230. RECHARGEABLE TRIMMERS FOR TRIMMING**
 5 **HUMAN HAIR.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.37	Hair clipper set, with self-contained electric motor, comprised of blade guide combs, detailers and one or more hair clippers, wherein at least one clipper has a rechargeable lithium-ion battery, a detachable ground steel blade and is used for human hair, all put up in sets for retail sale, valued at \$6 or less (provided for in subheading 8510.20.90)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108231. PCB ASSEMBLIES FOR CLIPPERS AND TRIM-**
 9 **MERS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.31.38	Subassemblies consisting of a printed circuit board, power connector, rechargeable lithium ion battery and motor, designed for use with hair clippers of subheading 8510.20.90 or shavers of subheading 8510.10.00 (provided for in subheading 8510.90.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108232. LED BICYCLE WHEEL SPOKE LIGHTS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.31.39	Bicycle signaling lights, consisting of one light-emitting diode (LED), measuring between 2.54 to 12.192 cm in width and 2.54 to 4.572 cm in height, with mechanism to attach to wheel spokes, each light valued not more than \$4 (provided for in subheading 8512.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108233. BICYCLE REAR LIGHTS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.31.40	Electrical visual signaling equipment of a kind used as taillights on bicycles (provided for in subheading 8512.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108234. PORTABLE ELECTRIC LAMPS.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.31.41	Portable battery powered, handheld LED lantern, other than lighting equipment of heading 8512, having a collapsible plastic body, measuring not greater than 22 cm in height (provided for in subheading 8513.10.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108235. SPACE HEATERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.42	Fan-forced, portable electric space heaters, each having a power consumption of not more than 1.5 kW and weighing more than 1.5 kg but not more than 17 kg, whether or not incorporating a humidifier or air filter (provided for in subheading 8516.29.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108236. MICROWAVE OVENS WITH CAPACITY NOT EX-**
 5 **CEEDING 22.5 LITERS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.43	Microwave ovens of a kind used for domestic purposes, each having a capacity not exceeding 22.5 liters (provided for in subheading 8516.50.00)	1.7%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108237. MICROWAVE OVENS WITH CAPACITY EXCEED-**
 9 **ING 22.5 LITERS BUT NOT EXCEEDING 31 LI-**
 10 **TERS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.31.44	Microwave ovens of a kind used for domestic purposes, each having a capacity exceeding 22.5 liters but not exceeding 31 liters (provided for in subheading 8516.50.00)	1.7%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108238. LOW-PROFILE MICROWAVE OVENS WITH ELEC-**
 2 **TRONIC OPENING MECHANISM AND INTE-**
 3 **GRAL RANGE HOOD.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.31.45	Microwave ovens with integral range hoods, of a kind used for domestic purposes, each having a height not exceeding 28 cm and having oven capacity greater than 31 liters but not exceeding 32 liters and containing a glass turntable plate with a diameter greater than 30 cm but not exceeding 31 cm, the foregoing ovens with a width greater than 75 cm but not exceeding 77 cm and having two interior fan motors and an electronic opening mechanism (provided for in sub-heading 8516.50.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108239. LOW-PROFILE MICROWAVE OVENS WITH PUSH**
 7 **BUTTON OPENING MECHANISM AND INTE-**
 8 **GRAL RANGE HOOD.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.46	Microwave ovens with integral range hoods, of a kind used for domestic purposes, each having a height not exceeding 28 cm, each having oven capacity greater than 31 liters but not exceeding 32 liters and containing a glass turntable plate with a diameter greater than 30 cm but not exceeding 31 cm, the foregoing ovens with a width greater than 75 cm but not exceeding 77 cm, and having a single interior fan motor and a push-button opening system (provided for in sub-heading 8516.50.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108240. LOW-PROFILE MICROWAVE OVENS WITH ELEC-**
 2 **TRONIC OPENING MECHANISM AND WITHOUT**
 3 **A RANGE HOOD.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.31.47	Microwave ovens of a kind used for domestic purposes, each without a range hood, each having oven capacity greater than 31 liters but not exceeding 32 liters, the foregoing containing a glass turntable plate with a diameter greater than 30 cm but not exceeding 31 cm, and an electronic opening mechanism (provided for in subheading 8516.50.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108241. SEARING GRILLS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.31.48	Electrothermic grills of a kind used for domestic purposes, each with a maximum temperature of 233 °C (provided for in subheading 8516.60.60); the foregoing excluding goods described in 9902.16.56	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108242. AUTOMATIC DRIP COFFEE MAKERS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.31.49	Electrothermic automatic drip coffee makers of a kind used for domestic purposes, each capable of brewing multiple servings and incorporating a removable water tank with a handle and having a liquid crystal display and control buttons adjacent to the removable water tank, and a brew button in the coffee maker base; the foregoing excluding coffee makers designed for permanent installation into a wall, cabinet or shelf, and excluding coffee makers designed to utilize coffee capsules or pods (provided for in subheading 8516.71.00)	Free	No change	No change	On or before 12/31/2023 ”.
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1 SEC. 108243. ESPRESSO MACHINES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.50	Electromechanical espresso makers of a kind used for domestic purposes, each with an aluminum trim band, each incorporating a removable water tank with a handle and having a metal or plastic enclosure containing seven indicator lights and four chrome plated control buttons, the foregoing with two temperature sensors to regulate water temperature (provided for in subheading 8516.71.00)	Free	No change	No change	On or before 12/31/2023 ”.
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4 SEC. 108244. COFFEE MAKERS WITH DISHWASHER SAFE RE-
5 MOVABLE PARTS.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.51	Automatic drip electric coffeemakers, each with latch-release removable and dishwasher safe water reservoir with a 2.83 liter capacity, brew basket and showerhead, valued not over \$19 (provided for in subheading 8516.71.00)	Free	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 108245. SINGLE-SERVICE COFFEE MAKERS WITH MILK**
 2 **FROTHERS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.52	Electrothermic coffee machines of a kind used for domestic purposes, designed to brew single servings using coffee capsules, each having a loading lever containing both stainless steel and plastic and a milk frother with a fold-up power base (provided for in subheading 8516.71.00), the foregoing excluding coffee makers with a removable reservoir	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108246. ELECTRIC COFFEE MAKERS WITH DUAL DIS-**
 6 **PENSERS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.31.53	Electrothermic coffee machines of a kind used for domestic purposes, each with two dispensers to allow brewing using capsules and ground coffee, with a spent capsule collection bin and a single removable reservoir with a capacity equal to or greater than 1.65 liters (provided for in subheading 8516.71.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108247. ELECTRIC COFFEE MAKERS FOR BREWING**
 10 **CAPSULES.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.31.54	Electrothermic coffee machines of a kind used for domestic purposes, designed to brew using only coffee capsules, each having a loading lever containing both stainless steel and plastic and a removable reservoir with a capacity no greater than 1.18 liters (provided for in subheading 8516.71.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108248. AUTOMATIC OR MANUAL POUR OVER COFFEE**

2 **MAKERS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.55	Electrothermic coffee machines of a kind used for domestic purposes, each capable of brewing multiple servings using an automatic drip or manual pour over with a capacity equal to or greater than 1.89 liters, the foregoing including a glass carafe, a cone-shaped brew basket and a permanent filter (provided for in subheading 8516.71.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108249. REMOVABLE RESERVOIR COFFEEMAKERS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.56	Electrothermic automatic drip coffee makers of a kind used for domestic purposes, each capable of brewing multiple servings and incorporating a removable water tank with a handle, the foregoing excluding coffee makers with dome-shaped housing or designed for permanent installation into a wall, cabinet or shelf and excluding coffee makers designed to utilize coffee capsules or pods (provided for in subheading 8516.71.00); the foregoing excluding coffee makers with a brew button in the coffee maker base	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108250. SINGLE SERVE COFFEE MAKERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.57	Electrothermic coffee machines of a kind used for domestic purposes, capable of brewing single servings using coffee capsules or ground coffee, each with not more than one water reservoir with a capacity not exceeding 0.41 liters, the foregoing including a coffee ground filter basket (provided for in subheading 8516.71.00)	3%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108251. 2-WAY COFFEE MAKERS WITH A 12-CUP CA-**
 5 **RAFE AND A POD BREWER.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.58	Electrothermic coffee machines of a kind used for domestic purposes, each with dual dispensers to allow brewing single serving or multiple servings using capsules and ground coffee, a glass carafe with a capacity not exceeding 2.83 liters, and two separate non-removable water reservoirs, the foregoing without a spent capsule collection bin (provided for in subheading 8516.71.00)	3.2%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108252. RAPID COLD BREW AND HOT COFFEE MAKERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.59	Electrothermic coffee machines of a kind used for domestic purposes, designed to brew both cold or hot coffee using coffee grounds with a rotating knob to select between settings (provided for in subheading 8516.71.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108253. ELECTRIC KETTLES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.60	Electrothermic kettles of a kind used for domestic purposes, each with a stainless-steel construction, 1.7-liter capacity, pop-up lid, removable mesh filters, and a handle having a translucent capacity indicator, the foregoing having a base with digital Liquid Crystal Display (LCD) paneled controls, including variable temperature settings (provided for in subheading 8516.71.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108254. ELECTRIC TOASTERS WITH EVEN-TOAST FEAT-**
 5 **TURE.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.61	Electrothermic toasters of a kind used for domestic purposes, each toaster measuring 28.19 cm in length, 17.3 cm in width and 20.32 cm in height and incorporating two single-slice toaster slots measuring 13.7 cm in length at the top of the toaster, with a slide-out crumb tray, the foregoing with a function designed to turn off the center heating element after a certain toasting time has elapsed (provided for in subheading 8516.72.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108255. ELECTRIC TOASTERS WITH 6.5 INCH SLOTS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.62	Electrothermic toasters of a kind used for domestic purposes, each incorporating two single-slice toaster slots measuring 16.51 cm in length at the top of the oven, the foregoing with a function designed to turn off the center heating element after a certain toasting time has elapsed (provided for in subheading 8516.72.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108256. ELECTRIC TOASTERS WITH 37 MM WIDE SLOTS,**
 2 **WITH AN UNDER-BASE CORD WRAP.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.63	Electrothermic toasters of a kind used for domestic purposes, each incorporating two single-slice toaster slots measuring 37 mm in width at the top of the oven, with a slide-out crumb tray, under-base cord wrap, toast shade selector and a programmable setting to hold the toast in the slot for three minutes after toasting (provided for in subheading 8516.72.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108257. 2- AND 4-SLOT TOASTERS, NOT HAVING A BUT-**
 6 **TON TO KEEP TOASTER CONTENTS WARM**
 7 **AFTER TOASTING.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.31.64	Electrothermic toasters, of a kind used for domestic purposes, with two or four toaster slots, each toaster slot with a width exceeding 3.8 cm but not exceeding 4 cm, the foregoing toasters each having one or two plastic buttons used to eject toaster contents and one or two plastic buttons used to lower power to heating elements for desired toasting; each toaster not having a button to keep toaster contents warm after toasting or a button to defrost, the foregoing toasters having one or two plastic knobs, each knob with no more than five options for selecting different degrees of shading, and a manual lift lever (provided for in subheading 8516.72.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108258. 2-SLOT TOASTERS, WITH A BUTTON TO KEEP**
 2 **TOASTER CONTENT WARM AFTER TOASTING.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.65	Electrothermic toasters, of a kind used for domestic purposes, each with two toaster slots, each toaster slot with a width exceeding 3.8 cm but not exceeding 4 cm, the foregoing toasters each having singular plastic buttons used to defrost, eject toaster contents, lower power to heating elements for desired toasting, and to keep toaster contents warm at the end of a completed toasting cycle, and each toaster having one plastic knob to select up to six varying degrees of shading, and a manual lift lever (provided for in subheading 8516.72.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108259. ELECTRIC TOASTERS WITH DOUBLE-SLICE**
 6 **SLOTS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.31.66	Electrothermic toasters of a kind used for domestic purposes, each incorporating two 37 mm wide double-slice toaster slots at the top of the oven, with a slide-out crumb tray, under-base cord wrap, toast shade selector, and a programmable setting to hold the toast in the slot for three minutes after toasting (provided for in subheading 8516.72.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108260. ELECTRIC TOASTERS WITH 37 MM WIDE SLOTS,**
 2 **WITH A RETRACTABLE CORD.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.67	Electrothermic toasters of a kind used for domestic purposes, each incorporating two single-slice toaster slots measuring 37 mm in width at the top of the oven, with a slide-out crumb tray, retractable cord, toast shade selector and a manually activated setting to hold the toast in the slot after toasting (provided for in subheading 8516.72.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108261. ELECTRIC PRESSURE COOKERS RATED MORE**
 6 **THAN 800 W BUT NOT MORE THAN 1,000 W,**
 7 **WITH A CAPACITY OF NOT LESS THAN 5 LI-**
 8 **TERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.68	Electrothermic pressure cookers of a kind used for domestic purposes, with a capacity of not less than 5 liters and rated from 800 W to 1,000 W (provided for in subheading 8516.79.00); the foregoing excluding pressure cookers with a lift-out steaming rack designed for roasting/steaming, extra lid gasket, measuring cup and paddle and variable temperature settings	0.1%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108262. ELECTRIC PRESSURE COOKERS RATED MORE**
2 **THAN 1,200 W BUT NOT MORE THAN 1,400 W,**
3 **WITH A CAPACITY OF LESS THAN 5 LITERS.**

4 Subchapter II of chapter 99 is amended by inserting
5 in numerical sequence the following new heading:

“	9902.31.69	Electrothermic pressure cookers of a kind used for domestic purposes, with a capacity of less than 5 liters and rated more than 1,200 W but not more than 1,400 W (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108263. ELECTRIC PRESSURE COOKERS RATED MORE**
7 **THAN 1,000 W BUT NOT MORE THAN 1,200 W,**
8 **WITH A CAPACITY OF LESS THAN 5 LITERS.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.31.70	Electrothermic pressure cookers of a kind used for domestic purposes, with a capacity of less than 5 liters, rated more than 1,000 W but not more than 1,200 W (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108264. CONTOURED HEATING PADS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.71	Electric heating pads with contoured shape measuring 38.1 cm in height and 60.96 cm in width, with removable waist strap that adjusts up to 2.16 m in circumference, with cut pile knit outer surface and four heat settings, valued not over \$12, such heating pads not worn on or about the person (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108265. SLOW COOKERS WITH NON-STICK CERAMIC
 5 COATED STONEWARE.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.72	Slow cookers with capacity from 5.678 liters to 6.624 liters, each having a stoneware insert with a ceramic-based nonstick coating, a locking gasket glass lid, digital control with three temperature settings and cooking timer, the foregoing valued over \$15 but not over \$22 (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 108266. HEATING PADS.

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.73	Electrothermic heating pads of nonwoven polyester with stamp welding, having a power consumption of not more than 50 W and weighing 0.635 kg, measuring 50.8 cm by 60.96 cm; the foregoing with a removable knit 100 percent polyester fleece cover, valued between \$15 and \$109 (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108267. PROGRAMMABLE SLOW COOKERS WITH DIG-**
 2 **ITAL DISPLAY.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.74	Electrothermic slow cookers of a kind used for domestic purposes, each with a litho-wrapped steel exterior and the following features: (i) a locking glass lid, (ii) a removable oval stoneware cooking pot with a capacity not exceeding 5.68 liters, and (iii) a single digital display with a knob used to control time and temperature settings, the foregoing without a thermometer probe (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108268. 8-QUART ELECTRIC SLOW COOKERS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.75	Electrothermic slow cookers of a kind used for domestic purposes, each with a litho-wrapped steel exterior and the following features: (i) a non-locking glass lid, (ii) a removable oval stoneware cooking pot, (iii) a volume capacity of 7.57 liters or greater, and (iv) three heat settings (keep warm, low, and high), the foregoing without a digital display or thermometer probe (provided for in subheading 8516.79.00)	0.1%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108269. PROGRAMMABLE SLOW COOKERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.76	Electrothermic slow cookers of a kind used for domestic purposes, each with a litho-wrapped exterior and the following features: (i) non-locking glass lid, (ii) a digital control panel, and (iii) a feature designed to automatically reduce temperature at the end of the cooking cycle, the foregoing without a timer display or thermometer probe (provided for in subheading 8516.79.00)	0.7%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108270. ELECTRIC SLOW COOKERS WITH LOCKING LID.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.77	Electrothermic slow cookers of a kind used for domestic purposes, each with a litho-wrapped exterior and the following features: (i) a capacity not exceeding 4.73 liters, (ii) a glass lid, (iii) a removable oval stoneware cooking pot, and (iv) a locking lid (provided for in subheading 8516.79.00); the foregoing without a knob used to control time and temperature settings	0.8%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108271. DOUBLE FLIP WAFFLE MAKERS WITH REMOV-**
 5 **ABLE GRIDS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.78	Electrothermic rotating waffle makers of a kind used for domestic purposes, each with two sets of double-sided round cooking plates, non-stick removable grids, a drip tray, and a locking handle (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108272. ICE CREAM WAFFLE CONE AND BOWL MAKERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.79	Electrothermic ice cream waffle cone and bowl makers of a kind used for domestic purposes, each with two round non-stick cooking plates (provided for in subheading 8516.79.00), the foregoing including a plastic cone roller and a bowl mold	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108273. ELECTRIC BREAKFAST SANDWICH MAKERS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.31.80	Electrothermic sandwich cookers of a kind used for domestic purposes, each designed to be used with round bread and incorporating a cooking plate for eggs (provided for in subheading 8516.79.00); the foregoing excluding goods described in heading 9902.16.57	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108274. PRESSURE COOKERS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.31.81	Electrothermic pressure cookers of a kind used for domestic purposes, with a stainless-steel construction with a capacity of not less than 5.67 liters and an output wattage not exceeding 1,000 W, a lift-out steaming rack designed for roasting/steaming, extra lid gasket and a measuring cup and paddle, the forgoing with variable temperature settings (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108275. 10-QUART PROGRAMMABLE SLOW COOKERS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.82	Electrothermic slow cookers of a kind used for domestic purposes with a capacity greater than 7.57 liters but not exceeding 9.46 liters, each with a full-color litho-wrapped exterior, glass lid, removable round aluminum cooking pot, and a digital control display, the foregoing without a thermometer probe (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108276. POLISHED STAINLESS STEEL 1.5-QUART TEA**
 5 **KETTLES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.31.83	Tea kettles of stainless steel, polished, each with a capacity of 1.41 liters (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108277. EGG BITE MAKERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.84	Electrothermic bite-sized egg makers, of a kind used for domestic purposes, each incorporating two circular cooking plates and a removable cover (provided for in subheading 8516.79.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108278. VACUUM STEEL INSULATED COFFEE CARAFES,**
 2 **OF A KIND USED WITH DEEP ULTRAVIOLET**
 3 **LITHOGRAPHY MACHINES.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.31.85	Vacuum insulated coffee carafes used with commercial coffee machines, with interior and exterior of stainless steel, each with a capacity over 1 liter but not over 2 liters and plastic brew-through lid for direct brewing commercial coffee machines provided for in subheading 8419.81 (provided for in subheading 8516.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108279. VACUUM STEEL INSULATED CARAFES FOR**
 7 **HOUSEHOLD COFFEE MACHINES, OF A KIND**
 8 **USED WITH DEEP ULTRAVIOLET LITHOG-**
 9 **RAPHY MACHINES.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.31.86	Vacuum insulated carafes for coffee makers of a kind used for domestic purposes, with interior and exterior of stainless steel, each with a capacity over 1 liter but not over 2 liters with brew through top for direct brewing (provided for in subheading 8516.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 108280. VACUUM STEEL BODIES WITH INNER AND**
 13 **OUTER STEEL LAYERS.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.31.87	Vacuum vessel bodies, each with exterior layer of steel and vacuum liner of steel, with a capacity over 2 liters and a bottom port and top opening, the foregoing presented without top cover and bottom base (provided for in subheading 8516.90.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108281. LAMP-HOLDER HOUSINGS OF PLASTIC.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.31.88	Lamp-holder housings of plastics, containing sockets for screw-in Edison base (provided for in subheading 8536.61.00)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108282. 660 W, 125 V, LAMP-HOLDER WITH TWO 15 AMP
5 OUTLETS.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.31.89	Lamp-holders, rated for 660 W and 125 V, each with two 15 amp outlets (provided for in subheading 8536.61.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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**8 SEC. 108283. COMBINATION DUPLEX RECEPTACLE/OUTLET
9 AND USB CHARGER, 15–20 AMP, 125 V.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.31.90	Dual-use electrical wall outlets incorporating one or more built-in Universal Serial Bus (USB) chargers, rated at 15–20 amp and 125 V (provided for in subheading 8536.69.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108284. RANGE AND DRYER RECEPTACLES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.91	Electrical receptacles consisting of straight blade outlets for mounting in walls, made of thermoplastic and steel, measuring not more than 3.4 cm in depth, 10.7 cm in height and 6.4 cm in width (provided for in subheading 8536.69.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108285. RESIDENTIAL GRADE RECEPTACLES.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.31.92	Electrical receptacles of thermoplastic and steel, consisting of two outlets for mounting in walls, each weighing not more than 58.1 g, and measuring not more than 2.5 cm in depth, 10.7 cm in height and 3.4 cm in width (provided for in subheading 8536.69.80)	1.4%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108286. RESIDENTIAL AND COMMERCIAL USB RECEPTACLES.

8
 9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.93	Dual-use electrical wall outlets incorporating one or more built-in Universal Serial Bus (USB) chargers, made of a polycarbonate shell with steel framing and screws and internal circuit boards, weighing not more than 136.1 grams, and not exceeding 10.7 cm in height, 4.4 cm in width, and 4.3 cm in depth (provided for in subheading 8536.69.80)	1.5%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108287. POWER STRIPS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.31.94	6-outlet power strips of type B sockets of 125 V, with 14 gauge cord measuring 76.2 to 91.44 cm in length, the foregoing without surge protection (provided for in subheading 8537.10.91)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108288. SURGE PROTECTORS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.31.95	6-outlet power strips of type B sockets of 125 V, with 14 gauge cord measuring 60.96 to 91.44 cm in length, with 400–10,180 joule rating for surge protection (provided for in subheading 8537.10.91) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108289. PROGRAMMABLE CONTROLLERS FOR ARCHITECTURAL LIGHTING.

8
 9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.31.96	Programmable controllers for architectural lighting effects and displays, with ethernet, digital visual interface (DVI) and DB9 ports, each in an aluminum enclosure without keyboard, capable of controlling greater than 3,000 control channels of lighting and of pixel mapping light-emitting diode (LED) arrays (provided for in subheading 8537.10.91)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108290. ELECTRONIC MODULAR CONTROL PANELS**
 2 **FOR GENERATORS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.31.97	Programmable electronic modular control panels, designed for monitoring and controlling generators and generating sets of heading 8501 and 8502, operating at a voltage not exceeding 1,000 V, and equipped with electrical control apparatus of heading 8535 or 8536, such as circuit breakers, auxiliary contactors, and relays, which provide a front panel user interface, such as control switches and/or a touch screen, for the electrical control and monitoring of the generator or generating set (provided for in subheading 8537.10.91)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108291. POWER DISTRIBUTION MODULES AND PRO-**
 6 **GRAMMABLE CONTROLLERS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.31.98	Power distribution modules and programmable controllers, for a voltage not exceeding 1,000 V (provided for in subheading 8537.10.91), the foregoing of a kind used with machines and apparatus for the manufacture or inspection of semiconductor devices of subheading 8486.20.00	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108292. GLASS CAPACITIVE TOUCHSCREEN ASSEM-**
 10 **BLIES WITH LCD.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.31.99	Capacitive touchscreens bonded to liquid crystal display (LCD), equipped with two or more apparatus of heading 8536, for electric control or the distribution of electricity, consisting of two glass layers bonded by silicon adhesive with attached flexible printed circuit with surface mount technology components, each touchscreen with diagonal measuring between 10 cm and 41 cm (provided for in subheading 8537.10.91)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108293. LAMPS CONTAINING DEUTERIUM GAS WITH-**
 2 **OUT RADIO-FREQUENCY IDENTIFICATION**
 3 **(RFID).**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.32.01	Ultraviolet lamps filled with deuterium gas, each without radio-frequency identification device and valued over \$200 (provided for in subheading 8539.49.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108294. LAMPS CONTAINING DEUTERIUM GAS WITH**
 7 **RADIO-FREQUENCY IDENTIFICATION (RFID).**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.32.02	Ultraviolet lamps filled with deuterium gas, each with radio-frequency identification device and valued over \$200 (provided for in subheading 8539.49.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108295. FIBER CHANNEL COAXIAL CABLES OF SILVER-**
 2 **PLATED COPPER CONDUCTORS AND EX-**
 3 **PANDED EPTFE DIELECTRICS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.32.03	Fiber channel coaxial cables of silver-plated copper conductors and expanded polytetrafluoroethylene (ePTFE) dielectrics, jacketed with fluoropolymers; such bulk cables having an operating temperature ranging from minus 55 °C to 200 °C (provided for in subheading 8544.20.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108296. INSULATED COAXIAL CABLES, OF A KIND USED**
 7 **WITH DEEP ULTRAVIOLET LITHOGRAPHY MA-**
 8 **CHINES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.04	Insulated coaxial cables, each with a polyvinyl chloride outer coating, an outside diameter of 4 mm or more but not over 10 mm, a length of 180 cm or more but not over 270 cm (provided for in subheading 8544.20.00), the foregoing of a kind used with medical ultrasonic scanning apparatus of subheading 9018.12.00	1%	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108297. COAXIAL CABLES INSULATED WITH EPTFE,**
 12 **VAPOR SEALED, OF A KIND USED WITH DEEP**
 13 **ULTRAVIOLET LITHOGRAPHY MACHINES.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.32.05	Coaxial cables insulated with expanded polytetrafluoroethylene (ePTFE), vapor sealed meeting the requirements of MIL-STD-202, method 122e, as certified by the importer (provided for in subheading 8544.20.00)	0.6%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108298. COAXIAL CABLES INSULATED WITH EPTFE,**
 2 **NON-VAPOR SEALED, OF A KIND USED WITH**
 3 **DEEP ULTRAVIOLET LITHOGRAPHY MA-**
 4 **CHINES.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.32.06	Coaxial cables insulated with expanded polytetrafluoroethylene (ePTFE), non-vapor sealed (provided for in subheading 8544.20.00)	3%	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108299. LOW SPEED AUTOMOTIVE ETHERNET USB**
 8 **HARNESSES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.07	USB 2.0 cable assemblies for automotive infotainment applications, 30 V AC (RMS)/30 V DC, rated current of 1 amp max/circuit, each with USB 4- or 5-wire cable, with or without drain wire, with USCAR-30 5-circuit plug, inline, or 4-circuit STD A receptacle connectors, solder terminated at both ends, for use as low speed Ethernet components such as in-vehicle databus, display, sensors and cameras (provided for in subheading 8544.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108300. HIGH SPEED AUTOLINK CABLE USB HAR-**
 2 **NESSES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.08	USB 2.0 cable assemblies for automotive infotainment applications, 30 V AC (RMS)/30 V DC, rated current of 1 amp max/circuit, each with USB 4-wire cable, with drain wire, USCAR-30 5-circuit plug or inline, 4-circuit illuminated STD A receptacle connectors, solder terminated at both ends, where the illumination is up to 1.0 FL, fixed or dimmable, for use as low speed Ethernet components such as in-vehicle databus, display, sensors and cameras (provided for in subheading 8544.30.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108301. INSULATED ELECTRIC CONDUCTORS, OF A**
 6 **KIND USED WITH EXTREME ULTRAVIOLET LI-**
 7 **THOGRAPHY MACHINES.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.32.09	Electrical cables and cable bundles for a voltage not exceeding 1,000 V, fitted with connectors (provided for in subheading 8544.42.90), the foregoing of a kind used with Extreme Ultraviolet (EUV) Lithography machines and apparatus for the manufacture of semiconductor devices of subheading 8486.20.00	0.9%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108302. INSULATED ELECTRIC CONDUCTORS, OF A**
 2 **KIND USED WITH DEEP ULTRAVIOLET LI-**
 3 **THOGRAPHY MACHINES.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.32.10	Electrical cables and cable bundles for a voltage not exceeding 1,000 V, fitted with connectors (provided for in subheading 8544.42.90), the foregoing of a kind used with Deep Ultraviolet (DUV) Lithography machines and apparatus for the manufacture of semiconductor devices of subheading 8486.20.00	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108303. INSULATED ELECTRIC CONDUCTORS, OF A**
 7 **KIND USED WITH OPTICAL INSTRUMENTS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.32.11	Electrical cables and cable bundles for a voltage not exceeding 1,000 V, fitted with connectors (provided for in subheading 8544.42.90), the foregoing of a kind used with optical instruments and appliances for inspecting semiconductor wafers of 9031.41.00	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108304. RINGS, BLOCKS, AND OTHER INSULATING FIT-**
 11 **TINGS OF QUARTZ.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.32.12	Rings, blocks, and other insulating fittings of quartz (provided for in subheading 8547.90.00), the foregoing of a kind used with machines and apparatus for the manufacture or inspection of semiconductor devices of subheading 8486.20.00	3.3%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108305. FRONT TIRE SPLASH GUARDS FOR VEHICLES.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.32.13	Front tire splash guards of thermoplastic polyolefin, composed of 85 to 87 percent ethylene propylene and 9 to 11 percent talc (provided for in subheading 8708.29.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108306. REAR TIRE SPLASH GUARDS FOR VEHICLES.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.32.14	Rear tire splash guards of thermoplastic polyolefin, composed of 85 to 87 percent ethylene propylene and 9 to 11 percent talc (provided for in subheading 8708.29.50) ...	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108307. AUTOMATIC GEAR BOXES.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.32.15	Automatic gear boxes used for vehicles of headings 8701 and 8704, other than goods described in heading 9902.17.01, each with 14 speeds and torque ratings of 280 kg/m (provided for in subheading 8708.40.11)	1.5%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108308. SUSPENSION SYSTEMS (STRUTS) FOR OFF-**
 2 **HIGHWAY TRUCKS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.16	Struts used in suspension systems for vehicles of headings 8704 (provided for in subheading 8708.80.16)	1.2%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108309. SUSPENSION SYSTEM STABILIZER BARS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.32.17	Suspension system stabilizer bars of alloy steel, weighing between 35 and 44 kg, designed for use in Class 7 and Class 8 heavy duty trucks only (provided for in subheading 8708.80.65)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108310. TIE ROD ASSEMBLIES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.18	Tie rod assemblies of steering columns and steering boxes; parts thereof (provided for in subheading 8708.94.75)	0.4%	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108311. USED AXLE HOUSINGS.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.32.19	Used axle housings (spindles) for vehicles of heading 8704 (provided for in subheading 8708.99.68)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108312. USED PARTS FOR POWER TRAINS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.32.20	Used final drive and wheel assemblies for power trains, such final drive and wheel assemblies consisting of planetary gear reduction final drives and wheel assemblies, brake discs or rotors and a wheel hub for vehicles of heading 8704 (provided for in subheading 8708.99.68)	2%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108313. FRONT WINDSHIELD COVERS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.32.21	Front windshield cover constructed of 100 percent water resistant polyester, having an elastic attachment system, side view mirror covers, wiper protector cover and a dry storage pouch when not in use (provided for in subheading 8708.99.81)	Free	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108314. EXPANSION CHAMBERS.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.32.22	Expansion chambers, each consisting of a blow molded tube shaped HDPE plastic body, measuring approximately 59.89 cm in width, 73.17 cm in length and 26.46 cm in height, designed for permanent welding to a gasoline or diesel fuel tank body (provided for in subheading 8708.99.81)	Free	No change	No change	On or before 12/31/2023	”.
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10 SEC. 108315. BICYCLE RACKS FOR CAR ROOFS.

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.32.23	Roof mounted bicycle rack trays for motor vehicles, such trays designed to transport bicycles (provided for in subheading 8708.99.81)	2.4%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108316. HIGH PRESSURE FUEL INJECTOR RAILS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.32.24	High pressure fuel injector rails made of steel alloy used to transport fuel from a pump to fuel injectors on a diesel engine principally used in articles under heading 8702 or 8704 (provided for in subheading 8708.99.81) ...	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108317. STAND-UP BICYCLES, HAVING BOTH WHEELS
5 EXCEEDING 63.5 CM IN DIAMETER.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.32.25	Stand-up bicycles each with no seat, no seat tube, and no seat stay, designed to be pedaled by a user in a standing position only, such bicycles having both wheels exceeding 63.5 cm in diameter (provided for in subheading 8712.00.35)	Free	No change	No change	On or before 12/31/2023	”.
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**8 SEC. 108318. ELLIPTICAL CYCLES, WITH WHEELS NOT EX-
9 CEEDING 63.5 CM IN DIAMETER.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.32.26	Cycles, each either with two wheels or with three wheels and having all wheels exceeding 63.5 cm in diameter; all the foregoing propelled by laterally mounted pedals designed to be pushed in an alternative elliptical step motion (provided for in subheading 8712.00.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108319. BICYCLE FRAMES, OTHER THAN OF STEEL,**
2 **VALUED \$600 OR LESS.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.32.27	Bicycle frames, other than of steel, valued not over \$600 each (provided for in subheading 8714.91.30)	2.8%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108320. INTERNAL GEAR BICYCLE HUBS, OTHER THAN**
6 **TWO OR THREE SPEEDS.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.32.28	Variable speed internal gear hubs for bicycles, other than two or three speed hubs (provided for in subheading 8714.93.28)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108321. BICYCLE PEDALS OTHER THAN CLIPLESS PED-**
10 **ALS.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.32.29	Flat pedals and parts thereof (provided for in subheading 8714.96.10); the foregoing excluding clipless bicycle pedals and parts thereof	5.7%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108322. CLIPLESS BICYCLE PEDALS AND PARTS**
 2 **THEREOF.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.30	Clipless bicycle pedals and parts thereof (provided for in subheading 8714.96.10)	3.8%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108323. CARBON FIBER BICYCLE SEATPOSTS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.32.31	Seat posts of carbon fiber, such seat posts designed for use on bicycles (provided for in subheading 8714.99.80) ...	1%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108324. BICYCLE HANDLEBAR TAPE, OTHER THAN SIL-**
 9 **ICON OR LEATHER TAPE.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.32.32	Handlebar tape, other than of silicon or of leather, such tape designed for use on bicycles (provided for in subheading 8714.99.80)	4.2%	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 108325. TRAILER CYCLES.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.32.33	Trailer cycles with a steel or aluminum frame, a single wheel measuring approximately 50-52 cm, a seat, a cranksset, pedals and a handlebar designed for child riders (provided for in subheading 8714.99.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108326. DROPPER SEATPOSTS.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.32.34	Bicycle seatposts of aluminum with an internal mechanism to adjust saddle height while riding using a remote lever control (provided for in subheading 8714.99.80)	5%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108327. BICYCLE FENDERS.**

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.32.35	Bicycle fenders other than of steel (provided for in subheading 8714.99.80)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108328. BICYCLE HANDLEBARS.**

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.32.36	Bicycle handlebars, other than steel bicycle handlebars with a stem clamp diameter of 25.4 millimeters or less (provided for in subheading 8714.99.80)	5.6%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108329. MULTI-FUNCTIONAL STEEL CARTS.**

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.32.37	Multi-functional carts of steel, not mechanically propelled, each with a capacity less than 0.125 cubic meters, such carts designed to function as a combined dolly, wheelbarrow and work cart (provided for in subheading 8716.80.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108330. NON-MECHANICALLY PROPELLED INDUSTRIAL**
 2 **HAND TRUCK.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.38	Four wheeled non-motorized carts constructed primarily of base metal, such carts designed to move lithography equipment modules, apparatus and parts thereof (provided for in subheading 8716.80.50)	0.3%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108331. MOVING DOLLIES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.32.39	Moving dollies, of hardwood, not mechanically propelled, measuring greater than 45.72 cm but not exceeding 76.2 cm in length, and greater than 30.48 cm but not exceeding 45.72 cm in width; each mounted on casters with a diameter not exceeding 8 cm, such dollies valued not over \$9 each (provided for in subheading 8716.80.50)	3.1%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108332. PARAGLIDERS, PARAGLIDER WINGS AND**
 9 **PARAGLIDER HARNESESSES.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.32.40	Paragliders, paraglider wings, and paraglider harnesses (provided for in heading 8804.00.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108333. SAILING CATAMARANS AND POWER CATA-**
 2 **MARANS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.41	Sailboats, for pleasure or sports, with an auxiliary motor, exceeding 9.2 m in length (provided for in sub-heading 8903.91.00)	1.2%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108334. PROJECTION LENSES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.32.42	Projection lenses, each with focal length of 5.2 mm or more but not over 165.0 mm, throw ratio of 0.28:1 or more but not over 12:1 and focus range optical 0.45 m or more but not over 40 m, the foregoing not exceeding 15 kg in weight (provided for in sub-heading 9002.11.40)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108335. MOUNTED OPTICAL LENSES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.43	Mounted optical lenses of molded plastic or optically worked glass, measuring between 15 mm and 25 mm in height and between 10 mm and 14 mm in diameter, such lenses mounted in a barrel of brass, aluminum or similar metal (provided for in sub-heading 9002.11.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108336. OBJECTIVE LENSES FOR BROADCAST CAM-**
 2 **ERAS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.44	Objective lenses with a B4 mount, such lenses for cameras with 11 mm diagonal sensors (provided for in subheading 9002.11.90)	1.1%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108337. OBJECTIVE LENSES FOR CINEMA CAMERAS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.32.45	Objective lenses with a positive lock mount for cameras with diagonal sensors of more than 28 mm but less than 46 mm (provided for in subheading 9002.11.90)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108338. MAGNIFYING SPECTACLES.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.46	Magnifying spectacles consisting of spectacle frames with convex lenses worn to enlarge images (provided for in subheading 9004.90.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108339. LCD TELEVISION PANEL ASSEMBLIES, WITH A**
 12 **VIDEO DISPLAY MEASURING OVER 175.26 CM.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.32.47	Liquid crystal display (LCD) television panel assemblies, each with a video display diagonal measuring over 175.26 cm (provided for in subheading 9013.80.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108340. LCD TELEVISION PANEL ASSEMBLIES, WITH A**
 2 **VIDEO DISPLAY MEASURING OVER 149.86 CM**
 3 **BUT NOT OVER 175.26 CM.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.32.48	Liquid crystal display (LCD) television panel assemblies, each with a video display diagonal measuring over 149.86 cm but not over 175.26 cm (provided for in subheading 9013.80.90)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108341. LCD TELEVISION PANEL ASSEMBLIES, WITH A**
 7 **VIDEO DISPLAY MEASURING OVER 139.7 CM**
 8 **BUT NOT OVER 149.86 CM.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.49	Liquid crystal display (LCD) television panel assemblies, each with a video display diagonal measuring over 139.7 cm but not over 149.86 cm (provided for in subheading 9013.80.90)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108342. LCD TELEVISION PANEL ASSEMBLIES, WITH A**
 12 **VIDEO DISPLAY MEASURING OVER 137.16 CM**
 13 **BUT NOT OVER 139.7 CM.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.32.50	Liquid crystal display (LCD) television panel assemblies, each with a video display diagonal measuring over 137.16 cm but not over 139.7 cm (provided for in subheading 9013.80.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108343. HOUSINGS DESIGNED FOR INFRARED LENSES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.32.51	Lens housings of aluminum alloy, with or without anodization, designed for infrared lenses with diameters not less than 10 mm and not more than 100 mm (provided for in subheading 9013.90.80)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108344. ELECTRONIC TEMPERATURE INDICATORS,**
 5 **WEIGHING 14.2 G.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.32.52	Electrical data monitors, of a kind used to measure ambient temperature, each designed for single use, with customizable alarm settings, liquid crystal display (LCD) screen, enclosed in plastic housing measuring 4.1 cm by 4.9 cm by 0.8 cm, weighing 14.2 g (provided for in subheading 9025.80.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108345. ELECTRONIC TEMPERATURE INDICATORS,**
 2 **WEIGHING 64.4 G.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.53	Electrical data monitors, of a kind used for measuring ambient temperatures and designed for single use, each with a programmable alarm and liquid crystal display (LCD) screen, enclosed in a plastic housing, measuring 98.9 mm in length, 58 mm in width, 17.7 mm in height and weighing 64.4 g (provided for in subheading 9025.80.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108346. ELECTRONIC TEMPERATURE INDICATORS,**
 6 **WEIGHING 430 G.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.32.54	Electrical data monitors, each with sensors to measure temperature, light, motion, and jamming detection, and capable of transmitting such data using cellular 3G networks, each with a liquid crystal display (LCD), encased in a plastic housing, measuring 132.05 mm in height, 148.07 mm in width, 25.2 mm in diameter, containing a 10.4 Ahr lithium ion battery, and weighing 430 g (provided for in subheading 9025.80.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108347. GLOBAL CARGO TRACKERS, WEIGHING 660 G.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.32.55	Electrical data monitors, each with sensors to monitor location, temperature, light, motion and jamming detection, capable of transmitting such data using cellular 3G networks, with a liquid crystal display (LCD) encased in a plastic housing, measuring 170.05 mm in height, 148.01 mm in width, 26.72 mm in diameter, containing a 20.8 Ahr lithium ion battery, and weighing 660 g (provided for in subheading 9025.80.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108348. TEMPERATURE DATA MONITORS, WEIGHING

2 115 G.

3 Subchapter II of chapter 99 is amended by inserting

4 in numerical sequence the following new heading:

“	9902.32.56	Electrical data monitors, each with sensors to measure temperature, light and location and each capable of transmitting such data using cellular 2G networks, of a kind used in the transportation of goods, enclosed in a plastic housing measuring 101 mm by 65 mm by 29 mm, weighing 115 g (provided for in subheading 9025.80.10)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 108349. TEMPERATURE DATA MONITORS, WEIGHING

6 138.9 G.

7 Subchapter II of chapter 99 is amended by inserting

8 in numerical sequence the following new heading:

“	9902.32.57	Electrical data monitors, each with sensors to measure temperature, light and location and each capable of transmitting such data using cellular 3G networks, of a kind used in the transportation of goods, enclosed in a plastic housing measuring 101 mm by 65 mm by 29 mm, weighing 138.9 g (provided for in subheading 9025.80.10)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108350. TEMPERATURE DATA MONITORS, WEIGHING**

2 **133.2 G.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.58	Electrical data monitors, each with sensors to measure temperature, light and location and each capable of transmitting such data using cellular 2G networks, of a kind used in the transportation of goods, enclosed in a plastic housing measuring 101 mm by 65 mm by 29 mm, weighing 133.2 g (provided for in subheading 9025.80.10)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108351. PARTS AND ACCESSORIES OF BICYCLE SPEED-**
 6 **OMETERS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.32.59	Parts and accessories of bicycle speedometers (provided for in subheading 9029.90.40)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108352. WIRED REMOTE CONTROLLERS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.32.60	Thermostats designed for use with indoor fan coils, each with a screen, six buttons, electrical components and covered in a plastic coating, such thermostats measuring 190.5 mm in length, 287.02 mm in width and 157.5 mm in height (provided for in subheading 9032.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108353. ANALOG/DIGITAL WRIST WATCHES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.32.61	Analog/digital wrist watches (other than those of heading 9101), electrically operated, whether or not incorporating a stop watch facility, such watches having no jewels or only one jewel in the movement and with bracelet other than of textile material or of base metal (provided for in subheading 9102.19.40)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108354. MECHANICAL WRIST WATCHES.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.32.62	Mechanical wrist watches (other than those of heading 9101), with automatic winding, having over 17 jewels in the movement, with bracelet of stainless steel, whether or not gold- or silver-plated (provided for in subheading 9102.21.70)	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 108355. MECHANICAL WRIST WATCHES WITH LEATHER
 8 OR OTHER BAND.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.63	Mechanical wrist watches (other than those of heading 9101), with automatic winding, having over 17 jewels in the movement, such watches with bracelet other than of textile material or of base metal (provided for in subheading 9102.21.90)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108356. ANALOG POCKET WATCHES.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.32.64	Analog pocket watches (other than those of heading 9101), electrically operated, having no jewels or only one jewel in the movement (provided for in subheading 9102.91.40) ...	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108357. PROJECTION ALARM CLOCKS, NON-ATOMIC.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.32.65	Electrically-operated alarm clocks, such clocks capable of displaying time, date, indoor humidity and indoor temperature, the foregoing including an integrated Universal Serial Bus (USB) charging port and a projection unit that projects time, whether or not also capable of projecting temperature (provided for in subheading 9105.11.40)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108358. PROJECTION ATOMIC ALARM CLOCKS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.32.66	Electrically-operated atomic alarm clocks, such clocks capable of displaying time, date and temperature, the foregoing including an integrated Universal Serial Bus (USB) charging port and a projection unit that projects both time and temperature (provided for in subheading 9105.11.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108359. ANALOG WALL CLOCKS WITHOUT THERMOM-**
 2 **ETER, HYGROMETER, OR BAROMETER**
 3 **GAUGES.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.32.67	Analog wall clocks, each with a diameter measuring between 35 cm to 62 cm (provided for in subheading 9105.21.80), the foregoing without thermometer, hygrometer or barometer gauges	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108360. ANALOG CLOCKS WITH THERMOMETER AND**
 7 **HYGROMETER.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.32.68	Analog clocks, each with a temperature gauge and a humidity gauge and a diameter measuring between 20 cm and 62 cm (provided for in subheading 9105.21.80)	Free	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108361. ATOMIC ANALOG WALL CLOCKS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.32.69	Electrically operated atomic wall clocks, designed to receive phase-modulated time code, the foregoing each with a stainless steel frame measuring approximately 35.56 cm in diameter and an analog display (provided for in subheading 9105.21.80)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108362. ATOMIC DIGITAL CLOCKS.**

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.32.70	Electrically-operated atomic clocks, each with one or more opto-electronic displays to provide time, date and temperature, whether or not such clocks have an alarm function or a moon phase display; the foregoing each with openings on the back for wall-mounting and a pull-out stand for placement on flat surfaces (provided for in subheading 9105.91.40)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108363. ANALOG KITCHEN TIMERS.**

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.32.71	Analog kitchen timers, not battery or AC powered, each with dimensions not exceeding 6 cm by 12 cm by 24 cm, such timers designed to count down from 60 minutes and shut off automatically (provided for in subheading 9106.90.85)	Free	No change	No change	On or before 12/31/2023	”.
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7 **SEC. 108364. WRIST WATCH MOVEMENTS HAVING OVER**
 8 **ONE JEWEL AND LESS THAN 7 JEWELS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.72	Complete watch movements, unassembled, having over one jewel but not over 7 jewels, measuring less than 33.8 mm in diameter (provided for in subheading 9110.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108365. WATCH MOVEMENTS HAVING OVER 7 JEWELS**
 2 **AND UNDER 17 JEWELS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.32.73	Complete watch movements, unassembled, having over 7 jewels but not over 17 jewels, measuring less than 33.8 mm in diameter (provided for in subheading 9110.11.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108366. WATCH CASES OR “BODIES” OVER 41 MM IN DI-**
 6 **AMETER.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.32.74	Watch cases of stainless steel, other than gold- or silver-plated, each measuring over 41 mm in width or diameter (provided for in subheading 9111.20.40)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108367. WATCH CASES OR “BODIES” NOT OVER 41 MM**
 10 **IN DIAMETER.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.32.75	Watch cases of stainless steel, other than gold- or silver-plated, each measuring not over 41 mm in width or diameter (provided for in subheading 9111.20.40)	Free	No change	No change	On or before 12/31/2023	”.
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13 **SEC. 108368. WATCH CASE BEZELS, BACKS, AND CENTERS.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.32.76	Watch case bezels, backs and centers, the foregoing not of precious metal or of metal clad with precious metal (provided for in subheading 9111.90.50)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108369. WATCH CASE PARTS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.32.77	Parts of watch cases, not of precious metal or of metal clad with precious metal, the foregoing other than watch bezels, backs and centers (provided for in subheading 9111.90.70)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108370. STAINLESS STEEL WATCH BRACELETS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.32.78	Watch bracelets of stainless steel, whether or not gold- or silver-plated, valued over \$100 per dozen (provided for in subheading 9113.20.40) ...	4.1%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108371. WATCH DIALS.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.32.79	Watch dials, not exceeding 50 mm in width (provided for in subheading 9114.30.40)	1%	No change	No change	On or before 12/31/2023	”.
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10 SEC. 108372. WATCH CROWNS.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.32.80	Watch crowns of stainless steel, each with a diameter greater than 3 mm but not exceeding 10 mm (provided for in subheading 9114.90.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108373. WATCH HANDS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.32.81	Watch hands of brass, designed to indicate hour, minute, second or counter (provided for in subheading 9114.90.40)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108374. ACOUSTIC GUITARS.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.32.82	Acoustic guitars, valued not over \$100 each, excluding the value of the case (provided for in subheading 9202.90.20)	3.6%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108375. CONSOLE DIGITAL PIANOS.

8 Subchapter II of chapter 99 is amended by inserting
9 in numerical sequence the following new heading:

“	9902.32.83	Upright console digital pianos, the sound of which is produced, or must be amplified, electrically; each with one 88-key hammer action keyboard and valued at \$100 or more (provided for in subheading 9207.10.00)	4.5%	No change	No change	On or before 12/31/2023	”.
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10 SEC. 108376. GRAND DIGITAL PIANOS.

11 Subchapter II of chapter 99 is amended by inserting
12 in numerical sequence the following new heading:

“	9902.32.84	Grand pianos, digital, each with one 88-key hammer action keyboard and valued \$100 or more (provided for in subheading 9207.10.00)	0.4%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108377. ELECTRONIC 61-KEY KEYBOARDS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.32.85	Electronic 61-key musical single keyboard instruments, each with folding stand and stool, weighing approximately 5.4 kg and valued \$48 or more but not over \$55 (provided for in subheading 9207.10.00)	Free	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108378. ELECTRIC GUITARS AND ACOUSTIC/ELECTRIC
5 GUITARS.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.32.86	Electric guitars, designed to be amplified electronically, valued over \$40 but not more than \$200 per unit (provided for in subheading 9207.90.00)	3.7%	No change	No change	On or before 12/31/2023	”.
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8 SEC. 108379. MEMORY FOAM TRAVEL PILLOWS.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.32.87	Travel pillows of viscoelastic polyurethane foam and with cover of polyester fabric, each pillow with a zipper and a hook-and-loop attachment and measuring 10 cm or more but not over 13 cm in height, 21 cm or more but not over 28 cm in length and 21 cm or more but not over 26 cm in width (provided for in subheading 9404.90.20) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108380. LIGHTING FOR WALL INSTALLATION.**

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.32.88	Electrical lighting fittings, of base metal other than of brass, such goods designed for permanent wall installation (provided for in subheading 9405.10.60)	7%	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108381. DECORATIVE BATHROOM FAN ASSEMBLIES**
5 **(LIGHTING FIXTURES) ASSEMBLIES.**

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.32.89	Decorative bathroom fan globe assemblies (lighting fixtures), with base metal and glass, acrylic or polycarbonate lens or globe, the foregoing designed to be used exclusively for exhaust fan lights (provided for in subheading 9405.10.80)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108382. METAL HOUSEHOLD FLOOR LAMPS.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.32.90	Electric household floor standing lamps, of base metal other than brass, each with an E26 socket (provided for in subheading 9405.20.60) ...	5.7%	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108383. SOLAR POWERED PATHWAY LIGHTS, EACH**
12 **MEASURING BETWEEN 36.8 CM AND 42 CM IN**
13 **HEIGHT.**

14 Subchapter II of chapter 99 is amended by inserting
15 in numerical sequence the following new heading:

“	9902.32.91	Solar powered pathway lights, of base metal other than of brass, having glass lenses, each measuring between 45 cm and 48 cm in height, containing a rechargeable 900 milliampere-hour (mAh) battery and LED lamp (provided for in subheading 9405.40.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108384. SOLAR POWERED PATHWAY LIGHTS, EACH**
 2 **MEASURING BETWEEN 45 CM AND 48 CM IN**
 3 **HEIGHT.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.32.92	Solar powered pathway lights, of base metal other than of brass, having glass lenses, measuring between 36.8 cm and 42 cm in height, each containing a rechargeable 800 milliampere-hour (mAh) battery and a light-emitting diode (LED) lamp (provided for in subheading 9405.40.60)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108385. EXTERIOR EXIT VIEWING LIGHTS, DUAL BEAM.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.32.93	Exterior exit viewing lights, of aluminum alloy, round in shape, with a diameter not more than 12.5 cm and a weight not over 0.3 kg, each containing a two light emitting diode, printed circuit board and electrical connector, the foregoing configured to be mounted to the exterior of an aircraft and designed for illuminating the ground contact areas for personnel in the event of an emergency landing (provided for in subheading 9405.40.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108386. LED FLAMELESS CANDLES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.32.94	Light-emitting diode (LED) flameless pillar-shaped candles, of unscented wax, each incorporating a timer, with realistic flame movement and with remote control (provided for in subheading 9405.40.84)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108387. AQUARIUM LED LIGHT STRANDS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.32.95	Light-emitting diode (LED) low voltage lighting designed for use with aquarium tanks, each with from one to ten LED modules with three LED arrays, with power source and plastic housing to protect circuitry (provided for in subheading 9405.40.84) ...	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 108388. LED LIGHT MODULES FOR BATHROOM FANS/
 8 LIGHTS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.32.96	Light emitting diode (LED) lighting modules, each with DC output between 260 milliampere and 320 milliampere and designed to be used in the manufacture of a bathroom exhaust fan/light (provided for in subheading 9405.40.84)	Free	No change	No change	On or before 12/31/2023	”.
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11 SEC. 108389. AQUARIUM LED LIGHT STICKS.

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.32.97	Light-emitting diode (LED) low voltage light sticks designed for use with aquarium tanks, ranging in length from 4 cm to 70 cm, including single and double light sticks with power source, with LED arrays distributed along the length of the stick, LEDs and circuitry protected by a clear plastic sealed tube (provided for in subheading 9405.40.84)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108390. AQUARIUM LED LIGHT STRIPS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.32.98	Light-emitting diode (LED) low voltage light strips designed for use with aquarium tanks, having protective housings of plastics or of aluminum, with LED arrays arranged in rows and columns, presented with power source, with plastic lens to protect circuitry (provided for in subheading 9405.40.84)	1.7%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108391. DECORATIVE VOTIVE CANDLE HOLDERS.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.32.99	Decorative candle holders other than of brass, each measuring 5 cm to 17.2 cm in height and 5 cm to 15.25 cm in diameter, weighing 6.2 g or more but not more than 2.7 kg, valued over \$0.50 but not over \$15 each (provided for in subheading 9405.50.40)	3.9%	No change	No change	On or before 12/31/2023	”.
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7 SEC. 108392. CANDLE JAR SHADES.

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.33.01	Decorative candle holder shades, other than of brass, each designed to fit on the top of a jar style candle holder (provided for in subheading 9405.50.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108393. NON-ELECTRICAL LIGHTING.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.33.02	Non-electrical lamps (luminaires) designed for wall mounting, of base metal other than of brass, each having a glass sleeve; the foregoing not including candle lamps (provided for in subheading 9405.50.40)	5.8%	No change	No change	On or before 12/31/2023	”.
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**4 SEC. 108394. OUTDOOR GARDEN OR PATIO TORCHES OF
 5 BAMBOO CONSTRUCTION.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.33.03	Outdoor garden torches, each comprising a dried bamboo pole supporting a compartment holding a fuel canister and wick, measuring 0.75 m to 1.6 m in height (provided for in subheading 9405.50.40)	Free	No change	No change	On or before 12/31/2023	”.
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**8 SEC. 108395. OUTDOOR GARDEN OR PATIO TORCHES OF
 9 NON-BAMBOO CONSTRUCTION.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.33.04	Outdoor garden torches, of any single material including base metal (other than brass), glass, ceramic or resin or a combination thereof; but not of bamboo; each incorporating a reservoir for fuel and a wick (provided for in subheading 9405.50.40)	0.8%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108396. INDOOR OIL LAMPS WITH BASE OF GLASS OR**
2 **METAL.**

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.33.05	Oil lamps, with a base of metal (other than of brass) or of glass, each lamp with wick holder, glass chimney and flat or round wick (provided for in subheading 9405.50.40) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108397. OUTDOOR GARDEN TORCHES FOR TABLETOP**
6 **USE.**

7 Subchapter II of chapter 99 is amended by inserting
8 in numerical sequence the following new heading:

“	9902.33.06	Outdoor garden torches for tabletop use, such torches of bamboo, metal other than brass, glass, ceramic or resin, each incorporating a woven wick (provided for in subheading 9405.50.40)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108398. GLASS LENS ARRAYS FOR SPOTLIGHTS.**

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.33.07	Glass lens arrays, each molded to form 60 individual lenses on one side, each such lens measuring 10 mm in diameter, with a smooth reverse side, designed for insertion into an LED light fixture (provided for in subheading 9405.91.60)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108399. LAMP SHADES.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.33.08	Shades for lamps (luminaires), of vegetable fibers (provided for in subheading 9405.99.40)	4.8%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108400. GALVANIZED STEEL LED DOWNLIGHT HOUS-
5 ING FRAMES.

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.33.09	Housing frames of galvanized steel (bare metal), designed for use in light emitting diode (LED) downlights (provided for in subheading 9405.99.40)	4.8%	No change	No change	On or before 12/31/2023	”.
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8 SEC. 108401. ALUMINUM CYLINDERS FOR LED LIGHTING
9 FIXTURES.

10 Subchapter II of chapter 99 is amended by inserting
11 in numerical sequence the following new heading:

“	9902.33.10	Cylinders of aluminum, designed for light emitting diode (LED) lighting fixtures (provided for in subheading 9405.99.40)	4%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108402. GALVANIZED STEEL BRACKETS AND PLATES**
 2 **FOR LED LIGHTING FIXTURES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.11	Brackets and plates of galvanized steel, designed for use with light emitting diode (LED) lighting fixtures (provided for in subheading 9405.99.40)	3.5%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108403. ALUMINUM LED DOWNLIGHT REFLECTORS.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.33.12	Reflectors of aluminum, designed for light emitting diode (LED) downlights (provided for in subheading 9405.99.40)	3.5%	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108404. OUTDOOR GARDEN TORCH REPLACEMENT**
 9 **CANISTERS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.33.13	Canisters designed for outdoor garden torches, of base metal other than brass, each incorporating a wick and flameguard (provided for in subheading 9405.99.40)	Free	No change	No change	On or before 12/31/2023	”.
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12 **SEC. 108405. IRIS SUBASSEMBLIES FOR MOVING LIGHTS.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.33.14	Iris subassemblies, each consisting of two or more parts or pieces fastened or joined together, including an adjustable opening, the foregoing designed for controlling the dimensions of a beam produced by an automated moving light fixture (provided for in subheading 9405.99.40) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108406. ZOOM MODULES FOR AUTOMATED MOVING
2 LIGHTS.

3 Subchapter II of chapter 99 is amended by inserting
4 in numerical sequence the following new heading:

“	9902.33.15	Zoom modules, each consisting of two or more parts or pieces fastened or joined together, including rails or lenses, such modules each designed for moving the lenses of an automated moving light fixture (provided for in subheading 9405.99.40)	Free	No change	No change	On or before 12/31/2023	”.
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5 SEC. 108407. GOLF CLUB HEADS FOR FAIRWAY WOODS.

6 Subchapter II of chapter 99 is amended by inserting
7 in numerical sequence the following new heading:

“	9902.33.16	Golf club heads designed for clubs designated as fairway woods (provided for in subheading 9506.39.00)	Free	No change	No change	On or before 12/31/2023	”.
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8 SEC. 108408. GOLF CLUB SHAFTS FOR PUTTERS.

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.33.17	Golf club shafts, designed for use with putters (provided for in subheading 9506.39.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108409. STEEL GOLF CLUB SHAFTS, OTHER THAN FOR**
 2 **PUTTERS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.18	Golf club shafts of steel, other than those designed for use with putters (provided for in subheading 9506.39.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108410. GOLF CLUB SHAFT ASSEMBLIES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.33.19	Golf club shaft assemblies, each comprising a graphite golf shaft with a grip attached by adhesive tape and a loft adapter attached by glue (provided for in subheading 9506.39.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108411. GRAPHITE DRIVER GOLF CLUB SHAFTS, EXTRA**
 9 **STIFF FLEX.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.33.20	Golf club shafts of graphite, designed for use with driver and/or fairway wood clubs, the forgoing measuring from approximately 106.7 cm to 121.9 cm, of extra stiff flexibility as denoted by a letter code of “X” or “TX” imprinted on the shaft (provided for in subheading 9506.39.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108412. GRAPHITE HYBRID GOLF CLUB SHAFTS,**
 2 **EXTRA STIFF FLEX.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.21	Golf club shafts of graphite, designed for use with hybrid clubs, the forgoing measuring from approximately 101.6 cm to 106.6 cm, of extra stiff flexibility as denoted by a letter code of “X” or “TX” imprinted on the shaft (provided for in subheading 9506.39.00), the foregoing other than goods described in any other heading of this chapter	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108413. GRAPHITE IRONS GOLF CLUB SHAFTS, EXTRA**
 6 **STIFF FLEX.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.33.22	Golf club shafts of graphite, designed for use with irons, each measuring from approximately 88.9 cm to 101.5 cm, of extra stiff flexibility as denoted by a letter code of “X” or “TX” imprinted on the shaft (provided for in subheading 9506.39.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108414. GRAPHITE DRIVER GOLF CLUB SHAFTS, REG-**
 10 **ULAR, SENIOR, ADULT, OR LADIES FLEX.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.33.23	Golf club shafts of graphite, designed for use with driver and/or fairway wood clubs, each measuring from approximately 106.7 cm to 121.9 cm, of regular, light, senior, adult and/or ladies flexibility as denoted by a code of “R”, “L”, “A”, “M”, “AM”, “A/M”, “F2”, “F3”, “5.0”, “5.”, or “Senior” imprinted on the shaft (provided for in subheading 9506.39.00), the foregoing not described in any other heading of this subchapter	2.3%	No change	No change	On or before 12/31/2023 ”.
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1 **SEC. 108415. GRAPHITE GOLF CLUB DRIVER SHAFTS, STIFF**
 2 **FLEX.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.24	Golf club shafts of graphite, designed for use with driver and/or fairway wood clubs, each measuring from approximately 106.7 cm to 121.9 cm, of stiff flexibility denoted by a letter code “S”, “SR”, “TS”, “6.0”, “6.5” or “F4” imprinted on the shaft (provided for in subheading 9506.39.00), the foregoing presented without loft adapter	Free	No change	No change	On or before 12/31/2023 ”.
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5 **SEC. 108416. GRAPHITE HYBRID GOLF CLUB SHAFTS, REG-**
 6 **ULAR, SENIOR, ADULT, OR LADIES FLEX.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.33.25	Golf club shafts of graphite, designed for use with hybrid clubs, each measuring from approximately 101.6 cm to 106.6 cm, such shafts of regular, light, senior, adult and/or ladies flexibility as denoted by a code of “R”, “L”, “A”, “M”, “AM”, “A/M”, “F2”, “F3”, “5.0”, “5.5” or “Senior” imprinted on the shaft (provided for in subheading 9506.39.00), the foregoing not described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023”.
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1 **SEC. 108417. GRAPHITE HYBRID GOLF CLUB SHAFTS, STIFF**
 2 **FLEX.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.26	Golf club shafts of graphite, designed for use with hybrid clubs, the foregoing measuring approximately 101.6 cm to 106.6 cm in length, of stiff flexibility as denoted by a letter code of “S”, “SR”, “TS”, “6.0”, “6.5” or “F4” imprinted on the shaft (provided for in subheading 9506.39.00)	Free	No change	No change	On or before 12/31/2023”.
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5 **SEC. 108418. GRAPHITE IRONS GOLF CLUB SHAFTS, REG-**
 6 **ULAR, SENIOR, ADULT, OR LADIES FLEX.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.33.27	Golf club shafts of graphite, designed for use with irons meaning the foregoing measuring from approximately 88.9 cm to 101.5 cm, each having regular, light, senior, adult, and/or ladies flexibility as denoted by a letter code of “R”, “L”, “A”, “M”, “AM”, “A/M”, “F2”, “F3”, “5.0”, “5.5” or “Senior” imprinted on the shaft (provided for in subheading 9506.39.00)”	2.9%	No change	No change	On or before 12/31/2023”.
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1 **SEC. 108419. GRAPHITE IRONS GOLF CLUB SHAFTS, STIFF**
 2 **FLEX.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.28	Golf club shafts of graphite, designed for use with irons, each measuring from approximately 88.9 cm to 101.5 cm, of stiff flexibility as denoted by a letter code of “S”, “SR”, “TS”, “6.0”, “6.5” or “F4” imprinted on the shaft (provided for in subheading 9506.39.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108420. PICKLEBALL PADDLES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.33.29	Pickleball paddles or rackets (provided for in subheading 9506.59.80)	Free	No change	No change	On or before 12/31/2023	”.
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8 **SEC. 108421. PICKLEBALLS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.33.30	Noninflatable hollow pickleballs, each measuring not over 19 cm in diameter (provided for in subheading 9506.69.40)	Free	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108422. EXERCISE CYCLES.**

12 Subchapter II of chapter 99 is amended by inserting
 13 in numerical sequence the following new heading:

“	9902.33.31	Upright, recumbent and semi-recumbent exercise cycles (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	4.5%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108423. STATIONARY TRAINERS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.33.32	Bicycle stationary trainers, designed to hold bicycles upright and off-ground, each with 2 sections: a front stand with a clamp to attach to a bicycle’s steering column and a molded plastic piece to capture the front wheel, and a rear section that attaches to the bicycle’s rear axle having a resistance unit on which the rear wheel sits (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 **SEC. 108424. MULTIMODALITY FITNESS EQUIPMENT, WITH-**
 5 **OUT INTEGRATED CONTACT GRIP HEART**
 6 **RATE MONITOR.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.33.33	Fitness equipment, each with pivoting handles and foot pedals that perform alternating movements which combine the motions of a stepper and an elliptical machine, driving simultaneously a radial fan and magnetic brake in the base, such equipment without integrated contact grip heart rate monitor and weighing less than 90 kg (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108425. MULTIMODALITY FITNESS EQUIPMENT WITH**
 2 **INTEGRATED POWER SENSOR TO MEASURE**
 3 **THE USER’S UPPER BODY POWER INPUT.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.33.34	Fitness equipment, each unit with pivoting handles and foot pedals that allow the user to perform alternating movements which combine the motions of a stepper and an elliptical machine, and driving simultaneously a radial fan and magnetic brake in the base; each weighing less than 90 kg and equipped with integrated contact grip heart rate monitor and integrated power sensor to measure the user’s upper body power input (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108426. PARTS AND ACCESSORIES FOR TREADMILLS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.33.35	Parts and accessories (other than display consoles) of treadmills (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108427. PARTS AND ACCESSORIES FOR ELLIPTICALS.**

10 Subchapter II of chapter 99 is amended by inserting
 11 in numerical sequence the following new heading:

“	9902.33.36	Parts and accessories (other than display consoles) of elliptical fitness machines that use a forward and backward pedaling motion with adjustable vertical incline (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108428. PARTS AND ACCESSORIES FOR STATIONARY**
 2 **EXERCISE CYCLES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.37	Parts and accessories (other than display consoles) of stationary exercise cycles (provided for in subheading 9506.91.00)	1.2%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108429. PARTS AND ACCESSORIES FOR WEIGHT TRAIN-**
 6 **ING EQUIPMENT.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.33.38	Parts of and accessories for dumbbells and other weight and strength training equipment (for example, resistance gyms) (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108430. PARTS AND ACCESSORIES FOR CERTAIN EXER-**
 10 **CISE EQUIPMENT MACHINES.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.33.39	Parts of and accessories for (other than display consoles) indoor aerobic fitness equipment, other than such goods for treadmills, stationary exercise cycles and ellipticals using forward and backward pedaling motion with adjustable vertical incline (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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13 **SEC. 108431. LATERAL ELLIPTICAL MACHINES.**

14 Subchapter II of chapter 99 is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.33.40	Fitness equipment, each with pivoting handles and vertical stationary grips, with suspension pedals that move in a lateral elliptical motion to drive a magnetic resistance assembly in the base, presented with contact grip heart rate monitor (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108432. ADJUSTABLE-WEIGHT KETTLEBELLS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.33.41	Adjustable-weight kettlebells, each with rotating dial for selecting interlocking integrated weight plates within a designated weight range and presented with a separable base for holding unused weight plates (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108433. ADJUSTABLE-WEIGHT BARBELL.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.33.42	Adjustable-weight barbells, each with rotating selection end dials for selecting interlocking, integrated weight plates within a designated weight range, whether or not also including additional weight plates, adjustable-weight curl bar or specially designed stand (provided for in subheading 9506.91.00) ...	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 108434. EXERCISE CYCLES WITH DUAL-POSITION
 8 HANDGRIPS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.33.43	Stationary wind-resistance exercise cycles, each with pivoting handlebars with dual-position horizontal handgrips and rotating foot pedals that drive a large, caged axial fan (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108435. EXERCISE CYCLES WITH SINGLE HANDGRIPS.

2 Subchapter II of chapter 99 is amended by inserting
3 in numerical sequence the following new heading:

“	9902.33.44	Stationary wind-resistance exercise cycles, each with pivoting handlebars and single horizontal handgrips, with rotating foot pedals that drive a large, caged axial fan (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	0.5%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108436. UPRIGHT EXERCISE CYCLES.

5 Subchapter II of chapter 99 is amended by inserting
6 in numerical sequence the following new heading:

“	9902.33.45	Upright stationary exercise cycles, each having an enclosed magnetic brake system, fitted with connectors for and designed to incorporate a touchscreen console, whether or not presented with the touchscreen console (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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**7 SEC. 108437. RECUMBENT EXERCISE CYCLES WITH
8 TOUCHSCREEN CONSOLES.**

9 Subchapter II of chapter 99 is amended by inserting
10 in numerical sequence the following new heading:

“	9902.33.46	Recumbent stationary exercise cycles, each having an enclosed magnetic brake system, fitted with connectors for and designed to incorporate a touchscreen console, whether or not presented with such touchscreen console (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108438. LEANING EXERCISE CYCLES.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.33.47	Stationary exercise cycles, each comprising a bicycle component connected to a base frame by pivots designed to partially rotate the bicycle component on a longitudinal axis, moving it side-to-side in response to the shifting weight of the user to simulate the rocking motion of an outdoor road bicycle (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	1.1%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108439. ROD GYMS, WITH VERTICAL BENCH.

5 Subchapter II of chapter 99 is amended by inserting
 6 in numerical sequence the following new heading:

“	9902.33.48	Full-body strength training fitness equipment (home gyms), each incorporating a vertical bench, a removable, adjustable seat, an attached backrest and a detachable leg extension/leg curl attachment, the foregoing each with interchangeable hand grips to connect to a cable and pulley system designed to employ flexible resistance rods, whether or not presented with such flexible rods (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108440. ROD AND RESISTANCE GYMS, WITH FLAT**
 2 **BENCHES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.49	Full-body strength training fitness equipment (home gyms), each with flat bench, sliding seat and removable backrest, equipped with interchangeable hand grips to connect to a cable and pulley system designed to employ flexible resistance rods or torsion resistance plates, whether or not presented with rods or plates (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108441. FOLDABLE TREADMILLS, WITH LCD CONSOLES**
 6 **WITH CONTROL KEYPADS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.33.50	Foldable treadmills, each with a button-release locking mechanism required for folding the running deck for storage and releasing from the storage position for use, capable of wireless data exchange and incorporating a liquid crystal display console with control keypad (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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9 **SEC. 108442. FOLDABLE TREADMILLS, WITH TOUCHSCREEN**
 10 **CONSOLES MEASURING 44.5 CM OR LESS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.33.51	Foldable treadmills, each equipped with a button-release locking mechanism required for folding the running deck for storage and releasing from the storage position for use, capable of wireless data exchange and incorporating a touchscreen console having a diagonal display size measuring 44.5 cm or less (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108443. INDOOR CYCLING MACHINES WITH WIRELESS**
 2 **DATA TOUCHSCREEN DISPLAYS.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.52	Stationary indoor cycling exercise cycles, each with a frame designed to simulate the user's body position and pedaling of an outdoor road bicycle, with visible flywheel, equipped with an adjustable magnetic brake to resist rotation of the flywheel, manual emergency braking mechanism and interactive touchscreen display capable of wireless data exchange and two water bottle holders (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108444. INDOOR CYCLING MACHINES WITH LCD CON-**
 6 **SOLES AND TWO WATER BOTTLE HOLDERS.**

7 Subchapter II of chapter 99 is amended by inserting
 8 in numerical sequence the following new heading:

“	9902.33.53	Stationary indoor cycling exercise cycles, each with a frame designed to simulate the user's body position and pedaling of an outdoor road bicycle, with visible flywheel, equipped with an adjustable magnetic brake to resist rotation of the flywheel, manual emergency braking mechanism, liquid crystal display console, wireless data exchange capability and two water bottle holders (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108445. INDOOR CYCLING MACHINES WITH LCD CON-**
 2 **SOLES AND SINGLE WATER BOTTLE HOLDER.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.54	Stationary indoor cycling exercise cycles, each with frame designed to simulate the user's body position and pedaling of an outdoor road bicycle, with visible flywheel, equipped with an adjustable friction pad brake to resist rotation of the flywheel, manual emergency braking mechanism, liquid crystal display console and single water bottle holder (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	1.4%	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108446. RECUMBENT ELLIPTICAL MACHINES.**

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.33.55	Recumbent seated fitness equipment, each with pivoting closed-loop handles that perform alternating movements and foot pedals that move in an elliptical motion, driving a resistance assembly in the base, with optional-use stationary foot supports for enhanced upper body workout (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108447. FITNESS EQUIPMENT COMBINING THE FUNC-**
 2 **TIONS OF AN ELLIPTICAL AND A STAIR STEP-**
 3 **PER, WEIGHT OVER 90 KGS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.33.56	Fitness equipment, each with pivoting handles and foot pedals that perform alternating movements combining the motions of a stepper and an elliptical machine, driving simultaneously a radial fan and magnetic brake in the base, equipped with a lever for the manual adjustment of resistance levels, weighing over 90 kgs (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108448. FOLDABLE TREADMILLS WITH TOUCHSCREEN**
 7 **CONSOLE GREATER THAN 44.4 CM.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.33.57	Foldable treadmills, each equipped with a button-release locking mechanism required for folding the running deck for storage and releasing the deck from the storage position for use; such treadmills capable of wireless data exchange and each incorporating a touchscreen console having a diagonal display measuring over 44.4 cm (provided for in subheading 9506.91.00)	0.5%	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108449. INTERACTIVE INDOOR CYCLING EXERCISE CY-**
 2 **CLES.**

3 Subchapter II of chapter 99 is amended by inserting
 4 in numerical sequence the following new heading:

“	9902.33.58	Interactive indoor cycling exercise cycles, capable of wireless data exchange, simulating the movement of outdoor cycling, employing dynamic inertia magnetic resistance and an electromotor brake system within an enclosed plastic four-legged base and incorporating curved drop handlebars with electronic gear shifters, dual interactive air fans, tablet mount and a workout session performance display (provided for in subheading 9506.91.00), the foregoing other than goods described in any other heading of this subchapter	Free	No change	No change	On or before 12/31/2023	”.
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5 **SEC. 108450. MULTIMODALITY FITNESS EQUIPMENT, WITH**
 6 **INTEGRATED CONTACT GRIP HEART RATE**
 7 **MONITORS.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.33.59	Fitness equipment, each with pivoting handles and foot pedals that perform alternating movements which combine the motions of a stepper and an elliptical machine, driving simultaneously a radial fan and magnetic brake in the base, the foregoing weighing less than 90 kg and equipped with integrated contact grip heart rate monitor (provided for in subheading 9506.91.00)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108451. FISHING REELS VALUED NOT OVER \$2.70**
 2 **EACH, PRE-SPOOLED, WITH ROD AND FISH-**
 3 **ING LINE.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.33.60	Fishing rods, each presented with a fishing reel valued not over \$2.70 each, pre-spooled with fishing line, the foregoing put up for retail sale as a complete kit each comprising one rod and one reel (whether or not containing other accessories), with each kit having an aggregate value of no more than \$30 (provided for in subheading 9507.30.20)	5.9%	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108452. FISHING REELS VALUED NOT OVER \$2.70**
 7 **EACH.**

8 Subchapter II of chapter 99 is amended by inserting
 9 in numerical sequence the following new heading:

“	9902.33.61	Fishing reels valued not over \$2.70 each (provided for in subheading 9507.30.20)	5.7%	No change	No change	On or before 12/31/2023	”.
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10 **SEC. 108453. HARD ARTIFICIAL CRANKBAITS.**

11 Subchapter II of chapter 99 is amended by inserting
 12 in numerical sequence the following new heading:

“	9902.33.62	Artificial baits of rigid plastics, each with two or more treble hooks attached and with wire loops at the top or front end for attaching fishing line, such baits shaped to approximate bait fish, whether or not having a plastic lip at the bottom front end, the foregoing put up for retail sale and valued not over \$20 each; such goods excluding baits with a blunt front end and excluding baits with a torpedo shape (provided for in subheading 9507.90.70) ...	3.8%	No change	No change	On or before 12/31/2023	”.
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1 SEC. 108454. COLLAPSIBLE BIG GAME DECOYS.

2 Subchapter II of chapter 99 is amended by inserting
 3 in numerical sequence the following new heading:

“	9902.33.63	Foldable decoys, each depicting birds or wildlife, constructed from two or more layers of printed textile fabric of polyester supported by a metal spring band system (provided for in subheading 9507.90.80)	0.3%	No change	No change	On or before 12/31/2023	”.
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4 SEC. 108455. VACUUM STEEL HINGED LID PITCHERS, NOT
5 EXCEEDING 1 LITER.

6 Subchapter II of chapter 99 is amended by inserting
 7 in numerical sequence the following new heading:

“	9902.33.64	Insulated thermal pitchers, each with stainless steel interior and exterior, with hinged stainless steel lid, no separate base and a capacity not exceeding 1 liter (provided for in subheading 9617.00.10) ...	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108456. VACUUM INSULATED DRINKWARE HAVING A**
 2 **CAPACITY EXCEEDING 1 LITER BUT NOT EX-**
 3 **CEEDING 2 LITERS.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“	9902.33.65	Stainless steel vacuum insulated drinkware, double-walled, and complete with cases, having a capacity exceeding 1 liter but not exceeding 2 liters (provided for in subheading 9617.00.30) ...	6.1%	No change	No change	On or before 12/31/2023	”.
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6 **SEC. 108457. VACUUM INSULATED DRINKWARE HAVING A**
 7 **CAPACITY EXCEEDING 2 LITERS BUT NOT EX-**
 8 **CEEDING 4 LITERS.**

9 Subchapter II of chapter 99 is amended by inserting
 10 in numerical sequence the following new heading:

“	9902.33.66	Stainless steel vacuum insulated drinkware, double-walled, having a capacity exceeding 2 liters but not exceeding 4 liters, complete with cases (provided for in subheading 9617.00.40)	4.9%	No change	No change	On or before 12/31/2023	”.
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11 **SEC. 108458. VACUUM GLASS LINED STEEL COFFEE SERV-**
 12 **ERS OVER 2 LITERS.**

13 Subchapter II of chapter 99 is amended by inserting
 14 in numerical sequence the following new heading:

“	9902.33.67	Insulated coffee servers, each with exterior of stainless steel and vacuum liner of glass, with a hinged brew-through lid with push-button dispensing, such servers with seamless design and without separate base; the foregoing with capacity over 2 liters (provided for in subheading 9617.00.40)	Free	No change	No change	On or before 12/31/2023	”.
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1 **SEC. 108459. VACUUM GLASS LINED STEEL COFFEE SERV-**
 2 **ERS OVER 2 LITERS WITH LEVER DIS-**
 3 **PENSING.**

4 Subchapter II of chapter 99 is amended by inserting
 5 in numerical sequence the following new heading:

“ 9902.33.68	Insulated vacuum coffee servers, each with exterior layer of stainless steel and liner of glass, with a hinged brew-through lid with lever action dispensing, such servers without separate base; the foregoing with capacity over 2 liters (provided for in sub-heading 9617.00.40)	Free	No change	No change	On or before 12/31/2023 ”.
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6 **Subtitle B—Existing Duty**
 7 **Suspensions and Reductions**

8 **SEC. 108460. EXTENSION OF CERTAIN EXISTING DUTY SUS-**
 9 **PENSIONS AND REDUCTIONS AND OTHER**
 10 **MODIFICATIONS.**

11 (a) **EXTENSIONS.**—Each of the following headings is
 12 amended by striking the date in the effective period col-
 13 umn and inserting “12/31/2023”:

14 (1) Heading 9902.01.01 (relating to frozen,
 15 boiled glutinous corn).

16 (2) Heading 9902.01.02 (relating to mustard
 17 seed oil).

18 (3) Heading 9902.01.03 (relating to unsweet-
 19 ened cocoa powder).

20 (4) Heading 9902.01.09 (relating to
 21 pepperoncini preserved in brine).

1 (5) Heading 9902.01.11 (relating to dried
2 strawberries).

3 (6) Heading 9902.01.18 (relating to
4 isododecane).

5 (7) Heading 9902.01.22 (relating to
6 nitrosylsulfuric acid).

7 (8) Heading 9902.01.24 (relating to sulfamic
8 acid).

9 (9) Heading 9902.01.26 (relating to certain
10 spherical particles of silicon dioxide).

11 (10) Heading 9902.01.27 (relating to
12 dioxosilane spherical particles (mean particle size
13 0.007–0.020 mm)).

14 (11) Heading 9902.01.29 (relating to certain
15 silicon dioxide spherical particles (mean particle size
16 28–45 micrometers)).

17 (12) Heading 9902.01.33 (relating to thionyl
18 chloride).

19 (13) Heading 9902.01.36 (relating to hydroxyl-
20 amine free base).

21 (14) Heading 9902.01.37 (relating to hydroxyl-
22 amine sulphate).

23 (15) Heading 9902.01.40 (relating to tin(IV)
24 oxide).

1 (16) Heading 9902.01.41 (relating to ammo-
2 nium bifluoride).

3 (17) Heading 9902.01.46 (relating to potas-
4 sium bifluoride).

5 (18) Heading 9902.01.52 (relating to cesium
6 chloride).

7 (19) Heading 9902.01.53 (relating to cesium
8 iodide).

9 (20) Heading 9902.01.54 (relating to sodium
10 sulfides).

11 (21) Heading 9902.01.55 (relating to sodium
12 thiosulfate).

13 (22) Heading 9902.01.57 (relating to sodium
14 hypophosphite).

15 (23) Heading 9902.01.58 (relating to
16 monopotassium phosphate).

17 (24) Heading 9902.01.59 (relating to ammo-
18 nium polyphosphate).

19 (25) Heading 9902.01.63 (relating to sodium
20 ferrocyanide).

21 (26) Heading 9902.01.68 (relating to sodium
22 thiocyanate).

23 (27) Heading 9902.01.69 (relating to silver so-
24 dium zirconium hydrogenphosphate).

- 1 (28) Heading 9902.01.75 (relating to yttrium
2 oxide).
- 3 (29) Heading 9902.01.76 (relating to ytterbium
4 trifluoride powder).
- 5 (30) Heading 9902.01.77 (relating to titanium
6 hydride).
- 7 (31) Heading 9902.01.79 (relating to lithium
8 aluminum hydride).
- 9 (32) Heading 9902.01.81 (relating to n-butyl
10 chloride).
- 11 (33) Heading 9902.01.82 (relating to 1,6-
12 dichlorohexane).
- 13 (34) Heading 9902.01.83 (relating to allyl bro-
14 mide).
- 15 (35) Heading 9902.01.84 (relating to DCP).
- 16 (36) Heading 9902.01.86 (relating to o-
17 dichlorobenzene).
- 18 (37) Heading 9902.01.89 (relating to 1,2,4-
19 trichlorobenzene).
- 20 (38) Heading 9902.01.91 (relating to o-
21 chlorobenzyl chloride (oCBC)).
- 22 (39) Heading 9902.01.92 (relating to
23 dichlorotoluene).
- 24 (40) Heading 9902.01.93 (relating to 2-chloro-
25 6-fluorobenzylchloride).

1 (41) Heading 9902.01.98 (relating to lithium p-
2 styrenesulfonate).

3 (42) Heading 9902.01.99 (relating to monomer
4 used in water treatment).

5 (43) Heading 9902.02.01 (relating to para tol-
6 uene sulfonic acid).

7 (44) Heading 9902.02.03 (relating to
8 methanesulfonyl chloride).

9 (45) Heading 9902.02.04 (relating to 4-chloro-
10 3,5-dinitrobenzotrifluoride).

11 (46) Heading 9902.02.05 (relating to 2-methyl-
12 5-nitrobenzenesulfonic acid).

13 (47) Heading 9902.02.06 (relating to triflic
14 acid).

15 (48) Heading 9902.02.07 (relating to triflic an-
16 hydride).

17 (49) Heading 9902.02.08 (relating to potas-
18 sium perfluoroethyl cyclohexanesulphonate).

19 (50) Heading 9902.02.09 (relating to 2-octanol
20 solvent).

21 (51) Heading 9902.02.11 (relating to sodium
22 methylate powder).

23 (52) Heading 9902.02.12 (relating to magne-
24 sium tert-butoxide).

1 (53) Heading 9902.02.13 (relating to propargyl
2 alcohol).

3 (54) Heading 9902.02.15 (relating to 1,2-
4 pentanediol).

5 (55) Heading 9902.02.16 (relating to 2,5-
6 dimethylhexane-2,5-diol).

7 (56) Heading 9902.02.19 (relating to α -naph-
8 thol).

9 (57) Heading 9902.02.21 (relating to 2-
10 phenylphenol).

11 (58) Heading 9902.02.22 (relating to Preventol
12 ON extra preservative).

13 (59) Heading 9902.02.26 (relating to 2,2'-
14 methylene-bis-(4-methyl-6-tert-butylphenol)).

15 (60) Heading 9902.02.27 (relating to 2,2'-(2-
16 methylpropylidene)bis[4,6-dimethyl-phenol]).

17 (61) Heading 9902.02.28 (relating to 4,4'-
18 butylidenebis(3-methyl-6-tert-butylphenol)).

19 (62) Heading 9902.02.29 (relating to 2,5-
20 bis(1,1-dimethylpropyl)-1,4-benzenediol).

21 (63) Heading 9902.02.30 (relating to tris(2'-
22 methyl-4'-hydroxy-5'-t-butylphenyl)butane).

23 (64) Heading 9902.02.32 (relating to ortho
24 nitro phenol).

- 1 (65) Heading 9902.02.33 (relating to 3-
2 trifluoromethyl-4-nitrophenol).
- 3 (66) Heading 9902.02.37 (relating to allyl pentaerythritol).
- 4
- 5 (67) Heading 9902.02.38 (relating to t-butyl
6 cumyl peroxide).
- 7 (68) Heading 9902.02.39 (relating to dicumyl
8 peroxide).
- 9 (69) Heading 9902.02.40 (relating to cumene
10 hydroperoxide).
- 11 (70) Heading 9902.02.44 (relating to 3,7-
12 dimethylocta-2,6-dienal).
- 13 (71) Heading 9902.02.47 (relating to
14 cyclobutanecarboxaldehyde).
- 15 (72) Heading 9902.02.50 (relating to TBMB).
- 16 (73) Heading 9902.02.51 (relating to 7-
17 hydroxycitronellal).
- 18 (74) Heading 9902.02.52 (relating to 2,4-
19 disulfobenzaldehyde).
- 20 (75) Heading 9902.02.53 (relating to p-
21 (trifluoromethyl)benzaldehyde).
- 22 (76) Heading 9902.02.55 (relating to (E)-4-
23 (2,6,6-trimethyl-1-cyclohexen-1-yl)-3-bute).
- 24 (77) Heading 9902.02.57 (relating to 1,3-
25 cyclohexanedione).

1 (78) Heading 9902.02.61 (relating to 5-chloro-
2 1-indanone).

3 (79) Heading 9902.02.64 (relating to 2,4-
4 dihydroxybenzophenone).

5 (80) Heading 9902.02.67 (relating to
6 amalanthraquine (AAQ)).

7 (81) Heading 9902.02.68 (relating to
8 nitroanthraquinone).

9 (82) Heading 9902.02.74 (relating to
10 dichloroacetyl chloride).

11 (83) Heading 9902.02.79 (relating to dilauroyl
12 peroxide).

13 (84) Heading 9902.02.84 (relating to crotonic
14 acid).

15 (85) Heading 9902.02.88 (relating to 4-
16 nitrobenzoyl chloride).

17 (86) Heading 9902.02.89 (relating to methyl
18 cinnamate).

19 (87) Heading 9902.02.90 (relating to peroxide
20 used in silicone rubber).

21 (88) Heading 9902.02.91 (relating to oxalic
22 acid).

23 (89) Heading 9902.02.96 (relating to himic an-
24 hydride).

1 (90) Heading 9902.02.99 (relating to BPDA-
2 U).

3 (91) Heading 9902.03.06 (relating to
4 hydroxypivalic acid neopentyl glycol ester).

5 (92) Heading 9902.03.10 (relating to gallic
6 acid).

7 (93) Heading 9902.03.19 (relating to
8 prohexadione calcium).

9 (94) Heading 9902.03.21 (relating to
10 Dichlorprop-p).

11 (95) Heading 9902.03.22 (relating to 2,4-DB).

12 (96) Heading 9902.03.29 (relating to DEDC).

13 (97) Heading 9902.03.30 (relating to input for
14 high performance films).

15 (98) Heading 9902.03.33 (relating to (+)-
16 abscisic acid).

17 (99) Heading 9902.03.38 (relating to tolclofos
18 methyl).

19 (100) Heading 9902.03.40 (relating to
20 DMHP).

21 (101) Heading 9902.03.42 (relating to anti-
22 oxidant/stabilizer).

23 (102) Heading 9902.03.43 (relating to Fosetyl-
24 Al).

- 1 (103) Heading 9902.03.44 (relating to
2 Perkadox 16).
- 3 (104) Heading 9902.03.48 (relating to 2-
4 ethylhexylamine).
- 5 (105) Heading 9902.03.51 (relating to N,N'-
6 bis(3-aminopropyl)ethylenediamine).
- 7 (106) Heading 9902.03.53 (relating to N,N-
8 diethyl-1,3-propanediamine).
- 9 (107) Heading 9902.03.54 (relating to 2,4-
10 dichloroaniline).
- 11 (108) Heading 9902.03.55 (relating to 4-
12 chloro-2-nitroaniline).
- 13 (109) Heading 9902.03.59 (relating to 2,6-
14 dichloroaniline).
- 15 (110) Heading 9902.03.60 (relating to N-ethyl-
16 N-benzyl aniline).
- 17 (111) Heading 9902.03.62 (relating to p-
18 chloroaniline).
- 19 (112) Heading 9902.03.64 (relating to ethyl
20 benzyl aniline sulfonic acid).
- 21 (113) Heading 9902.03.67 (relating to p-tolu-
22 idine).
- 23 (114) Heading 9902.03.68 (relating to
24 Benfluralin).

- 1 (115) Heading 9902.03.72 (relating to
2 Butralin).
- 3 (116) Heading 9902.03.73 (relating to 4-
4 amino-3-methylbenzenesulfonic acid).
- 5 (117) Heading 9902.03.74 (relating to 2,4-xyli-
6 dine).
- 7 (118) Heading 9902.03.75 (relating to mixed
8 xylidines).
- 9 (119) Heading 9902.03.76 (relating to dodecyl
10 aniline mixed isomers).
- 11 (120) Heading 9902.03.78 (relating to amino
12 methyl benzene).
- 13 (121) Heading 9902.03.79 (relating to 2-ethyl-
14 6-methylaniline).
- 15 (122) Heading 9902.03.90 (relating to
16 dipropoxy-p-toluidine).
- 17 (123) Heading 9902.03.95 (relating to RODA).
- 18 (124) Heading 9902.03.96 (relating to 4-
19 methoxy-2-methyldiphenylamine).
- 20 (125) Heading 9902.04.04 (relating to 4-
21 chlorophenylglycine).
- 22 (126) Heading 9902.04.05 (relating to 2-
23 amino-5-sulfobenzoic acid).
- 24 (127) Heading 9902.04.09 (relating to inter-
25 mediate used in herbicides).

1 (128) Heading 9902.04.10 (relating to man-
2 ganese disodium EDTA).

3 (129) Heading 9902.04.11 (relating to sar-
4 cosine, sodium salt).

5 (130) Heading 9902.04.12 (relating to copper
6 disodium EDTA).

7 (131) Heading 9902.04.13 (relating to sodium
8 lauriminodipropionate).

9 (132) Heading 9902.04.18 (relating to lecithin
10 derived from sunflower).

11 (133) Heading 9902.04.19 (relating to lecithin
12 derived from soybeans).

13 (134) Heading 9902.04.24 (relating to tetra-n-
14 butylurea).

15 (135) Heading 9902.04.26 (relating to certain
16 crosslinking agent for powder coatings).

17 (136) Heading 9902.04.31 (relating to
18 Linuron).

19 (137) Heading 9902.04.32 (relating to
20 carboxamide function compounds).

21 (138) Heading 9902.04.33 (relating to
22 Chlorpropham).

23 (139) Heading 9902.04.37 (relating to
24 Zoxamide).

- 1 (140) Heading 9902.04.41 (relating to
2 Cyclanilide).
- 3 (141) Heading 9902.04.44 (relating to
4 Napropamide).
- 5 (142) Holding 9902.04.47 (relating to
6 Mandestrobin technical).
- 7 (143) Heading 9902.04.50 (relating to
8 MMTDCA).
- 9 (144) Heading 9902.04.53 (relating to 2-
10 chloroacetoacetanilide (AAOCA)).
- 11 (145) Heading 9902.04.54 (relating to
12 acetoacetyl-2,5-dimethoxy-4-chloroanilide).
- 13 (146) Heading 9902.04.72 (relating to
14 Cyfluthrin (excluding β -Cyfluthrin)).
- 15 (147) Heading 9902.04.73 (relating to
16 Cypermethrin).
- 17 (148) Heading 9902.04.75 (relating to Alpha-
18 Cypermethrin technical).
- 19 (149) Heading 9902.04.83 (relating to
20 aminoazobenzene-p-sulfonic acid).
- 21 (150) Heading 9902.04.91 (relating to
22 Daminozide).
- 23 (151) Heading 9902.04.92 (relating to
24 aminoguanidine bicarbonate).

- 1 (152) Heading 9902.04.95 (relating to p-
2 chlorophenylisocyanate).
- 3 (153) Heading 9902.04.96 (relating to
4 phenylisocyanate).
- 5 (154) Heading 9902.04.99 (relating to
6 Thiobencarb).
- 7 (155) Heading 9902.05.01 (relating to EPTC).
- 8 (156) Heading 9902.05.02 (relating to
9 Phosmet).
- 10 (157) Heading 9902.05.06 (relating to active
11 ingredient for fungicide).
- 12 (158) Heading 9902.05.10 (relating to 4,6-
13 bis(octylthiomethyl)-o-cresol).
- 14 (159) Heading 9902.05.11 (relating to 4,4'-
15 thiobis 2-1,1-dimethylethyl-5-methyl-phenol).
- 16 (160) Heading 9902.05.13 (relating to
17 thiobis(6-tert-butyl-4-methylphenol)).
- 18 (161) Heading 9902.05.21 (relating to
19 thioglycolic acid).
- 20 (162) Heading 9902.05.22 (relating to 2-
21 mercaptoethanol).
- 22 (163) Heading 9902.05.30 (relating to
23 triphenylphosphine).
- 24 (164) Heading 9902.05.31 (relating to
25 Fenbutatin oxide).

- 1 (165) Heading 9902.05.33 (relating to ultra-
2 violet dye).
- 3 (166) Heading 9902.05.38 (relating to MSMA).
- 4 (167) Heading 9902.05.55 (relating to
5 Ethofumesate).
- 6 (168) Heading 9902.05.56 (relating to
7 Carbosulfan Technical).
- 8 (169) Heading 9902.05.57 (relating to
9 Helional).
- 10 (170) Heading 9902.05.58 (relating to reaction
11 mixture of (rel-2R,4R)-tetrahydro (pyranol)).
- 12 (171) Heading 9902.05.61 (relating to
13 Fenpyroximate).
- 14 (172) Heading 9902.05.64 (relating to
15 Tolfenpyrad).
- 16 (173) Heading 9902.05.65 (relating to
17 Penflufen).
- 18 (174) Heading 9902.05.75 (relating to
19 Fenamidone).
- 20 (175) Heading 9902.05.81 (relating to
21 Boscalid).
- 22 (176) Heading 9902.05.93 (relating to
23 Triclopyr).
- 24 (177) Heading 9902.05.96 (relating to
25 Mepiquat chloride).

- 1 (178) Heading 9902.05.98 (relating to
2 Saltidin).
- 3 (179) Heading 9902.06.03 (relating to
4 Pyridalyl).
- 5 (180) Heading 9902.06.08 (relating to 2-
6 acetylnicotinic acid).
- 7 (181) Heading 9902.06.09 (relating to light
8 stabilizer).
- 9 (182) Heading 9902.06.12 (relating to 5-
10 methylpyridine-2,3-dicarboxylic acid (5-MPDC)).
- 11 (183) Heading 9902.06.26 (relating to
12 Quinaldine).
- 13 (184) Heading 9902.06.28 (relating to
14 Terbacil).
- 15 (185) Heading 9902.06.29 (relating to
16 Bispyribac sodium).
- 17 (186) Heading 9902.06.36 (relating to
18 Pirimiphos-methyl).
- 19 (187) Heading 9902.06.42 (relating to
20 phenyl(4,6-dimethoxy-pyrimidin-2-yl)carbamate).
- 21 (188) Heading 9902.06.43 (relating to
22 Methyliodouracil).
- 23 (189) Heading 9902.06.48 (relating to 2-
24 amino-4,6-dimethylpyrimidine).

1 (190) Heading 9902.06.50 (relating to cyanuric
2 chloride).

3 (191) Heading 9902.06.55 (relating to
4 Simazine).

5 (192) Heading 9902.06.62 (relating to tris (2-
6 hydroxyethyl) isocyanurate (THEIC)).

7 (193) Heading 9902.06.63 (relating to 2-
8 amino-4-methoxy-6-methyl-1,3,5-triazine).

9 (194) Heading 9902.06.64 (relating to 4-
10 methoxy-N,6-dimethyl-1,3,5-triazin-2-amine).

11 (195) Heading 9902.06.65 (relating to triallyl
12 cyanurate).

13 (196) Heading 9902.06.71 (relating to
14 Fenbuconazole fungicide).

15 (197) Heading 9902.06.72 (relating to
16 Fenazaquin).

17 (198) Heading 9902.06.74 (relating to
18 Pyridaben).

19 (199) Heading 9902.06.79 (relating to
20 Triticonazole).

21 (200) Heading 9902.06.83 (relating to
22 Carbendazim).

23 (201) Heading 9902.06.86 (relating to
24 Tetraconazole).

1 (202) Heading 9902.06.92 (relating to 2-[3-
2 (2H-benzotriazol-2-yl)-4-hydroxyphenyl]ethyl meth-
3 acrylate).

4 (203) Heading 9902.06.96 (relating to
5 PolyAziridine PZ-33).

6 (204) Heading 9902.06.98 (relating to 5-
7 amino-1,2-dihydro-3H-1,2,4-triazole-3-thione).

8 (205) Heading 9902.07.09 (relating to 2-
9 mercaptobenzothiazole).

10 (206) Heading 9902.07.10 (relating to corro-
11 sion inhibitor).

12 (207) Heading 9902.07.11 (relating to 2-amino
13 4-methyl benzothiazole).

14 (208) Heading 9902.07.12 (relating to accel-
15 erator for rubber production).

16 (209) Heading 9902.07.17 (relating to
17 Carboxin).

18 (210) Heading 9902.07.18 (relating to 1,2-
19 benzisothiazolin-3(2H)-one,2-butyl).

20 (211) Heading 9902.07.19 (relating to 4-[3-(4-
21 chlorophenyl)-3-(3,4-dimethoxyph)].

22 (212) Heading 9902.07.23 (relating to
23 Bentazon).

24 (213) Heading 9902.07.25 (relating to
25 Topramezone).

1 (214) Heading 9902.07.34 (relating to OBPA).

2 (215) Heading 9902.07.48 (relating to 2-
3 amino-3-cyanothiophene).

4 (216) Heading 9902.07.49 (relating to
5 Tebuthiuron technical).

6 (217) Heading 9902.07.51 (relating to perform-
7 ance fluid).

8 (218) Heading 9902.07.52 (relating to
9 Etridiazole).

10 (219) Heading 9902.07.59 (relating to para-tol-
11 uene sulphonyl hydrazide).

12 (220) Heading 9902.07.61 (relating to
13 Sulfometuron-methyl).

14 (221) Heading 9902.07.63 (relating to Tosyl-4-
15 CPP).

16 (222) Heading 9902.07.64 (relating to
17 Asulam).

18 (223) Heading 9902.07.67 (relating to methyl
19 2-(aminosulfonyl) benzoate).

20 (224) Heading 9902.07.68 (relating to methyl
21 3-sulfamoylthiophene-2-carboxylate).

22 (225) Heading 9902.07.69 (relating to 3-
23 (ethylsulfonyl)-2-pyridinesulfonamide).

24 (226) Heading 9902.07.70 (relating to car-
25 bamic acid, N-[[3-[(dimethyl...]-, phenyl ester).

1 (227) Heading 9902.07.81 (relating to black
2 carrot color concentrate).

3 (228) Heading 9902.07.82 (relating to purple
4 sweet potato color concentrate).

5 (229) Heading 9902.07.83 (relating to red cab-
6 bage color concentrate).

7 (230) Heading 9902.07.84 (relating to red rad-
8 ish color concentrate).

9 (231) Heading 9902.08.09 (relating to Disperse
10 Blue 77).

11 (232) Heading 9902.08.11 (relating to Disperse
12 Red 60).

13 (233) Heading 9902.08.16 (relating to Acid
14 Black 194).

15 (234) Heading 9902.08.18 (relating to acid dye
16 for Pigment Red 144).

17 (235) Heading 9902.08.39 (relating to indigo,
18 Vat Blue 1).

19 (236) Heading 9902.08.40 (relating to Pigment
20 Orange 43/Vat Orange 7).

21 (237) Heading 9902.08.43 (relating to Vat
22 Blue 19).

23 (238) Heading 9902.08.45 (relating to Vat
24 Blue 1, reduced).

1 (239) Heading 9902.08.46 (relating to
2 isoviolanthrone-Vat Violet 10).

3 (240) Heading 9902.08.47 (relating to Vat
4 Blue 4).

5 (241) Heading 9902.08.57 (relating to Reactive
6 Red 180).

7 (242) Heading 9902.08.61 (relating to G500
8 blue crude).

9 (243) Heading 9902.08.65 (relating to Solvent
10 Orange 63).

11 (244) Heading 9902.08.69 (relating to Solvent
12 Red 179).

13 (245) Heading 9902.08.71 (relating to Solvent
14 Violet 13 (CI 60725)).

15 (246) Heading 9902.08.72 (relating to Solvent
16 Yellow 195).

17 (247) Heading 9902.08.73 (relating to Solvent
18 Yellow 163).

19 (248) Heading 9902.08.74 (relating to Solvent
20 Red 227).

21 (249) Heading 9902.08.75 (relating to Solvent
22 Red 169).

23 (250) Heading 9902.08.76 (relating to Solvent
24 Yellow 114).

1 (251) Heading 9902.08.77 (relating to Solvent
2 Orange 60).

3 (252) Heading 9902.08.78 (relating to Solvent
4 Red 135).

5 (253) Heading 9902.08.79 (relating to Solvent
6 Blue 35).

7 (254) Heading 9902.08.81 (relating to 2,4-
8 dinitrophenol).

9 (255) Heading 9902.08.84 (relating to optical
10 brightener).

11 (256) Heading 9902.08.85 (relating to whit-
12 ening agent).

13 (257) Heading 9902.08.87 (relating to organic
14 luminescent pigments and dyes).

15 (258) Heading 9902.08.88 (relating to phos-
16 phorescent pigments zinc sulfide, copper doped).

17 (259) Heading 9902.09.01 (relating to cold
18 pressed grapefruit oil).

19 (260) Heading 9902.09.02 (relating to oil of
20 lemon eucalyptus (OLE)).

21 (261) Heading 9902.09.03 (relating to ADV
22 7800 S-ME).

23 (262) Heading 9902.09.04 (relating to surfac-
24 tant).

1 (263) Heading 9902.09.05 (relating to ADV
2 7850 A-ME).

3 (264) Heading 9902.09.06 (relating to ADV
4 7800 S-W).

5 (265) Heading 9902.09.09 (relating to certain
6 esters).

7 (266) Heading 9902.09.12 (relating to surfac-
8 tant used in pesticides).

9 (267) Heading 9902.09.14 (relating to spar-
10 klers).

11 (268) Heading 9902.09.17 (relating to poly
12 pale ester 10).

13 (269) Heading 9902.09.18 (relating to
14 Dymerex).

15 (270) Heading 9902.09.26 (relating to
16 Tetrachlorvinfos formulations).

17 (271) Heading 9902.09.27 (relating to mixtures
18 of Clofentezine).

19 (272) Heading 9902.09.32 (relating to zinc
20 phosphate formulations).

21 (273) Heading 9902.09.39 (relating to formu-
22 lated Methomyl).

23 (274) Heading 9902.09.47 (relating to mixtures
24 of Oxathiapiprolin).

1 (275) Heading 9902.09.65 (relating to product
2 for post-harvest fruit treatment).

3 (276) Heading 9902.09.67 (relating to mixtures
4 of Famoxadone, Cymoxanil, and application adju-
5 vants).

6 (277) Heading 9902.09.73 (relating to Ziram).

7 (278) Heading 9902.09.74 (relating to
8 Thiram).

9 (279) Heading 9902.09.82 (relating to Dodine
10 mixtures.)

11 (280) Heading 9902.09.83 (relating to packs
12 used in fruit treatment).

13 (281) Heading 9902.09.91 (relating to
14 Pyraflufen ethyl 40 percent (ET MB 40)).

15 (282) Heading 9902.09.97 (relating to
16 Napropamide formulations).

17 (283) Heading 9902.09.98 (relating to
18 Sulfometuron-methyl formulations).

19 (284) Heading 9902.10.16 (relating to granular
20 herbicide).

21 (285) Heading 9902.10.18 (relating to
22 Fosamine).

23 (286) Heading 9902.10.20 (relating to 5-
24 amino-1,3-dihydro-2H-benzimidazol-2-one).

1 (287) Heading 9902.10.26 (relating to mixture
2 used in vulcanization).

3 (288) Heading 9902.10.34 (relating to reaction
4 products of phosphorus trichloride).

5 (289) Heading 9902.10.38 (relating to potas-
6 sium methyolate solution).

7 (290) Heading 9902.10.39 (relating to additive
8 for use in dish cleaning formulations).

9 (291) Heading 9902.10.43 (relating to glycol
10 ester).

11 (292) Heading 9902.10.46 (relating to lauryl-
12 cetyl alcohol).

13 (293) Heading 9902.10.52 (relating to poly-
14 meric ester blend).

15 (294) Heading 9902.10.53 (relating to CE-
16 1618BL methyl palmitate/oleate).

17 (295) Heading 9902.10.58 (relating to spe-
18 ciality monomers).

19 (296) Heading 9902.10.60 (relating to sodium
20 ethylate).

21 (297) Heading 9902.10.63 (relating to syn-
22 thetic acid washed beta zeolite powder).

23 (298) Heading 9902.10.70 (relating to amor-
24 phous alpha olefin with high softening point).

- 1 (299) Heading 9902.10.71 (relating to
2 polymethylpentene (PMP) polyolefin copolymer).
- 3 (300) Heading 9902.10.72 (relating to light
4 stabilizer).
- 5 (301) Heading 9902.10.73 (relating to non-
6 functionalized polybutadiene).
- 7 (302) Heading 9902.10.78 (relating to vinyl
8 chloride-hydroxypropyl acrylate copolymer).
- 9 (303) Heading 9902.10.80 (relating to S02F
10 melt processable resin).
- 11 (304) Heading 9902.10.85 (relating to material
12 used in paper coatings).
- 13 (305) Heading 9902.10.89 (relating to esters
14 for use in coatings).
- 15 (306) Heading 9902.10.92 (relating to lubri-
16 cant for use in media).
- 17 (307) Heading 9902.10.94 (relating to ingre-
18 dient used in transdermal patches).
- 19 (308) Heading 9902.10.99 (relating to vinyl ac-
20 etate-alkeneoic acid copolymer).
- 21 (309) Heading 9902.11.03 (relating to product
22 used in coatings and adhesives).
- 23 (310) Heading 9902.11.05 (relating to poly-
24 meric sulfonic acid).

1 (311) Heading 9902.11.06 (relating to 2-prope-
2 noic acid, sodium salt).

3 (312) Heading 9902.11.07 (relating to
4 poly(butyl methacrylate).

5 (313) Heading 9902.11.08 (relating to
6 poly(ethyl acrylate-co-methyl methacrylate)).

7 (314) Heading 9902.11.09 (relating to
8 poly(methacrylic acid-co-methyl methacrylate) 1:1).

9 (315) Heading 9902.11.10 (relating to
10 poly(methyl acrylate-co-methyl methacrylate).

11 (316) Heading 9902.11.17 (relating to sorbitol
12 diglycidyl ether epoxide resin).

13 (317) Heading 9902.11.20 (relating to linear
14 aliphatic polycarbonate polyester).

15 (318) Heading 9902.11.30 (relating to products
16 for enhancing optical transparency).

17 (319) Heading 9902.11.31 (relating to poly-
18 amide powders).

19 (320) Heading 9902.11.32 (relating to formula-
20 tion for use in thermoplastic injection molding).

21 (321) Heading 9902.11.33 (relating to formula-
22 tion for use in plastics applications).

23 (322) Heading 9902.11.35 (relating to Phenol,
24 4-(1,1-dimethylethyl)-,polymer with formaldehyde).

1 (323) Heading 9902.11.38 (relating to poly-
2 urethane hardener).

3 (324) Heading 9902.11.39 (relating to
4 H12MDI based aliphatic polyisocyanate).

5 (325) Heading 9902.11.40 (relating to TDI
6 based blocked aromatic polyisocyanate).

7 (326) Heading 9902.11.41 (relating to self-
8 cross linking, stoving polyurethane resin).

9 (327) Heading 9902.11.46 (relating to ali-
10 phatic/aromatic polyisocyanate copolymer).

11 (328) Heading 9902.11.47 (relating to TDI
12 based aromatic polyisocyanate).

13 (329) Heading 9902.11.48 (relating to water-
14 dispersible HDI based polyisocyanate).

15 (330) Heading 9902.11.58 (relating to indus-
16 trial nitrocellulose (damped alcohol content of 33-
17 37%)).

18 (331) Heading 9902.11.60 (relating to pro-
19 pylene glycol alginate (PGA)).

20 (332) Heading 9902.11.61 (relating to alginic
21 acid and other alginates).

22 (333) Heading 9902.11.63 (relating to sodium
23 hyaluronate).

24 (334) Heading 9902.11.64 (relating to weak
25 acid cation ion-exchange resin).

1 (335) Heading 9902.11.65 (relating to weak
2 acid macroporous cation ion-exchange resins).

3 (336) Heading 9902.11.87 (relating to regen-
4 erated cellulose sheets for industrial sponges).

5 (337) Heading 9902.11.95 (relating to single
6 wrapped cutlery joined by a skewer).

7 (338) Heading 9902.11.98 (relating to plastic
8 pet crate pan).

9 (339) Heading 9902.12.01 (relating to boxing
10 and mixed martial arts gloves of plastic).

11 (340) Heading 9902.12.06 (relating to plastic
12 non-skid base rings for toilet brush caddies).

13 (341) Heading 9902.12.12 (relating to head
14 straps and quickclips for cameras).

15 (342) Heading 9902.12.16 (relating to frame
16 mounts for cameras).

17 (343) Heading 9902.12.17 (relating to large
18 tube mounts for cameras).

19 (344) Heading 9902.12.21 (relating to replace-
20 ment camera doors).

21 (345) Heading 9902.12.22 (relating to seatpost
22 camera mounts).

23 (346) Heading 9902.12.23 (relating to adhesive
24 camera mounts).

1 (347) Heading 9902.12.27 (relating to sets of
2 assorted plastic camera mounts).

3 (348) Heading 9902.12.35 (relating to life jack-
4 ets for pets).

5 (349) Heading 9902.12.53 (relating to plastic
6 cases for electronic games or accessories).

7 (350) Heading 9902.12.60 (relating to boxing
8 and mixed martial arts gloves of leather).

9 (351) Heading 9902.12.64 (relating to women's
10 leather belts valued at \$7 or more).

11 (352) Heading 9902.12.66 (relating to woven
12 bamboo products).

13 (353) Heading 9902.12.67 (relating to woven
14 wood products).

15 (354) Heading 9902.12.69 (relating to cash-
16 mere, not carded or combed).

17 (355) Heading 9902.12.70 (relating to camel
18 hair, not carded or combed).

19 (356) Heading 9902.12.71 (relating to camel
20 hair).

21 (357) Heading 9902.12.72 (relating to noils of
22 camel hair).

23 (358) Heading 9902.12.73 (relating to cash-
24 mere, carded or combed).

1 (359) Heading 9902.12.74 (relating to camel
2 hair, carded or combed).

3 (360) Heading 9902.12.75 (relating to yarn of
4 carded cashmere, with a yarn count of 19.35 metric
5 or higher).

6 (361) Heading 9902.12.76 (relating to yarn of
7 carded cashmere, with a yarn count of less than
8 19.35 metric).

9 (362) Heading 9902.12.77 (relating to yarn of
10 carded camel hair).

11 (363) Heading 9902.12.78 (relating to yarn of
12 combed cashmere or yarn of camel hair).

13 (364) Heading 9902.12.79 (relating to woven
14 fabric of carded vicuna hair of a weight not exceed-
15 ing 300 g/m²).

16 (365) Heading 9902.12.83 (relating to produc-
17 tion roll bleached woven cotton gauze).

18 (366) Heading 9902.12.84 (relating to bleached
19 pique fabric).

20 (367) Heading 9902.12.85 (relating to dyed
21 pique fabric).

22 (368) Heading 9902.12.89 (relating to high te-
23 nacity single rayon yarn with a decitex equal to or
24 greater than 1,000).

1 (369) Heading 9902.12.90 (relating to high te-
2 nacity single rayon yarn with a decitex less than
3 1,000).

4 (370) Heading 9902.12.91 (relating to high te-
5 nacity multiple or cabled rayon yarn).

6 (371) Heading 9902.12.92 (relating to single
7 yarn of viscose rayon).

8 (372) Heading 9902.12.93 (relating to twisted
9 yarn of viscose rayon).

10 (373) Heading 9902.12.97 (relating to elastic,
11 water-repellent woven polyester fabric).

12 (374) Heading 9902.12.98 (relating to acrylic
13 fiber tow with an average decitex of between 2 and
14 5).

15 (375) Heading 9902.12.99 (relating to acrylic
16 filament tow with an average decitex of 2.2).

17 (376) Heading 9902.13.01 (relating to acrylic
18 fiber tow with an average decitex of 3.3).

19 (377) Heading 9902.13.05 (relating to acrylic
20 filament tow with a decitex of 3.3).

21 (378) Heading 9902.13.06 (relating to acrylic
22 or modacrylic staple fibers, not processed).

23 (379) Heading 9902.13.07 (relating to
24 modacrylic staple fibers with an average decitex of
25 2.2 and a fiber length of 38 mm).

1 (380) Heading 9902.13.08 (relating to
2 modacrylic staple fibers with an average decitex of
3 2.2 and a fiber length of 51 mm).

4 (381) Heading 9902.13.09 (relating to
5 modacrylic staple fibers with an average decitex of
6 1.7 and a fiber length of 51 mm).

7 (382) Heading 9902.13.10 (relating to acrylic
8 staple fibers with an average decitex of 1.3 and a
9 fiber length of 38 mm).

10 (383) Heading 9902.13.11 (relating to acrylic
11 staple fibers with an average decitex of 1.3 and a
12 fiber length of 40 mm).

13 (384) Heading 9902.13.12 (relating to syn-
14 thetic staple fibers not processed for spinning).

15 (385) Heading 9902.13.13 (relating to acrylic
16 staple fibers with a fiber length between 40 and 47.5
17 mm and a solar reflectance index less than 10).

18 (386) Heading 9902.13.14 (relating to acrylic
19 staple fibers with a fiber length between 40 and 47.5
20 mm and a solar reflectance index between 10 and
21 30).

22 (387) Heading 9902.13.16 (relating to acrylic
23 staple fibers with a fiber length between 48 and 60
24 mm and a solar reflectance index less than 10).

1 (388) Heading 9902.13.17 (relating to acrylic
2 staple fibers with a fiber length between 48 and 60
3 mm and a solar reflectance index between 10 and
4 30).

5 (389) Heading 9902.13.18 (relating to acrylic
6 staple fibers with a fiber length between 48 and 60
7 mm and a solar reflectance index greater than 30).

8 (390) Heading 9902.13.22 (relating to modified
9 acrylic flame retardant staple fiber with a decitex of
10 3.9).

11 (391) Heading 9902.13.25 (relating to cellu-
12 losic man-made viscose rayon staple fiber).

13 (392) Heading 9902.13.27 (relating to certain
14 staple fibers of viscose rayon).

15 (393) Heading 9902.13.30 (relating to flame
16 retardant viscose rayon staple fibers, with decitex of
17 3.3 and length of 60 mm).

18 (394) Heading 9902.13.32 (relating to flame
19 retardant viscose rayon staple fibers, with a decitex
20 of 2.2 and length of 38 mm).

21 (395) Heading 9902.13.37 (relating to acrylic
22 or modacrylic staple fibers, processed and with a
23 decitex of 11.0).

24 (396) Heading 9902.13.39 (relating to rayon
25 top).

1 (397) Heading 9902.13.40 (relating to woven
2 fabrics of certain synthetic fibers).

3 (398) Heading 9902.13.43 (relating to heat ex-
4 change capillary material).

5 (399) Heading 9902.13.48 (relating to men's or
6 boys' silk knit pullovers and cardigans).

7 (400) Heading 9902.13.52 (relating to neo-
8 prene guard socks).

9 (401) Heading 9902.13.70 (relating to batting
10 gloves of manmade fibers).

11 (402) Heading 9902.13.72 (relating to fishing
12 wader pocket pouches).

13 (403) Heading 9902.13.73 (relating to nylon
14 wool packs).

15 (404) Heading 9902.13.86 (relating to bee
16 nets).

17 (405) Heading 9902.13.87 (relating to camera
18 chest harnesses).

19 (406) Heading 9902.13.90 (relating to camera
20 wrist strap mounts).

21 (407) Heading 9902.13.95 (relating to men's
22 protective active footwear with outer soles and up-
23 pers of rubber or plastic).

24 (408) Heading 9902.13.96 (relating to women's
25 protective active shoes, covering the ankle).

1 (409) Heading 9902.13.97 (relating to women's
2 protective active footwear, valued over \$26 per pair,
3 covering the ankle).

4 (410) Heading 9902.14.05 (relating to footwear
5 made on a base or platform of wood).

6 (411) Heading 9902.14.19 (relating to men's &
7 boys' golf shoes with waterproof soles).

8 (412) Heading 9902.14.23 (relating to men's
9 waterproof leather footwear, valued at \$29 per pair
10 or higher).

11 (413) Heading 9902.14.34 (relating to ski
12 boots and snowboard boots).

13 (414) Heading 9902.14.37 (relating to men's
14 boots for fishing waders).

15 (415) Heading 9902.14.48 (relating to house
16 slippers with textile uppers).

17 (416) Heading 9902.14.56 (relating to remov-
18 able footwear neoprene cuffs).

19 (417) Heading 9902.14.63 (relating to hats
20 containing less than 23 percent or more of wool).

21 (418) Heading 9902.14.67 (relating to plastic
22 plants for aquariums/terrariums).

23 (419) Heading 9902.14.76 (relating to polished
24 wired glass in rectangular sheets).

1 (420) Heading 9902.14.77 (relating to menis-
2 cus-shaped drawn glass-ceramic discs).

3 (421) Heading 9902.14.79 (relating to trans-
4 parent glass-ceramic cookware).

5 (422) Heading 9902.14.85 (relating to chopped
6 strands of glass).

7 (423) Heading 9902.14.89 (relating to strips
8 consisting of silver and tin).

9 (424) Heading 9902.14.98 (relating to small
10 metal wire crates for dogs).

11 (425) Heading 9902.15.05 (relating to side
12 press wringer handles).

13 (426) Heading 9902.15.07 (relating to isosceles
14 triangle wire).

15 (427) Heading 9902.15.10 (relating to zinc
16 punches).

17 (428) Heading 9902.15.12 (relating to gallium
18 unwrought in solid form).

19 (429) Heading 9902.15.15 (relating to gear
20 driven one-handed pruners).

21 (430) Heading 9902.15.17 (relating to swivel
22 head grass shears).

23 (431) Heading 9902.15.30 (relating to pet
24 grooming scissors).

1 (432) Heading 9902.15.34 (relating to mani-
2 cure and pedicure sets).

3 (433) Heading 9902.15.45 (relating to cast iron
4 crankcases).

5 (434) Heading 9902.15.46 (relating to cylinder
6 heads used solely or principally with marine com-
7 pression ignition engines).

8 (435) Heading 9902.15.47 (relating to pistons).

9 (436) Heading 9902.15.49 (relating to high
10 pressure pumps).

11 (437) Heading 9902.15.55 (relating to exhaust
12 fans for permanent installation).

13 (438) Heading 9902.15.57 (relating to house-
14 hold range hoods).

15 (439) Heading 9902.15.58 (relating to pre-as-
16 sembled pedestal fan column assemblies).

17 (440) Heading 9902.15.59 (relating to grilles
18 for exhaust fans).

19 (441) Heading 9902.15.66 (relating to pressure
20 distillation columns).

21 (442) Heading 9902.15.68 (relating to mobile
22 sprinklers).

23 (443) Heading 9902.15.75 (relating to
24 benchtop band saws).

1 (444) Heading 9902.15.76 (relating to certain
2 stationary band saws).

3 (445) Heading 9902.15.77 (relating to tilting
4 arbor table saws).

5 (446) Heading 9902.15.78 (relating to certain
6 table saws with 10 inch (25.4 cm) blade).

7 (447) Heading 9902.15.80 (relating to drill
8 presses).

9 (448) Heading 9902.15.81 (relating to elec-
10 trical rotary drill, hammer and chiseling tools).

11 (449) Heading 9902.15.89 (relating to tele-
12 scope mirror segment support assemblies).

13 (450) Heading 9902.15.93 (relating to regu-
14 lator valves).

15 (451) Heading 9902.15.97 (relating to used
16 camshafts and crankshafts for diesel engines).

17 (452) Heading 9902.15.99 (relating to crank-
18 shaft bearings).

19 (453) Heading 9902.16.03 (relating to
20 flexplates for engines).

21 (454) Heading 9902.16.11 (relating to motor
22 assemblies for air circulator electric fans).

23 (455) Heading 9902.16.12 (relating to motors
24 for high wattage fans).

1 (456) Heading 9902.16.13 (relating to alter-
2 nating current multiphase submersible pump motors
3 with output between 3 kilowatts and 14.92 kilo-
4 watts).

5 (457) Heading 9902.16.14 (relating to alter-
6 nating current multiphase submersible pump motors
7 with output between 149.2 kilowatts and 150 kilo-
8 watts).

9 (458) Heading 9902.16.15 (relating to alter-
10 nating current generators for exercise equipment).

11 (459) Heading 9902.16.26 (relating to
12 electromechanical knives).

13 (460) Heading 9902.16.28 (relating to auto-
14 matic food feeders for dogs and cats).

15 (461) Heading 9902.16.30 (relating to auto-
16 matic fish feeders).

17 (462) Heading 9902.16.39 (relating to alterna-
18 tors).

19 (463) Heading 9902.16.42 (relating to bulb
20 heaters with or without a fan).

21 (464) Heading 9902.16.49 (relating to micro-
22 wave ovens with 53 to 55 liter capacity and integral
23 range hood).

1 (465) Heading 9902.16.50 (relating to micro-
2 wave ovens with 58 to 60 liter capacity and integral
3 range hoods).

4 (466) Heading 9902.16.52 (relating to micro-
5 wave ovens with 53 to 55 liter capacity, glass turn-
6 table plate, and integral range hood).

7 (467) Heading 9902.16.53 (relating to micro-
8 wave ovens with 56 to 58 liter capacity and integral
9 range hood).

10 (468) Heading 9902.16.54 (relating to micro-
11 wave ovens with rectangular plate and integral range
12 hood).

13 (469) Heading 9902.16.55 (relating to vertical
14 waffle makers).

15 (470) Heading 9902.16.56 (relating to
16 multifunction grills).

17 (471) Heading 9902.16.57 (relating to electric
18 sandwich grillers).

19 (472) Heading 9902.16.64 (relating to front-
20 loading coffee makers).

21 (473) Heading 9902.16.66 (relating to built-in
22 coffee machines).

23 (474) Heading 9902.16.75 (relating to pro-
24 grammable slow cookers with thermometer probe).

1 (475) Heading 9902.16.76 (relating to electric
2 pressure cookers rated more than 1000W but not
3 more than 1200W, with a capacity of not less than
4 5 liters).

5 (476) Heading 9902.16.77 (relating to electric
6 rice cookers).

7 (477) Heading 9902.16.78 (relating to electric
8 pressure cookers rated more than 1200W but not
9 more than 1400W, with a capacity of not less than
10 5 liters).

11 (478) Heading 9902.16.81 (relating to candle
12 warmers).

13 (479) Heading 9902.16.90 (relating to chassis
14 or shelving containing backplane).

15 (480) Heading 9902.16.95 (relating to mirror
16 segment controller sensors).

17 (481) Heading 9902.17.03 (relating to used
18 gear boxes for certain vehicles).

19 (482) Heading 9902.17.07 (relating to stand-up
20 bicycles, having both wheels not exceeding 63.5cm in
21 diameter).

22 (483) Heading 9902.17.08 (relating to elliptical
23 cycles, with wheels not exceeding 63.5 cm in diame-
24 ter).

1 (484) Heading 9902.17.17 (relating to swim
2 goggles).

3 (485) Heading 9902.17.19 (relating to LCD
4 television panel assemblies, with a video display
5 measuring not over 58.42 cm).

6 (486) Heading 9902.17.20 (relating to LCD
7 television panel assemblies, with a video display
8 measuring over 58.42 cm but not over 78.74 cm).

9 (487) Heading 9902.17.21 (relating to LCD
10 television panel assemblies, with a video display
11 measuring over 78.74 cm but not over 81.28 cm).

12 (488) Heading 9902.17.22 (relating to LCD
13 television panel assemblies, with a video display
14 measuring over 81.28 cm but not over 99.06 cm).

15 (489) Heading 9902.17.23 (relating to LCD
16 television panel assemblies, with a video display
17 measuring over 99.06 cm but not over 101.6 cm).

18 (490) Heading 9902.17.28 (relating to bicycle
19 speedometers).

20 (491) Heading 9902.17.47 (relating to light
21 emitting diode (LED) hanging lamps with total in-
22 ternal reflection).

23 (492) Heading 9902.17.49 (relating to electric
24 table or desk light emitting diode (LED) task lamps
25 with ball joints).

1 (493) Heading 9902.17.52 (relating to exterior
2 emergency lights).

3 (494) Heading 9902.17.53 (relating to wing il-
4 lumination lights).

5 (495) Heading 9902.17.54 (relating to lantern
6 globes of extruded borosilicate glass).

7 (496) Heading 9902.17.56 (relating to golf club
8 driver heads with a loft of 9.5 degrees).

9 (497) Heading 9902.17.64 (relating to golf club
10 heads with a loft greater than 56 degrees).

11 (498) Heading 9902.17.65 (relating to golf club
12 putter heads).

13 (499) Heading 9902.17.70 (relating to tennis
14 rackets, strung).

15 (500) Heading 9902.17.72 (relating to
16 racquetball rackets).

17 (501) Heading 9902.17.73 (relating to squash
18 rackets).

19 (502) Heading 9902.17.76 (relating to leather
20 basketballs).

21 (503) Heading 9902.17.78 (relating to
22 racquetballs).

23 (504) Heading 9902.17.84 (relating to speed
24 bags and related equipment).

1 (505) Heading 9902.17.86 (relating to certain
2 bluetooth enabled adjustable dumbbells).

3 (506) Heading 9902.17.92 (relating to boxing
4 and mixed martial arts protective equipment).

5 (507) Heading 9902.17.94 (relating to fishing
6 reels valued more than \$2.70 but not more than
7 \$8.45, pre-spooled, with rod).

8 (508) Heading 9902.17.95 (relating to hair-
9 slides with imitation pearls or stones).

10 (b) MODIFICATION TO ARTICLE DESCRIPTIONS.—

11 (1) COCONUT WATER IN PAPER CARTONS.—
12 Heading 9902.01.15 is amended—

13 (A) by amending the article description to
14 read as follows: “Coconut water, not from con-
15 centrate, not containing added sugar or other
16 sweetening matter, packaged for retail sale in
17 paper-based cartons (provided for in subheading
18 2009.89.70)”;

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (2) FLAVORED COCONUT WATER.—Heading
22 9902.01.16 is amended—

23 (A) by amending the article description to
24 read as follows: “Coconut water not from con-

1 concentrate, flavored, packaged for retail sale (pro-
2 vided for in subheading 2009.89.70)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (3) HYPOPHOSPHOROUS ACID 50%.—Heading
6 9902.01.23 is amended—

7 (A) by amending the article description to
8 read as follows: “Hypophosphorous acid 50 per-
9 cent (phosphinic acid) (CAS No. 6303–21–5)
10 (provided for in subheading 2811.19.61)”; and

11 (B) by striking “12/31/2020” and insert-
12 ing “12/31/2023”.

13 (4) POTASSIUM FLUOROBORATE.—Heading
14 9902.01.47 is amended—

15 (A) by amending the article description to
16 read as follows: “Potassium fluoroborate (CAS
17 No. 14075–53–7) (provided for in subheading
18 2826.90.90)”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (5) POTASSIUM FLUOROTITANATE.—Heading
22 9902.01.48 is amended—

23 (A) by amending the article description to
24 read as follows: “Potassium fluorotitanate
25 (Dipotassium hexafluorotitanate(2-)) (CAS No.

1 16919–27–0) (provided for in subheading
2 2826.90.90)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (6) POTASSIUM FLUOZIRCONATE.—Heading
6 9902.01.49 is amended—

7 (A) by amending the article description to
8 read as follows: “Dipotassium;
9 hexafluorozirconium(2-) (potassium
10 fluozirconate) (CAS No. 16923–95–8) (provided
11 for in subheading 2826.90.90)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (7) ZIRCONIUM BASIC CARBONATE.—Heading
15 9902.01.61 is amended—

16 (A) by amending the article description to
17 read as follows: “Zirconium basic carbonate
18 (zirconium(4+) dicarbonate) (CAS No. 57219–
19 64–4) (provided for in subheading
20 2836.99.50)”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (8) O-CHLOROTOLUENE.—Heading 9902.01.95
24 is amended—

1 (A) by amending the article description to
2 read as follows: “2-Chlorotoluene (CAS No. 95–
3 49–8) (provided for in subheading
4 2903.99.80)”;

5 (B) by striking “12/31/2020” and insert-
6 ing “12/31/2023”.

7 (9) LEUCOQUINIZARIN.—Heading 9902.02.25
8 is amended—

9 (A) by amending the article description to
10 read as follows: “Leucoquinizarin as 1,4,9,10-
11 tetrahydroxyanthracene (CAS No. 476–60–8),
12 2,3-dihydro-9,10-dihydroxyanthracene-1,4-dione
13 (CAS No. 17648–03–2) or 2,3-dihydro-1,4-
14 dihydroxy-9,10-anthracenedione (CAS No.
15 40498–13–3) (provided for in subheading
16 2907.29.90 or 2914.69.90)”;

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (10) ANISALDEHYDE.—Heading 9902.02.49 is
20 amended—

21 (A) by amending the article description to
22 read as follows: “p-Anisaldehyde (4-
23 methoxybenzaldehyde) (CAS No. 123–11–5)
24 (provided for in subheading 2912.49.10)”;

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (11) METHYLIONONE.—Heading 9902.02.56 is
4 amended—

5 (A) by amending the article description to
6 read as follows: “(E)-1-(2,6,6-trimethylcyclohex-
7 2-en-1-yl)pent-1-en-3-one (Methylionone) (CAS
8 No. 1335–46–2) (provided for in subheading
9 2914.23.00)”;

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (12) ITACONIC ACID.—Heading 9902.02.95 is
13 amended—

14 (A) by amending the article description to
15 read as follows: “Itaconic acid (2-
16 methylenebutanedioic acid) (CAS No. 97–65–
17 4) (provided for in subheading 2917.19.70)”;
18 and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (13) 4-SULFO-1,8-NAPHTHALIC ANHYDRIDE PO-
22 TASSIUM SALT.—Heading 9902.02.97 is amended—

23 (A) by amending the article description to
24 read as follows: “Potassium 1,3-dioxo-1H,3H-
25 benzo[de]isochromene-6-sulfonate (CAS No.

1 71501–16–1) (provided for in subheading
2 2917.39.04)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (14) NTCDA.—Heading 9902.03.01 is amend-
6 ed—

7 (A) by amending the article description to
8 read as follows: “1,4,5,8-
9 Naphthalenetetracarboxylic dianhydride
10 (NTCDA) (CAS No. 81–30–1) (provided for in
11 subheading 2917.39.70)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (15) STABILIZER OF FOAMS.—Heading
15 9902.03.11 is amended—

16 (A) by amending the article description to
17 read as follows: “Octyl 3-(3,5-ditert-butyl-4-
18 hydroxyphenyl)propanoate (CAS No. 125643–
19 61–0) (provided for in subheading
20 2918.29.65)”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (16) HINDERED PHENOLIC ANTIOXIDANT.—
24 Heading 9902.03.25 is amended—

1 (A) by amending the article description to
2 read as follows: “Triethylene glycol bis[3-(3-
3 tert-butyl-4-hydroxy-5-methyl-
4 phenyl)propionate] (CAS No. 36443–68–2)
5 (provided for in subheading 2918.99.43)”; and

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (17) D-HPPA.—Heading 9902.03.28 is amend-
9 ed—

10 (A) by amending the article description to
11 read as follows: “(R)-(+)-2-(4-
12 Hydroxyphenoxy)propionic acid (CAS No.
13 94050–90–5) (provided for in subheading
14 2918.99.43)”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (18) TETRACHLORVINFOS.—Heading
18 9902.03.35 is amended—

19 (A) by amending the article description to
20 read as follows: “[Z]-2-Chloro-1-(2,4,5-
21 trichlorophenyl)ethenyl] dimethyl phosphate
22 (Tetrachlorvinfos) (CAS No. 22248–79–9) (pro-
23 vided for in subheading 2919.90.30)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (19) PROPARGITE.—Heading 9902.03.41 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “2-[4-(2-Methyl-2-
5 propanyl)phenoxy]cyclohexyl 2-propyn-1-yl sul-
6 fite (Propargite) (CAS No. 2312–35–8) (pro-
7 vided for in subheading 2920.90.10)”; and

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (20) 2-CHLORO-4-TOLUIDINE (2-CAT).—Heading
11 9902.03.69 is amended—

12 (A) by amending the article description to
13 read as follows: “3-Chloro-4-methylaniline (o-
14 chloro-p-toluidine) (CAS No. 95–74–9) (pro-
15 vided for in subheading 2921.43.90)”; and

16 (B) by striking “12/31/2020” and insert-
17 ing “12/31/2023”.

18 (21) M-TOLUIDINE.—Heading 9902.03.70 is
19 amended—

20 (A) by amending the article description to
21 read as follows: “m-Toluidine (CAS No. 108–
22 44–1) (provided for in subheading
23 2921.43.90)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (22) FLUMETRALIN.—Heading 9902.03.77 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “N-[(2-Chloro-6-
5 fluorophenyl)methyl]-N-ethyl-2,6-dinitro-4-
6 (trifluoromethyl)aniline (Flumetralin) (CAS No.
7 62924–70–3) (provided for in subheading
8 2921.49.45)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (23) 4,4-METHYLENE BIS O-CHLORO ANI-
12 LINE.—Heading 9902.03.83 is amended—

13 (A) by amending the article description to
14 read as follows: “4,4'-Methylenebis(2-
15 chloroaniline) (CAS No. 101–14–4) (provided
16 for in subheading 2921.59.08)”; and

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (24) PHENOL, 2,2'-[[1S...]]BIS[6-(1,1-
20 DIMETHYLETHYL)].—Heading 9902.03.86 is amend-
21 ed—

22 (A) by amending the article description to
23 read as follows: “2,2'-[[1S,2S]-1,2-Diphenyl-
24 1,2-ethanediyl]bis(iminomethylene)]bis[6-(1,1-

1 dimethylethyl)phenol] (CAS No. 481725–63–7)
 2 (provided for in subheading 2921.59.40)”; and

3 (B) by striking “12/31/2020” and insert-
 4 ing “12/31/2023”.

5 (25) TRIS[2-[[2,4,8,10-TETRA-TERT-BUTYLDIBE
 6 (AO 12).—Heading 9902.03.89 is amended—

7 (A) by amending the article description to
 8 read as follows: “2-{{2,4,8,10-Tetrakis(2-meth-
 9 yl-2-propanyl)diben-
 10 zo[d,f][1,3,2]dioxaphosphopin-6-yl]oxy}-N,N-
 11 bis(2-{{2,4,8,10-tetra- kis(2-methyl-2-
 12 propanyl)dibenzo[d,f][1,3,2]dioxaphos- phepin-
 13 6-yl]oxy}ethyl)ethanamine (CAS No. 80410–
 14 33–9) (provided for in subheading
 15 2922.19.60)”; and

16 (B) by striking “12/31/2020” and insert-
 17 ing “12/31/2023”.

18 (26) L-LYSINE HYDRATE.—Heading
 19 9902.04.03 is amended—

20 (A) by amending the article description to
 21 read as follows: “L-Lysine hydrate (1:1) (CAS
 22 No. 39665–12–8) (provided for in subheading
 23 2922.41.00)”; and

24 (B) by striking “12/31/2020” and insert-
 25 ing “12/31/2023”.

1 (27) NON-GENETICALLY MODIFIED LECITHIN
2 OF RAPESEED.—Heading 9902.04.17 is amended—

3 (A) by amending the article description to
4 read as follows: “Lecithin derived from non-ge-
5 netically modified rapeseed (CAS No. 8002–43–
6 5) (provided for in subheading 2923.20.20)”;
7 and

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (28) N,N,N',N'-TETRAKIS(2-HYDROXY-
11 ETHYL)HEXANEDIAMIDE.—Heading 9902.04.27 is
12 amended—

13 (A) by amending the article description to
14 read as follows: “N,N,N',N'-tetrakis(2-hydroxy-
15 ethyl)hexanediamide (CAS No. 6334–25–4)
16 (provided for in subheading 2924.19.80)”;

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (29) METALAXYL.—Heading 9902.04.36 is
20 amended—

21 (A) by amending the article description to
22 read as follows: “Methyl 2-(N-(2-
23 methoxyacetyl)-2,6-dimethylanilino)propanoate
24 (Metalaxyl) (CAS No. 57837–19–1) (provided
25 for in subheading 2924.29.47)”;

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (30) CARBARYL.—Heading 9902.04.39 is
4 amended—

5 (A) by amending the article description to
6 read as follows: “1-Naphthalenyl
7 methylcarbamate (Carbaryl) (CAS No. 63–25–
8 2) (provided for in subheading 2924.29.47)”;
9 and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (31) MANDIPROPAMID.—Heading 9902.04.45 is
13 amended—

14 (A) by amending the article description to
15 read as follows: “2-(4-Chlorophenyl)-N-{2-[3-
16 methoxy-4-(2-propyn-1-yloxy)phe- nyl]ethyl}-2-
17 (2-propyn-1-yloxy)acetamide (Mandipropamid)
18 (CAS No. 374726–62–2) (provided for in sub-
19 heading 2924.29.47)”;

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (32) FENHEXAMID.—Heading 9902.04.46 is
23 amended—

24 (A) by amending the article description to
25 read as follows: “N-(2,3-Dichloro-4-

1 hydroxyphenyl)-1-methylcyclohexanecar-
2 boxamide (Fenhexamid) (CAS No. 126833–17–
3 8) (provided for in subheading 2924.29.47)”;
4 and

5 (B) by striking “12/31/2020” and insert-
6 ing “12/31/2023”.

7 (33) 2,5-BIS[(1,3-
8 DIOXOBUTYL)AMINO]BENZENESULFONIC ACID.—
9 Heading 9902.04.51 is amended—

10 (A) by amending the article description to
11 read as follows: “2,5-Bis(3-
12 oxobutanoylamino)benzenesulfonic acid (CAS
13 No. 70185–87–4) (provided for in subheading
14 2924.29.71)”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (34) P-AMINOBENZAMIDE.—Heading
18 9902.04.55 is amended—

19 (A) by amending the article description to
20 read as follows: “p-Aminobenzamide (4-
21 Aminobenzamide) (CAS No. 2835–68–9) (pro-
22 vided for in subheading 2924.29.77)”; and

23 (B) by striking “12/31/2020” and insert-
24 ing “12/31/2023”.

1 (35) TRANS-N-BOC ACID.—Heading 9902.04.57
2 is amended—

3 (A) by amending the article description to
4 read as follows: “Trans-4-[(2-Methyl-2-
5 propanyl)oxy]carbonyl}cyclohex-anecarboxylic
6 acid (CAS No. 53292–89–0) (provided for in
7 subheading 2924.29.95)”; and

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (36) FLUMICLORAC PENTYL ESTER.—Heading
11 9902.04.62 is amended—

12 (A) by amending the article description to
13 read as follows: “Pentyl [2-chloro-5-(1,3-dioxo-
14 1,3,4,5,6,7-hexahydro-2H- isoindol-2-yl)-4-
15 fluorophenoxy]acetate (Flumiclorac pentyl
16 ester) (CAS No. 87546–18–7) (provided for in
17 subheading 2925.29.60)”; and

18 (B) by striking “12/31/2020” and insert-
19 ing “12/31/2023”.

20 (37) ESFENVALERATE.—Heading 9902.04.74 is
21 amended—

22 (A) by amending the article description to
23 read as follows: “(S)-Cyano(3-
24 phenoxyphenyl)methyl(S)-4-chloro- α -(1-meth-
25 ylethyl)benzeneacetate (Esfenvalerate) (CAS

1 No. 66230–04–4) (provided for in subheading
2 2926.90.30)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (38) ZETA-CYPERMETHRIN.—Heading
6 9902.04.76 is amended—

7 (A) by amending the article description to
8 read as follows: “(S)-Cyano-(3-
9 phenoxyphenyl)methyl (+)cis-3-(2,2
10 -dichloroethenyl)-2,2-dimethylcyclopropane-
11 carboxylate and (S)-cyano-(3-
12 phenoxyphenyl)methyl (+)trans-3-(2,2-
13 dichloroethenyl)-2,2-dimethylcyclopropane-
14 carboxylate (Zeta-cypermethrin) (CAS No.
15 1315501–18–8) (provided for in subheading
16 2926.90.30)”; and

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (39) FENPROPATHRIN.—Heading 9902.04.78 is
20 amended—

21 (A) by amending the article description to
22 read as follows: “ α -Cyano-3-phenoxybenzyl
23 2,2,3,3-tetramethylcyclopropanecarboxylate
24 (Fenpropathrin) (CAS No. 39515–41–8) (pro-
25 vided for in subheading 2926.90.30)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (40) PHTHALODINITRILE.—Heading
4 9902.04.79 is amended—

5 (A) by amending the article description to
6 read as follows: “Benzene-1,2-dicarbonitrile
7 (Phthalodinitrile) (CAS No. 91–15–6) (provided
8 for in subheading 2926.90.43)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (41) DIPHENYLACETONITRILE.—Heading
12 9902.04.80 is amended—

13 (A) by amending the article description to
14 read as follows: “2,2-Diphenylacetonitrile (CAS
15 No. 86–29–3) (provided for in subheading
16 2926.90.48)”; and

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (42) IPN.—Heading 9902.04.81 is amended—

20 (A) by amending the article description to
21 read as follows: “Isophthalonitrile (1,3-
22 dicyanobenzene) (CAS No. 626–17–5) (pro-
23 vided for in subheading 2926.90.48)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (43) TRIFLOXYSTROBIN.—Heading 9902.04.86
2 is amended—

3 (A) by amending the article description to
4 read as follows: “Methyl (E)-methoxyimino-
5 {(E)-2-[1-(α,α,α -trifluoro-m-tolyl)
6 ethylideneaminoxy]-o-tolyl}acetate
7 (Trifloxystrobin) (CAS No. 141517–21–7) (pro-
8 vided for in subheading 2928.00.25)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (44) CYFLUFENAMID.—Heading 9902.04.87 is
12 amended—

13 (A) by amending the article description to
14 read as follows: “(1Z)-N-{(Z)-
15 [(Cyclopropylmethoxy)imino][2,3-difluoro-6-
16 (trifluor- omethyl)phenyl]methyl}-2-
17 phenylethanimidic acid (Cyflufenamid) (CAS
18 No. 180409–60–3) (provided for in subheading
19 2928.00.25)”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (45) TEBUFENOZIDE.—Heading 9902.04.88 is
23 amended—

24 (A) by amending the article description to
25 read as follows: “N’-(4-Ethylbenzoyl)-3,5-di-

1 methyl-N-(2-methyl-2-propanyl)benzohydrazide
2 (Tebufenozide) (CAS No. 112410–23–8) (pro-
3 vided for in subheading 2928.00.25)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (46) CARBONOHYDRAZIDE.—Heading
7 9902.04.89 is amended—

8 (A) by amending the article description to
9 read as follows: “1,3-Diaminourea (CAS No.
10 497–18–7) (provided for in subheading
11 2928.00.50)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (47) ADH.—Heading 9902.04.93 is amended—

15 (A) by amending the article description to
16 read as follows: “Hexanedihydrazide (adipic
17 dihydrazide) (CAS No. 1071–93–8) (provided
18 for in subheading 2928.00.50)”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (48) ORGANIC CHEMICALS.—Heading
22 9902.04.94 is amended—

23 (A) by amending the article description to
24 read as follows: “Bitolylene diisocyanate (3,3’-
25 dimethylbiphenyl-4,4’-diyl diisocyanate) (CAS

1 No. 91–97–4) (provided for in subheading
2 2929.10.20)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (49) PCM.—Heading 9902.04.97 is amended—

6 (A) by amending the article description to
7 read as follows: “Ethyl [4-chloro-2-fluoro-5-
8 [[[methyl(1-methylethyl)a-
9 mino]sulfonyl]amino]carbonyl]phenyl]carbamate
10 (CAS No. 874909–61–2) (provided for in sub-
11 heading 2929.90.15)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (50) PROFENOFOS.—Heading 9902.05.04 is
15 amended—

16 (A) by amending the article description to
17 read as follows: “O-4-Bromo-2-chlorophenyl O-
18 ethyl S-propyl phosphorothioate (Profenofos)
19 (CAS No. 41198–08–7) (provided for in sub-
20 heading 2930.90.10)”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (51) DCDPS, DICHLORODIPHENYLSULFONE.—
24 Heading 9902.05.14 is amended—

1 (A) by amending the article description to
 2 read as follows: “1-Chloro-4-(4-
 3 chlorophenyl)sulfonylbenzene (CAS No. 80–07–
 4 9) (provided for in subheading 2930.90.29)”;
 5 and

6 (B) by striking “12/31/2020” and insert-
 7 ing “12/31/2023”.

8 (52) CAPTAN TECHNICAL.—Heading
 9 9902.05.19 is amended—

10 (A) by amending the article description to
 11 read as follows: “2-[(Trichloromethyl)sulfanyl]-
 12 3a,4,7,7a-tetrahydro-1H-isoin- dole-1,3(2H)-
 13 dione (Captan) (CAS No. 133–06–2) (provided
 14 for in subheading 2930.90.43)”; and

15 (B) by striking “12/31/2020” and insert-
 16 ing “12/31/2023”.

17 (53) PENTAERYTHRITOL TETRAKIS (β-
 18 LAURYLTHIOPROPIONATE).—Heading 9902.05.23 is
 19 amended—

20 (A) by amending the article description to
 21 read as follows: “3-{{3-
 22 (Dodecylsulfanyl)propanoyl}oxy}-2,2-bis({3-
 23 dodecylsulfanyl)propanoyl}oxy)methyl)propyl 3-
 24 (dodecylsulfanyl)propanoate) (CAS No. 29598–

1 76–3) (provided for in subheading
2 2930.90.91)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (54) DINOTEFURAN.—Heading 9902.05.45 is
6 amended—

7 (A) by amending the article description to
8 read as follows: “1-Methyl-2-nitro-3-(oxolan-3-
9 ylmethyl)guanidine (Dinotefuran) (CAS No.
10 165252–70–0) (provided for in subheading
11 2932.19.51)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (55) COUMAPHOS.—Heading 9902.05.47 is
15 amended—

16 (A) by amending the article description to
17 read as follows: “3-Chloro-7-
18 diethoxyphosphinothioxyloxy-4-methylchromen-2-
19 one (Coumaphos) (CAS No. 56–72–4) (pro-
20 vided for in subheading 2932.20.10)”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (56) SPIROMESIFEN.—Heading 9902.05.48 is
24 amended—

1 (A) by amending the article description to
2 read as follows: “[2-Oxo-3-(2,4,6-
3 trimethylphenyl)-1-oxaspiro[4.4]non-3-en-4-yl]
4 3,3-dimethylbutanoate (Spiromesifen) (CAS No.
5 283594–90–1) (provided for in subheading
6 2932.20.10)”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (57) BRODIFACOUM.—Heading 9902.05.50 is
10 amended—

11 (A) by amending the article description to
12 read as follows: “4-Hydroxy-3-(3-(4'-bromo-4-
13 biphenyl)-1,2,3,4-tetrahydro-1-naph-
14 thyl)coumarin (Brodifacoum) (CAS No. 56073–
15 10–0) (provided for in subheading
16 2932.20.10)”; and

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (58) SODIUM ERYTHORBATE.—Heading
20 9902.05.54 is amended—

21 (A) by amending the article description to
22 read as follows: “Sodium erythorbate (sodium
23 (2R)-2-[(2R)-4,5-dihydroxy- 3-oxo-2,3-dihydro-
24 2-furanyl]-2-hydroxyethanolate) (CAS No.

1 6381–77–7) (provided for in subheading
2 2932.20.50)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (59) PYRACLOSTROBIN TECHNICAL.—Heading
6 9902.05.67 is amended—

7 (A) by amending the article description to
8 read as follows: “Methyl N-(2-[[1-(4-
9 chlorophenyl)pyrazol-3-yl]oxymethyl]-phenyl)-
10 (N-methoxy)carbamate (Pyraclostrobin) (CAS
11 No. 175013–18–0) (provided for in subheading
12 2933.19.23)”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (60) TRIFLUMIZOLE TECHNICAL.—Heading
16 9902.05.74 is amended—

17 (A) by amending the article description to
18 read as follows: “(E)-4-Chloro- α,α,α -trifluoro-
19 N-(1-imidazol-1-yl-2- propoxyethylidene)-o-tolu-
20 idine (Triflumizole) (CAS No. 99387–89–0)
21 (provided for in subheading 2933.29.35)”; and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

24 (61) FLUOPYRAM.—Heading 9902.05.80 is
25 amended—

1 (A) by amending the article description to
2 read as follows: “N-[2-[3-Chloro-5-
3 (trifluoromethyl)pyridin-2-yl]ethyl]-2-
4 (trifluoromethyl)benzamide (Fluopyram) (CAS
5 No. 658066–35–4) (provided for in subheading
6 2933.39.21)”;

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (62) CLODINAFOP-PROPARGYL.—Heading
10 9902.05.91 is amended—

11 (A) by amending the article description to
12 read as follows: “2-Propyn-1-yl (2R)-2-{4-[(5-
13 chloro-3-fluoro-2-
14 pyridinyl)oxy]phenoxy}propanoate (Clodinafop-
15 propargyl) (CAS No. 105512–06–9) (provided
16 for in subheading 2933.39.25)”;

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (63) ACETAMIPRID TECHNICAL.—Heading
20 9902.05.99 is amended—

21 (A) by amending the article description to
22 read as follows: “(E)-N1-[(6-Chloro-3-pyr-
23 idyl)methyl]-N2-cyano-N1- methyl-acetamide
24 (Acetamiprid) (CAS No. 135410–20–7) (pro-
25 vided for in subheading 2933.39.27)”;

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (64) PYRIPROXYFEN.—Heading 9902.06.04 is
4 amended—

5 (A) by amending the article description to
6 read as follows: “2-{[1-(4-Phenoxyphenoxy)-2-
7 propanyl]oxy}pyridine (Pyriproxyfen) (CAS No.
8 95737–68–1) (provided for in subheading
9 2933.39.27)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (65) CERTAIN LIGHT STABILIZER.—Heading
13 9902.06.14 is amended—

14 (A) by amending the article description to
15 read as follows: “N-[6-[formyl-(2,2,6,6-
16 tetramethylpiperidin-4-yl)amino]hexyl]-N-
17 (2,2,6,6-tetramethylpiperidin-4-yl)formamide
18 (CAS No. 124172–53–8) (provided for in sub-
19 heading 2933.39.61)”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (66) N,N'-BIS(2,2,6,6-TETRAMETHYL-4-
23 PIPERIDINYL)ISOPH.—Heading 9902.06.16 is
24 amended—

1 (A) by amending the article description to
2 read as follows: “N,N′-Bis(2,2,6,6-tetramethyl-
3 4-piperidiny)isophthalamide (CAS No. 42774-
4 15-2) (provided for in subheading
5 2933.39.61)”; and

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (67) UV ABSORBER.—Heading 9902.06.17 is
9 amended—

10 (A) by amending the article description to
11 read as follows: “3-Dodecyl-1-(2,2,6,6-
12 tetramethyl-4-piperidiny)-2,5-pyr-
13 rolidinedione (CAS No. 79720-19-7) (provided for in sub-
14 heading 2933.39.61)”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (68) ACYLATED STERICALLY HINDERED LIGHT
18 STABILIZER.—Heading 9902.06.18 is amended—

19 (A) by amending the article description to
20 read as follows: “1-(1-Acetyl-2,2,6,6-
21 tetramethyl-4-piperidiny)-3-dodecyl-
22 2,5-pyrrolidinedione (CAS No. 106917-31-1) (pro-
23 vided for in subheading 2933.39.61)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (69) PYRIMETHANIL.—Heading 9902.06.32 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “4,6-Dimethyl-N-
5 phenylpyrimidin-2-amine (Pyrimethanil) (CAS
6 No. 53112–28–0) (provided for in subheading
7 2933.59.15)”;

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (70) BENZYLADENINE.—Heading 9902.06.33 is
11 amended—

12 (A) by amending the article description to
13 read as follows: “N-Benzyl-3H-purin-6-amine
14 (Benzyladenine) (CAS No. 1214–39–7) (pro-
15 vided for in subheading 2933.59.15)”;

16 (B) by striking “12/31/2020” and insert-
17 ing “12/31/2023”.

18 (71) PYRIFLUQUINAZON.—Heading 9902.06.40
19 is amended—

20 (A) by amending the article description to
21 read as follows: “1-Acetyl-1,2,3,4-tetrahydro-3-
22 [(3-pyridylmethyl)amino]- 6-[1,2,2,2-
23 tetrafluoro-1-(trifluoromethyl) ethyl] quinazolin-
24 2-one (Pyrifluquinazon) (CAS No. 337458–27–

1 2) (provided for in subheading 2933.59.70”);
2 and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (72) HEXAZINONE.—Heading 9902.06.52 is
6 amended—

7 (A) by amending the article description to
8 read as follows: “3-Cyclohexyl-6-dimethylamino-
9 1-methyl-1,3,5-triazine- 2,4(1H,3H)-dione
10 (Hexazinone) (CAS No. 51235–04–2) (provided
11 for in subheading 2933.69.60”); and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (73) PYMETROZINE.—Heading 9902.06.53 is
15 amended—

16 (A) by amending the article description to
17 read as follows: “6-Methyl-4-{[(1E)-pyridin-3-
18 ylmethylene]amino}-4,5- dihydro-1,2,4-triazin-
19 3(2H)-one (Pymetrozine) (CAS No. 123312–
20 89–0) (provided for in subheading
21 2933.69.60”); and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

1 (74) LOW VOLATILE HYDROXYPHENYL TRI-
2 AZINE UV ABSORBER.—Heading 9902.06.59 is
3 amended—

4 (A) by amending the article description to
5 read as follows: “2-(4,6-Diphenyl-1,3,5-triazin-
6 2-yl)-5-(hexyloxy)phenol (CAS No. 147315–50–
7 2) (provided for in subheading 2933.69.60)”;
8 and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (75) VERY LOW VOLATILE HYDROXYPHENYL
12 TRIAZINE UV ABSORBER.—Heading 9902.06.60 is
13 amended—

14 (A) by amending the article description to
15 read as follows: “2-[4,6-Di(4-biphenyl)-1,3,5-
16 triazin-2-yl]-5-[(2-ethylhexyl)oxy]phenol (CAS
17 No. 204583–39–1) (provided for in subheading
18 2933.69.60)”;

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (76) TERBUTRYN.—Heading 9902.06.61 is
22 amended—

23 (A) by amending the article description to
24 read as follows: “(4E)-4-(Ethylimino)-N-(2-
25 methyl-2-propanyl)-6-(methylsulfanyl)- 1,4-

1 dihydro-1,3,5-triazin-2-amine (Terbutryn) (CAS
2 No. 886-50-0) (provided for in subheading
3 2933.69.60)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (77) BONDING AGENT FOR POLYESTER-REIN-
7 FORCED RUBBER PRODUCTS.—Heading 9902.06.69
8 is amended—

9 (A) by amending the article description to
10 read as follows: “N,N’-(Methylenedi-p-phen-
11 ylene)bis[hexahydro-2- oxo-1H-azepine-1-
12 carboxamide] (CAS No. 54112-23-1) (provided
13 for in subheading 2933.79.15)”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (78) MYCLOBUTANIL TECHNICAL FUNGICIDE.—
17 Heading 9902.06.70 is amended—

18 (A) by amending the article description to
19 read as follows: “2-(4-Chlorophenyl)-2-(1H-
20 1,2,4-triazol-1-ylmethyl)hexanenitrile
21 (Myclobutanil) (CAS No. 88671-89-0) (pro-
22 vided for in subheading 2933.99.06)”; and

23 (B) by striking “12/31/2020” and insert-
24 ing “12/31/2023”.

1 (79) TRIADIMEFON.—Heading 9902.06.75 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “1-(4-Chlorophenoxy)-3,3-di-
5 methyl-1-(1,2,4-triazol-1-yl)butan-2-one
6 (Triadimefon) (CAS No. 43121–43–3) (pro-
7 vided for in subheading 2933.99.22)”; and

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (80) PYRAZIFLUMID.—Heading 9902.06.76 is
11 amended—

12 (A) by amending the article description to
13 read as follows: “N-(3',4'-Difluorobiphenyl-2-
14 yl)-3-(trifluoromethyl)pyra- zine-2-carboxamide
15 (Pyraziflumid) (CAS No. 942515–63–1) (pro-
16 vided for in subheading 2933.99.22)”; and

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (81) ECONEA TECHNICAL.—Heading
20 9902.06.88 is amended—

21 (A) by amending the article description to
22 read as follows: “4-Bromo-2-(4-chlorophenyl)-5-
23 (trifluoromethyl)-1H-pyrrole-3-carbonitrile
24 (Tralopyril) (CAS No. 122454–29–9) (provided
25 for in subheading 2933.99.22)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (82) ULTRAVIOLET LIGHT ABSORBER.—Head-
4 ing 9902.06.89 is amended—

5 (A) by amending the article description to
6 read as follows: “2-(Benzotriazol-2-yl)-4,6-bis(2-
7 methylbutan-2-yl)phenol (CAS No. 25973–55–
8 1) (provided for in subheading 2933.99.79)”;
9 and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (83) 2-(2H-BENZOTRIAZOL-2-YL)-4,6-BIS(1-
13 METHYL-1-PHENYLETHYL)PHENOL.—Heading
14 9902.06.90 is amended—

15 (A) by amending the article description to
16 read as follows: “2-(Benzotriazol-2-yl)-4,6-bis(2-
17 phenylpropan-2-yl)phenol (CAS No. 70321–86–
18 7) (provided for in subheading 2933.99.79)”;
19 and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (84) ISAVUCONAZONIUM SULFATE.—Heading
23 9902.07.03 is amended—

24 (A) by amending the article description to
25 read as follows: “(2-[(1-[(2R,3R)-3-[4-(4-

1 Cyanophenyl)-1,3-thiazol-2-yl]-2- (2,5-
 2 difluorophenyl)-2-hydroxybutyl]-1H-1,2,4-
 3 triazol-4-ium-4-
 4 yl}ethoxy)carbonyl](methyl)amino}-3-
 5 pyridinyl)methyl N-methylglycinate hydrogen
 6 sulfate (Isavuconazonium Sulfate) (CAS No.
 7 946075-13-4) (provided for in subheading
 8 2934.10.10)”; and

9 (B) by striking “12/31/2020” and insert-
 10 ing “12/31/2023”.

11 (85) ETHABOXAM.—Heading 9902.07.08 is
 12 amended—

13 (A) by amending the article description to
 14 read as follows: “N-[Cyano(2-thienyl)methyl]-4-
 15 ethyl-2-(ethylamino)-1,3- thiazole-5-carboxamide
 16 (Ethaboxam) (CAS No. 162650-77-3) (pro-
 17 vided for in subheading 2934.10.90)”; and

18 (B) by striking “12/31/2020” and insert-
 19 ing “12/31/2023”.

20 (86) PROPICONAZOLE.—Heading 9902.07.16 is
 21 amended—

22 (A) by amending the article description to
 23 read as follows: “1-[[2-(2,4-Dichlorophenyl)-4-
 24 propyl-1,3-dioxolan-2-yl]- methyl]-1H-1,2,4-tri-

1 azole (Propiconazole) (CAS No. 60207–90–1)
2 (provided for in subheading 2934.99.12)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (87) ETOXAZOLE.—Heading 9902.07.35 is
6 amended—

7 (A) by amending the article description to
8 read as follows: “2-(2,6-Difluorophenyl)-4-[2-
9 ethoxy-4-(2-methyl-2-propanyl)phenyl]- 4,5-
10 dihydro-1,3-oxazole (Etoxazole) (CAS No.
11 153233–91–1) (provided for in subheading
12 2934.99.18)”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (88) FLUCARBAZONE-SODIUM.—Heading
16 9902.07.65 is amended—

17 (A) by amending the article description to
18 read as follows: “Sodium [(3-methoxy-4-methyl-
19 5-oxo-4,5-dihydro-1H-1,2,4- triazol-1-
20 yl)carbonyl]{[2-(trifluorometh-
21 oxy)phenyl]sulfonyl}azanide (Flucarbazone-so-
22 dium) (CAS No. 181274–17–9) (provided for in
23 subheading 2935.90.75)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (89) IMAZOSULFURON.—Heading 9902.07.71 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “2-Chloro-N-[(4,6-dimethoxy-2-
5 pyrimidinyl)carbamoyl]imidazo[1,2-a]pyridine-
6 3-sulfonamide (Imazosulfuron) (CAS No.
7 122548–33–8) (provided for in subheading
8 2935.90.75)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (90) PURIFIED STEVIOL GLYCOSIDE,
12 REBAUDIOSIDE M.—Heading 9902.07.76 is amend-
13 ed—

14 (A) by amending the article description to
15 read as follows: “(4- α)-13-[(O- β -D-
16 Glucopyranosyl-(1-2)-O-[β -D- glucopyranosyl-
17 (1-3)]- β -D-glucopyranosyl)oxy]-kaur-16- en-18-
18 oic acid O- β -D-glucopyranosyl-(1-2)-O-[β -D-
19 glucopyranosyl- (1-3)]- β -D-glucopyranosyl ester
20 (Rebaudioside M) (CAS No. 1220616–44–3)
21 (provided for in subheading 2938.90.00)”; and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

24 (91) TREHALOSE.—Heading 9902.07.78 is
25 amended—

1 (A) by amending the article description to
2 read as follows: “Trehalose (α -D-glucopyranosyl
3 α -D-glucopyranoside dihydrate) (CAS No.
4 6138–23–4) (provided for in subheading
5 2940.00.60)”;

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (92) CHLOROPHYLLIN.—Heading 9902.07.80 is
9 amended—

10 (A) by amending the article description to
11 read as follows: “Chlorophyllin-copper complex
12 (CAS No. 11006–34–1) (provided for in sub-
13 heading 2942.00.50)”;

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (93) DISPERSE BLUE 56.—Heading 9902.07.85
17 is amended—

18 (A) by amending the article description to
19 read as follows: “Disperse Blue 56 (1,5-
20 diamino-2-bromo-4,8-dihydroxy-9,10-
21 anthraquinone) (CAS No. 68134–65–6) (pro-
22 vided for in subheading 3204.11.10)”;

23 (B) by striking “12/31/2020” and insert-
24 ing “12/31/2023”.

1 (94) DISPERSE BLUE 284.—Heading
2 9902.07.86 is amended—

3 (A) by amending the article description to
4 read as follows: “Disperse Blue 284 ((4-[(E)-
5 (3,5-dinitro-2-thienyl)diazenyl]phenyl}imino)di-
6 2,1-ethanediyl diacetate) (CAS No. 42783–06–
7 2) (provided for in subheading 3204.11.10)”;
8 and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (95) MIXTURE OF DISPERSE BLUE 60 M, DIS-
12 PERSE BLUE 60 ME.—Heading 9902.07.88 is amend-
13 ed—

14 (A) by amending the article description to
15 read as follows: “Mixtures of 4,11-diamino-2-
16 (3-methoxypropyl)-1H-Naphtho[2,3-
17 f]isoindole-1,3,5,10(2H)-tetrone (Disperse Blue
18 60 M) (CAS No. 12217–80–0) and 4,11-
19 diamino-2-[3-(2-methoxyethoxy)propyl]-1H-
20 naphtho[2,3-f]isoindole-1,3,5,10(2H)-tetrone
21 (Disperse Blue 60 ME) (CAS No. 65059–45–
22 2) (provided for in subheading 3204.11.35)”;
23 and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (96) MIX OF DISPERSE BLUE 77, 56, 60M, 60ME,
2 77.—Heading 9902.07.89 is amended—

3 (A) by amending the article description to
4 read as follows: “Mixtures of 1-anilino-4,5-
5 dihydroxy-8-nitro-9,10-anthraquinone (Disperse
6 Blue 77) (CAS No. 20241–76–3); 1,5-diamino-
7 2-bromo-4,8-dihydroxy-9,10-anthraquinone
8 (Disperse Blue 56) (CAS No. 68134–65–6);
9 4,11-diamino-2-(3-methoxypropyl)-1H-
10 naphtho[2,3- f]isoindole-1,3,5,10(2H)-tetrone
11 (Disperse Blue 60 M) (CAS No. 12217–80–0)
12 and 4,11-diamino-2-[3-(2-
13 methoxyethoxy)propyl]-1H- naphtho[2,3-
14 f]isoindole-1,3,5,10(2H)-tetrone (Disperse Blue
15 60 ME) (CAS No. 65059–45–2) (provided for
16 in subheading 3204.11.35)”; and

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (97) MIXTURE OF DISPERSE YELLOW 64, 211,
20 42, AND 54.—Heading 9902.07.90 is amended—

21 (A) by amending the article description to
22 read as follows: “Mixtures of 2-(4-Bromo-3-hy-
23 droxy-2-quinolinyl)-1H-indene-1,3(2H)-dione
24 (Disperse Yellow 64) (CAS No. 10319–14–9);
25 5-[(E)-(4-Chloro-2-nitrophenyl)diazenyl]-1-

1 ethyl-6-hydroxy-4-methyl-2-oxo-1,2-dihydro-3-
2 pyridinecarbonitrile (Disperse Yellow 211)
3 (CAS No. 70528-90-4); 4-Anilino-3-nitro-N-
4 phenylbenzenesulfonamide (Disperse Yellow 42)
5 (CAS No. 5124-25-4) and 2-(3-Hydroxy-2-
6 quinolinyl)-1H-indene-1,3(2H)-dione (Disperse
7 Yellow 54) (CAS No. 7576-65-0) (provided for
8 in subheading 3204.11.35)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (98) DYE MIXTURE.—Heading 9902.07.92 is
12 amended—

13 (A) by amending the article description to
14 read as follows: “Mixtures of Disperse Yellow
15 163 (3,3’-(4-[(E)-(2,6-Dichloro-4-
16 nitrophenyl)diazenyl]
17 phenyl}imino)dipropanenitrile) (CAS No.
18 67923-43-7); Solvent Yellow 163 (1,8-
19 Bis(phenylthio)anthracene-9,10-dione) (CAS
20 No. 13676-91-0); Disperse Blue 56 (1,5-
21 Diamino-2-bromo-4,8-dihydroxy-9,10-
22 anthraquinone) (CAS No. 68134-65-6); Dis-
23 perse Blue 77 (1-Anilino-4,5-dihydroxy-8-nitro-
24 9,10-anthraquinone) (CAS No. 20241-76-3);
25 Disperse Red 1042A (5-[2-(2-Cyano-4-

1 nitrophenyl)diazenyl]-2-[[2-(2-
 2 hydroxyethoxy)ethyl]amino]-4-methyl-6-
 3 (phenylamino)-3-pyridinecarbonitrile) (CAS No.
 4 149988-44-3); Disperse Red 1042B (5-[(2-
 5 Cyano-4-nitrophenyl)diazenyl]-6-[[2-(2-
 6 hydroxyethoxy)ethyl]amino]-4-methyl-2-
 7 (phenylamino)-3-pyridine carbonitrile) (CAS
 8 No. 137428-29-6); Disperse Blue 60 M (4,11-
 9 Diamino-2-(3-methoxypropyl)-1H-naphtho[2,3-
 10 f]isoindole-1,3,5,10(2H)-tetrone) (CAS No.
 11 12217-80-0) and Disperse Blue 60 ME (4,11-
 12 Diamino-2-[3-(2-methoxyethoxy)propyl]-1H-
 13 naphtho[2,3-f]isoindole-1,3,5,10(2H)-tetrone)
 14 (CAS No. 65059-45-2) (provided for in sub-
 15 heading 3204.11.35)”; and

16 (B) by striking “12/31/2020” and insert-
 17 ing “12/31/2023”.

18 (99) MIXTURE OF DISPERSE ORANGE T9601,
 19 ETC.—Heading 9902.07.93 is amended—

20 (A) by amending the article description to
 21 read as follows: “Mixtures of Disperse Orange
 22 288 (3-(Benzyl{4-[(4-nitrophenyl)diazenyl]
 23 phenyl}amino)propanenitrile) (CAS No. 96662-
 24 24-7); Disperse Blue 291:1 (N-{2-[(E)-(2-
 25 Bromo-4,6-dinitrophenyl)diazenyl]-5-

1 (diallylamino)-4- methoxyphenyl}acetamide)
 2 (CAS No. 51868–46–3) and Disperse Violet
 3 93:1 (N-{2-[(E)-(2-Bromo-4,6-dinitro-
 4 phenyl)diazenyl]-5-
 5 (diethylamino)phenyl}acetamide) (CAS No.
 6 52697–38–8) (provided for in subheading
 7 3204.11.35)”; and

8 (B) by striking “12/31/2020” and insert-
 9 ing “12/31/2023”.

10 (100) MIXTURES OF SOLVENT YELLOW 163 AND
 11 OTHER PRODUCTS.—Heading 9902.07.94 is amend-
 12 ed—

13 (A) by amending the article description to
 14 read as follows: “Mixtures of Solvent Yellow
 15 163 (1,8-Bis(phenylsulfanyl)-9,10-
 16 anthraquinone) (CAS No. 13676–91–0); Dis-
 17 perse Blue 56 (1,5-Diamino-2-bromo-4,8-
 18 dihydroxy-9,10-anthraquinone) (CAS No.
 19 68134–65–6); Disperse Red 167:1 ({3-
 20 (Acetylamino)-4-[(2-chloro-4-
 21 nitrophenyl)azo]phenyl}imino)diethane-2,1-diyl
 22 diacetate) (CAS No. 1533–78–4); Disperse Or-
 23 ange 29 (4-({2-Methoxy-4-[(4-
 24 nitrophenyl)diazenyl]phenyl}diazenyl)phenol)
 25 (CAS No. 19800–42–1); Disperse Red 1042A

1 (5-[2-(2-Cyano-4-nitrophenyl)diazenyl]-2-[[2-(2-
2 hydroxyethoxy)ethyl]amino]-4-methyl-6-
3 (phenylamino)-3-pyridinecarbonitrile) (CAS No.
4 149988-44-3); Disperse Red 1042B (5-[(2-
5 Cyano-4-nitrophenyl)diazenyl]-6-[[2-(2-
6 hydroxyethoxy)ethyl]amino]-4-methyl-2-
7 (phenylamino)-3-pyridine carbonitrile) (CAS
8 No. 137428-29-6); Disperse Blue 60 M (4,11-
9 Diamino-2-(3-methoxypropyl)-1H-naphtho[2,3-
10 f]isoindole-1,3,5,10(2H)-tetrone) (CAS No.
11 12217-80-0) and Disperse Blue 60 ME (4,11-
12 Diamino-2-[3-(2-methoxyethoxy)propyl]-1H-
13 naphtho[2,3-f]isoindole-1,3,5,10(2H)-tetrone)
14 (CAS No. 65059-45-2) (provided for in sub-
15 heading 3204.11.35)”; and

16 (B) by striking “12/31/2020” and insert-
17 ing “12/31/2023”.

18 (101) TEXTILE DYE MIXTURES.—Heading
19 9902.07.95 is amended—

20 (A) by amending the article description to
21 read as follows: “Mixtures of Disperse Blue
22 ANT (Br) (N-[5-(acetylamino)-4-[2-(2-bromo-
23 4,6- dinitrophenyl)diazenyl]-2-methoxy- phenyl]-
24 N-(2-methoxy-2-oxoethyl)-glycine, methyl ester)
25 (CAS No. 88938-51-6); Disperse Green GNA

1 (N-[5-(acetylamino)-2-methoxy- 4-[2-(5-nitro-
2 2,1-benzisothiazol-3-yl)diazenyl]phenyl]-N- (2-
3 methoxy-2-oxoethyl)-glycine, methyl ester) (CAS
4 No. 1235882–84–4); Disperse Yellow FC60954
5 (4-[2-(5-cyano-1,6-dihydro-2-hydroxy-1,4-di-
6 methyl-6-oxo-3- pyridinyl)diazenyl]-benzoic acid,
7 2-phenoxyethyl ester) (CAS No. 88938–37–8);
8 Disperse Red DYNS 2246 (N-[4-[2-(2-cyano-4-
9 nitrophenyl)diazenyl]phe- nyl]-N-
10 (phenylmethyl)-B-alanine, 2-oxopropyl ester)
11 (CAS No. 1021394–33–1); and Disperse Yellow
12 DYLA 1306 (1,2-dihydro-6-hydroxy-1,4- di-
13 methyl-5-[2-[2-nitro-4-(phenyl-
14 methoxy)phenyl]diazenyl]-2-oxo-3-
15 pyridinecarbonitrile) (CAS No. 1613451–37–8)
16 (provided for in subheading 3204.11.35)”; and
17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (102) MIXTURES OF DISPERSE BLUE 77 AND
20 DISPERSE BLUE 60 M.—Heading 9902.07.96 is
21 amended—

22 (A) by amending the article description to
23 read as follows: “Mixtures of Disperse Blue 77
24 (1-anilino-4,5-dihydroxy-8-nitro-9,10-
25 anthraquinone) (CAS No. 20241–76–3) and

1 Disperse Blue 60 M (4,11-diamino-2-(3-
2 methoxypropyl)-1H-naphtho[2,3-f]iso- indole-
3 1,3,5,10(2H)-tetrone) (CAS No. 12217–80–0)
4 (provided for in subheading 3204.11.35)”; and
5 (B) by striking “12/31/2020” and insert-
6 ing “12/31/2023”.

7 (103) DISPERSE YELLOW 184:1.—Heading
8 9902.07.97 is amended—

9 (A) by amending the article description to
10 read as follows: “Disperse Yellow 232 (3-(5-
11 chloro-2-benzoxazolyl)-7-(diethyl-amino)-2H-1-
12 benzopyran-2-one) (CAS No. 35773–43–4)
13 (provided for in subheading 3204.11.35)”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (104) MIXTURES OF DISPERSE BLUE ANT (BR)
17 AND OTHER DYES.—Heading 9902.07.98 is amend-
18 ed—

19 (A) by amending the article description to
20 read as follows: “Mixtures of Disperse Blue
21 ANT (Br) (N-[5-(acetylamino)-4-[2- (2-bromo-
22 4,6-dinitrophenyl)diazenyl]-2-methoxyphenyl]-
23 N- (2-methoxy-2-oxoethyl)-glycine, methyl
24 ester) (CAS No. 88938–51–6); Disperse Green
25 GNA (N-[5-(acetylamino)-2-methoxy-4-[2-(5-

1 nitro-2,1- benisothiazol-3-yl)diazenyl]phenyl]-
2 N-(2-methoxy-2-oxoethyl)-glycine, methyl ester)
3 (CAS No. 1235882–84–4); Disperse Yellow
4 FC60954 (4-[2-(5-cyano-1,6-dihydro-2-hydroxy-
5 1,4-dimethyl-6-oxo-3-pyridinyl)diazenyl]-benzoic
6 acid, 2-phenoxyethyl ester) (CAS No. 88938–
7 37–8) and Disperse Red DYNs 2246 (N-[4-[2-
8 (2-cyano-4-nitrophenyl)dia- zenyl]phenyl]-N-
9 (phenylmethyl)-B-alanine, 2-oxopropyl ester)
10 (CAS No. 1021394–33–1) (provided for in sub-
11 heading 3204.11.35)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (105) MIXTURES OF DISPERSE BLUE 60 M AND
15 OTHER PRODUCTS.—Heading 9902.08.01 is amend-
16 ed—

17 (A) by amending the article description to
18 read as follows: “Mixtures of Disperse Blue 60
19 M (4,11-diamino-2-(3-methoxy- propyl)-1H-
20 naphtho[2,3-f]isoindole-1,3,5,10(2H)-tetrone)
21 (CAS No. 12217–80–0); Disperse Blue 60 ME
22 (4,11-diamino-2-[3-(2-methoxy- ethoxy)propyl]-
23 1H-naphtho[2,3-f]isoindole-1,3,5,10(2H)-
24 tetrone) (CAS No. 65059–45–2) and Disperse
25 Blue 1771 (8E)-8-{[2-(dibutylamino)-4-phenyl-

1 1,3- thiazol-5-yl]imino}-2-(3-heptanyl)-7-meth-
2 yl-5-oxo-5,8-dihydro[1,2,4]tri- azolo[1,5-
3 a]pyridine-6-carbonitrile (CAS No. 169324-83-
4 8) (provided for in subheading 3204.11.35)”;
5 and

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (106) MIXTURES OF DISPERSE BLUE 7 AND
9 OTHER DYES.—Heading 9902.08.03 is amended—

10 (A) by amending the article description to
11 read as follows: “Mixtures of Disperse Blue 77
12 (1-anilino-4,5-dihydroxy-8-nitro-9,10-
13 anthraquinone) (CAS No. 20241-76-3); Dis-
14 perse Red 1042A (5-[2-(2-Cyano-4-
15 nitrophenyl)diazenyl]-2-[[2-(2-
16 hydroxyethoxy)ethyl]amino]-4-methyl-6-
17 (phenylamino)-3-pyridinecarbonitrile) (CAS No.
18 149988-44-3); Disperse Red 1042B (5-[(2-
19 cyano-4-nitrophenyl)diazenyl]-6-[[2-(2-
20 hydroxyethoxy)ethyl]amino]-4-methyl-2-
21 (phenylamino)-3-pyridine carbonitrile) (CAS
22 No. 137428-29-6) and Disperse Orange
23 FC84508 (Cyano[3-[(6-methoxy-2-
24 benzothiazolyl)amino]-1H- isoindol-1-
25 ylidene]acetic acid, pentyl ester) (CAS No.

1 173285–74–0) (provided for in 3204.11.35)”;
2 and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (107) MIX OF DISPERSE YELLOW 163, ETC. (DX
6 BLACK HLA-E).—Heading 9902.08.04 is amended—

7 (A) by amending the article description to
8 read as follows: “Mixtures of Disperse Yellow
9 163 (3,3′-(4-[(2,6-dichloro-4-
10 nitrophenyl)diazenyl] phenyl} imino)
11 dipropanenitrile) (CAS No. 67923–43–7); Dis-
12 perse Red 167:1 (3-(acetylamino)-4-[(2-chloro-
13 4-nitrophenyl)azo]phenyl}imino) diethane-2,1-
14 diyl diacetate) (CAS No. 1533–78–4); Disperse
15 red 60 (1-amino-4-hydroxy-2-phenoxy-9,10-
16 anthracenedione) (CAS No. 17418–58–5); Dis-
17 perse Blue 77 (1-anilino-4,5-dihydroxy-8-nitro-
18 9,10-anthraquinone) (CAS No. 20241–76–3);
19 Disperse Blue 56 (1,5-diamino-2-bromo-4,8-
20 dihydroxy-9,10-anthraquinone) (CAS No.
21 68134–65–6); Disperse Blue 214 E (4,8-
22 diamino-2-(4-ethoxyphenyl)-1,5-dihydroxy-9,10-
23 anthraquinone) (CAS No. 15114–15–5) and
24 Disperse Blue 214 EE (4,8-diamino-2-[4-(2-
25 ethoxyethoxy) phenyl]-1,5-dihydroxy-9,10-

1 anthraquinone) (CAS No. 23119–35–9) (pro-
2 vided for in subheading 3204.11.35)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (108) MIX OF DISPERSE RED 356, 367, &
6 H111030.—Heading 9902.08.05 is amended—

7 (A) by amending the article description to
8 read as follows: “Mixtures of Disperse Red 356
9 (3-phenyl-7-(4-propoxyphe- nyl)furo[2,3-
10 f][1]benzofuran-2,6-dione) (CAS No. 79694–
11 17–0); Disperse Red 367 ([4-(2,6-dihydro-2,6-
12 dioxo-7-phenylbenzo[1,2- b:4,5-b′]difuran-3-
13 yl)phenoxy]-acetic acid, 2-ethoxyethyl ester)
14 (CAS No. 126877–05–2) and Disperse Red
15 H1111030 ([4-[2,6-dihydro-2,6-dioxo-7-(4-
16 propoxyphe- nyl)benzo[1,2-b:4,5-b′]difuran-3-
17 yl]phenoxy]-acetic acid, 2-ethoxyethyl ester)
18 (CAS No. 126877–06–3) (provided for in sub-
19 heading 3204.11.35)”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (109) MIX OF DISPERSE RED 1042A & DISPERSE
23 RED 1042B.—Heading 9902.08.06 is amended—

24 (A) by amending the article description to
25 read as follows: “Mixtures of Disperse Red

1 1042A (5-[2-(2-cyano-4-nitro- phenyl)diazenyl]-
2 2-[[2-(2-hydroxyethoxy)ethyl]amino]-4-methyl-
3 6-(phenylamino)-3-pyridine carbonitrile) (CAS
4 No. 149988–44–3) and Disperse Red 1042B
5 (5-[(2-cyano-4-nitrophenyl)dia- zenyl]-6-[[2-(2-
6 hydroxyethoxy)ethyl]amino]-4- methyl-2-
7 (phenylamino)-3-pyridine carbonitrile) (CAS
8 No. 137428–29–6) (provided for in subheading
9 3204.11.35)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (110) MIX OF DISPERSE BLUE 77, 60 M, & DIS-
13 PERSE YELLOW 71.—Heading 9902.08.07 is amend-
14 ed—

15 (A) by amending the article description to
16 read as follows: “Mixtures of Disperse Blue 77
17 (1-anilino-4,5-dihydroxy-8-nitro-9,10-
18 anthraquinone) (CAS No. 20241–76–3); Dis-
19 perse Blue 60 M (4,11-diamino-2-(3-
20 methoxypropyl)-1H-naphtho[2,3-f]isoindole-
21 1,3,5,10(2H)-tetrone) (CAS No. 12217–80–0);
22 and Disperse Yellow 71 (9 (or 10)-Methoxy-7H-
23 benzimidazo[2,1-a]benz[de]iso-quinolin-7-one)
24 (CAS No. 68296–59–3) (provided for in sub-
25 heading 3204.11.35)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (111) DISPERSE YELLOW 64.—Heading
4 9902.08.12 is amended—

5 (A) by amending the article description to
6 read as follows: “Disperse Yellow 64 (2-(4-
7 bromo-3-hydroxy-2-quinolinyl)-1H-indene-
8 1,3(2H)-dione) (CAS No. 10319–14–9) (pro-
9 vided for in subheading 3204.11.50)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (112) MIX OF DISPERSE BLUE 73 A & DISPERSE
13 BLUE 73 P.—Heading 9902.08.13 is amended—

14 (A) by amending the article description to
15 read as follows: “Mixtures of Disperse Blue 73
16 A (1,5-diamino-4,8-dihydroxy(4-
17 methoxyphenyl)-9,10-anthracenedione) (CAS
18 No. 31288–44–5) and Disperse Blue 73 P (1,5-
19 diamino-4,8-dihydroxy(4-hydroxyphenyl)-9,10-
20 anthracenedione) (CAS No. 31529–83–6) (pro-
21 vided for in subheading 3204.11.50)”; and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

24 (113) SOLVENT BLUE 182.—Heading
25 9902.08.15 is amended—

1 (A) by amending the article description to
2 read as follows: “Acid Blue 182 (disodium;4-[4-
3 [acetyl(methyl)amino]-2-sulfonatoanilino]-1-
4 amino-9,10-dioxoanthracene-2-sulfonate) (CAS
5 No. 72152–54–6) (provided for in subheading
6 3204.12.20)”;

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (114) SANODAL DEEP BLACK HBL.—Heading
10 9902.08.19 is amended—

11 (A) by amending the article description to
12 read as follows: “Tetrasodium [7-amino-3-[(3-
13 chloro-2-hydroxy-5-nitrophenyl)azo]-4-hydroxy
14 -2-naphthalenesulfonato(3-)] [6-amino-4- hy-
15 droxy-3-[(2-hydroxy-5-nitro-3-sulfophenyl)azo]-
16 2-naphthalene-sulfonato(4-)]-chromate(4-)
17 (Sanodal Deep Black HBL) (CAS No. 184719–
18 87–7) (provided for in subheading
19 3204.12.45)”;

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (115) ACID RED 182.—Heading 9902.08.20 is
23 amended—

24 (A) by amending the article description to
25 read as follows: “Acid Red 182 (sodium [4-(hy-

1 droxy-κO)-3-{[2- (hydroxy-κO)-1-
 2 naphthyl]diazenyl}benzenesulfon- amidato(2-
 3)][4-hydroxy-3-{[2-(hydroxy-κO)-1-
 4 naphthyl]diazenyl}ben- zenesulfonamidato(2-
 5)]cobaltate(1-)) (CAS No. 58302–43–5) (pro-
 6 vided for in subheading 3204.12.45)”; and

7 (B) by striking “12/31/2020” and insert-
 8 ing “12/31/2023”.

9 (116) ACID ORANGE 67.—Heading 9902.08.21
 10 is amended—

11 (A) by amending the article description to
 12 read as follows: “Sodium 4-({3-[(E)-(2-methyl-
 13 4-[(4-methylphenyl)sulfonyl]
 14 oxy}phenyl)diazenyl]phenyl}amino)-3-
 15 nitrobenzenesulfonate (Acid Orange 67) (CAS
 16 No. 12220–06–3) (provided for in subheading
 17 3204.12.45)”; and

18 (B) by striking “12/31/2020” and insert-
 19 ing “12/31/2023”.

20 (117) ACID BLUE 324.—Heading 9902.08.22 is
 21 amended—

22 (A) by amending the article description to
 23 read as follows: “Sodium 4-[(3-
 24 acetamidophenyl)amino]-1-amino-9,10- dioxo-
 25 9,10-dihydro-2-anthracenesulfonate (Acid Blue

1 324) (CAS No. 70571–81–2) (provided for in
2 subheading 3204.12.45)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (118) ACID BLUE 171.—Heading 9902.08.23 is
6 amended—

7 (A) by amending the article description to
8 read as follows: “Acid Blue 171 (sodium [6-
9 (amino-κN)-5-[2-[2-(hydroxy-κO)-4-
10 nitrophenyl]diazenyl-κN1]-N-methyl-2-
11 naphthalenesulfonamidato(2-)] [6-(amino-κN)-5-
12 [2-[2-(hydroxy-κO)-4-nitro- phenyl]diazenyl-
13 κN1]-2-naphthalenesulfonato(3-)]-Cobaltate(2-)
14 (1:2) (1:2)) (CAS No. 75314–27–1) (provided
15 for in subheading 3204.12.45)”; and

16 (B) by striking “12/31/2020” and insert-
17 ing “12/31/2023”.

18 (119) MIXTURES OF ACID BLACK 220A AND
19 ACID BLACK 220 B.—Heading 9902.08.24 is amend-
20 ed—

21 (A) by amending the article description to
22 read as follows: “Mixtures of Acid Black 220 A
23 (chromate(2-), [3-hydroxy-4-[(2- hydroxy-1-
24 naphthalenyl)azo]-7-nitro-1-
25 naphthalenesulfonato(3-)] [1-[(2-hydroxy-5-

1 nitrophenyl)azo]-2-naphthalenolato(2-)]-, lith-
2 ium sodium) (CAS No. 85828–76–8) and Acid
3 Black 220 B (chromate(2-), [3-hydroxy-4-[(2-
4 hydroxy-1- naphthalenyl)azo]-7-nitro-1-
5 naphthalenesulfonato(3-)] [N-[7-hydroxy-8-[(2-
6 hydroxy-5-nitrophenyl)azo]-1-
7 naphthalenyl]acetamidato(2-)]-, lithium sodium)
8 (CAS No. 85828–75–7) (provided for in sub-
9 heading 3204.12.45)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (120) ACID RED 87 (EOSINE DISODIUM SALT).—
13 Heading 9902.08.25 is amended—

14 (A) by amending the article description to
15 read as follows: “Acid Red 87 (eosine disodium
16 salt) (disodium 2-(2,4,5,7-tetrabromo-6-oxido-3-
17 oxoxanthen-9-yl)benzoate) (CAS No. 17372–
18 87–1) (provided for in subheading
19 3204.12.50)”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (121) ACID BLUE 80.—Heading 9902.08.27 is
23 amended—

24 (A) by amending the article description to
25 read as follows: “Acid Blue 80 (disodium 3,3’-

1 [(9,10-dioxo-9,10-dihydroanthra- cene-1,4-
2 diyl)diimino]bis(2,4,6-trimethyl-
3 benzenesulfonate) (CAS No. 4474–24–2) (pro-
4 vided for in subheading 3204.12.50)”; and

5 (B) by striking “12/31/2020” and insert-
6 ing “12/31/2023”.

7 (122) BASIC YELLOW 40 DYE.—Heading
8 9902.08.29 is amended—

9 (A) by amending the article description to
10 read as follows: “Basic Yellow 40 (2-[7-
11 (diethylamino)-2-oxo-2H-chromen- 3-yl]-1,3-di-
12 methyl-1H-3,1-benzimidazol-3-ium chloride)
13 (CAS No. 29556–33–0) (provided for in sub-
14 heading 3204.13.10)”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (123) BASIC RED 1:1.—Heading 9902.08.31 is
18 amended—

19 (A) by amending the article description to
20 read as follows: “Basic Red 1:1 (3,6-bis
21 (ethylamino)-9-[2-(methoxycarbonyl) phenyl]-
22 2,7-dimethylxanthenium chloride) (CAS No.
23 3068–39–1) (provided for in subheading
24 3204.13.80)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (124) DIRECT BLUE 71.—Heading 9902.08.35
4 is amended—

5 (A) by amending the article description to
6 read as follows: “Direct Blue 71 (tetrasodium
7 3-[(E)-{4-[(E)-{4-[(E)-(6-amino-1-hydroxy-3-
8 sulfonato-2-naphthyl) diazenyl]-6-sulfonato-1-
9 naphthyl} diazenyl]-1-naphthyl}diazanyl]-1,5-
10 naphthalenedisulfonate) (CAS No. 4399-55-7)
11 (provided for in subheading 3204.14.50)”;

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (125) DIRECT BLUE 279.—Heading 9902.08.36
15 is amended—

16 (A) by amending the article description to
17 read as follows: “Direct Blue 279 (4-N-(5,8-
18 dimethoxy-2,4-dimethylquinolin-6-yl)-1-N,1-N-
19 diethylpentane- 1,4-diamine) (CAS No. 72827-
20 89-5) (provided for in subheading
21 3204.14.50)”;

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

24 (126) DIRECT VIOLET 51.—Heading
25 9902.08.37 is amended—

1 (A) by amending the article description to
 2 read as follows: “Disodium 7-anilino-3-[(E)-{4-
 3 [(E)-(2,4-dimethyl-6-sulfonatophenyl) diazenyl]-
 4 2-methoxy-5-methylphenyl} diazenyl]-4-hy-
 5 droxy-2-naphthalenesulfonate (Direct Violet 51)
 6 (CAS No. 5489-77-0) (provided for in sub-
 7 heading 3204.14.50)”; and

8 (B) by striking “12/31/2020” and insert-
 9 ing “12/31/2023”.

10 (127) DIRECT VIOLET 9 CRUDE.—Heading
 11 9902.08.38 is amended—

12 (A) by amending the article description to
 13 read as follows: “Disodium 7-anilino-4-hydroxy-
 14 3-({2-methoxy-5-methyl-4-[(4-sulfonatophenyl)
 15 diazenyl] phenyl} diazenyl)-2-
 16 naphthalenesulfonate (Direct Violet 9) (CAS
 17 No. 6227-14-1) (provided for in subheading
 18 3204.14.50)”; and

19 (B) by striking “12/31/2020” and insert-
 20 ing “12/31/2023”.

21 (128) VAT RED 15.—Heading 9902.08.41 is
 22 amended—

23 (A) by amending the article description to
 24 read as follows: “Vat Red 15
 25 (bisbenzimidazo[2,1-b:1',2'-

1 j]benzo[lmn][3,8]phenanthroline-6,9-dione)
2 (CAS No. 4216–02–8) (provided for in sub-
3 heading 3204.15.30)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (129) VAT BLUE 66.—Heading 9902.08.42 is
7 amended—

8 (A) by amending the article description to
9 read as follows: “Vat Blue 66 (9,10-
10 anthracenedione,1,1'-[(6-phenyl- 1,3,5-triazine-
11 2,4-diyl)diimino]bis(3''-acetyl-4-amino-)) (CAS
12 No. 32220–82–9) (provided for in subheading
13 3204.15.30)”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (130) REACTIVE BLUE 19.—Heading
17 9902.08.48 is amended—

18 (A) by amending the article description to
19 read as follows: “Reactive Blue 19 (Disodium
20 1-amino-9,10-dioxo-4-[(3-{[2-
21 (sulfonatoxy)ethyl] sulfonyl} phenyl) amino]-
22 9,10-dihydro-2-anthracenesulfonate) (CAS No.
23 2580–78–1) (provided for in subheading
24 3204.16.20)”; and

1 (B) by striking “12/31/2020” and insert-
 2 ing “12/31/2023”.

3 (131) MIXTURES OF REACTIVE BLUE 19 AND
 4 REACTIVE BLUE 187.—Heading 9902.08.50 is
 5 amended—

6 (A) by amending the article description to
 7 read as follows: “Mixtures of Reactive Blue 19
 8 (1-amino-9,10-dihydro-9,10-dioxo-4-[[3-[[2-
 9 (sulfooxy)ethyl]sulfonyl] phenyl] amino]-2-
 10 anthracenesulfonic acid, sodium salt (1:2))
 11 (CAS No. 2580–78–1) and Reactive Blue 187
 12 (1,1'-[(6,13-dichloro-4,11-disulfo-3,10-
 13 triphenodioxazinediyl) bis [imino-2,1-
 14 ethanediylimino[6-[(2,5-disulfophenyl) amino]-
 15 1,3,5-triazine-4,2-diyl]]] bis [3-carboxy-,
 16 bis(inner salt), hexasodium salt) (CAS No.
 17 79771–28–1) (provided for in subheading
 18 3204.16.30)”; and

19 (B) by striking “12/31/2020” and insert-
 20 ing “12/31/2023”.

21 (132) REACTIVE BLUE FC75311.—Heading
 22 9902.08.51 is amended—

23 (A) by amending the article description to
 24 read as follows: “Reactive Blue FC75311 (so-
 25 dium [2-[2-[[2-[3-[[4-fluoro-6-[phenyl]2-[[2-

1 (sulfooxy) ethyl]sulfonyl] ethyl]amino]-1,3,5-
2 triazin-2-yl]amino]-2-(hydroxy-κO)-5-
3 sulfophenyl] diazenyl-κN] phenylmethyl]
4 diazenyl-κN]-4-sulfobenzoato (6-)-κO]-
5 cuprate(4-) (CAS No. 156830–72–7) (provided
6 for in subheading 3204.16.30)”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (133) REACTIVE YELLOW F00-0155.—Heading
10 9902.08.52 is amended—

11 (A) by amending the article description to
12 read as follows: “Reactive Yellow F00-0155
13 (1H-xantheno[2,1,9-def]isoquinoline-5,9-
14 disulfonic acid, 2,3-dihydro-1,3-dioxo-2-[3-[[2-
15 (sulfooxy)ethyl]sulfonyl]phenyl]-, potassium so-
16 dium salt (1:?:?)) (CAS No. 1309975–18–5)
17 (provided for in subheading 3204.16.30)”; and

18 (B) by striking “12/31/2020” and insert-
19 ing “12/31/2023”.

20 (134) MIXTURES OF REACTIVE RED 198 AND
21 REACTIVE RED 239.—Heading 9902.08.53 is amend-
22 ed—

23 (A) by amending the article description to
24 read as follows: “Mixtures of Reactive Red 198
25 (5-[[4-chloro-6-[(3-sulfophenyl) amino]-1,3,5-

1 triazin-2-yl] amino]-4-hydroxy-3-[[4-[[2-
 2 (sulfoxy)ethyl] sulfonyl]phenyl]azo]-2,7-
 3 naphthalenedisulfonic acid, sodium salt (1:?)
 4 (CAS No. 78952–61–1) and Reactive Red 239
 5 (2-[2-[8-[[4-chloro-6-[[4-[[2-(sulfoxy)ethyl]
 6 sulfonyl] phenyl]amino]-1,3,5-triazin-2-
 7 yl]amino]-1-hydroxy-3,6- disulfo-2-
 8 naphthalenyl]diazenyl]-1,5-
 9 naphthalenedisulfonic acid, sodium salt (1:5))
 10 (CAS No. 89157–03–9) (provided for in sub-
 11 heading 3204.16.30)”; and

12 (B) by striking “12/31/2020” and insert-
 13 ing “12/31/2023”.

14 (135) REACTIVE BLUE 187.—Heading
 15 9902.08.54 is amended—

16 (A) by amending the article description to
 17 read as follows: “Reactive Blue 187 (1,1’-
 18 [(6,13-dichloro-4,11-disulfo-3,10-
 19 triphenodioxazinediyl) bis [imino-2,1-
 20 ethanediylimino [6-[(2,5-disulfophenyl) amino]-
 21 1,3,5-triazine-4,2-diyl]]] bis [3-
 22 carboxylatopyridinium], dihydroxide, bis (inner
 23 salt), hexasodium salt) (CAS No. 79771–28–1)
 24 (provided for in subheading 3204.16.30)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (136) REACTIVE ORANGE 131.—Heading
4 9902.08.55 is amended—

5 (A) by amending the article description to
6 read as follows: “Reactive Orange 131 (2,4-
7 diamino-3-[4-(2-sulfoxyethylsulfonyl)-phenylazo]
8 -5-[4-(2-sulfoxyethylsulfonyl)-2-sulfophenylazo]-
9 benzenesulfonic acid, potassium sodium salt)
10 (CAS No. 187026–95–5) (provided for in
11 3204.16.30)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (137) REACTIVE BLACK 5.—Heading
15 9902.08.56 is amended—

16 (A) by amending the article description to
17 read as follows: “Reactive Black 5 (tetrasodium
18 4-amino-5-hydroxy-3,6-bis [(4-{[2-
19 (sulfonatoxy)ethyl] sulfonyl} phenyl)diazenyl]-
20 2,7-naphthalenedisulfonate) (CAS No. 17095–
21 24–8) (provided for in subheading
22 3204.16.50)”; and

23 (B) by striking “12/31/2020” and insert-
24 ing “12/31/2023”.

1 (138) COPPER PHTHALOCYANINE
2 MONOSULFONATE.—Heading 9902.08.60 is amend-
3 ed—

4 (A) by amending the article description to
5 read as follows: “Copper phthalocyanine
6 monosulfonate (hydrogen [29H,31H-
7 phthalocyaninesulphonato (3-)-N29, N30, N31,
8 N32]cuprate(1-)), not ready for use as pigment
9 (CAS No. 28901–96–4) (provided for in sub-
10 heading 3204.17.60)”; and

11 (B) by striking “12/31/2020” and insert-
12 ing “12/31/2023”.

13 (139) PIGMENT INTERMEDIATE.—Heading
14 9902.08.62 is amended—

15 (A) by amending the article description to
16 read as follows: “Mixture of nonchlorinated cop-
17 per phthalocyanine blue crude not ready for use
18 as pigment (CAS No. 147–14–8) (30–40 per-
19 cent by weight) and chlorinated copper
20 phthalocyanine blue crude not ready for use as
21 pigment (CAS No. 68987–63–3) (60–70 per-
22 cent by weight) (provided for in subheading
23 3204.17.60)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (140) COPPER PHTHALOCYANINE GREEN 7.—
2 Heading 9902.08.63 is amended—

3 (A) by amending the article description to
4 read as follows:
5 “[1,2,3,4,8,9,10,11,15,16,17,18,22,23,25-
6 Pentadecachloro-29,31-dihydro-5H, 26H-
7 phthalocyaninato (2-) -κ² N29, N31] copper
8 (CAS No. 1328–53–6) (provided for in sub-
9 heading 3204.17.90)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (141) COPPERCHLORO PCN CRUDE FOR PIG-
13 MENT MAKING.—Heading 9902.08.64 is amended—

14 (A) by amending the article description to
15 read as follows: “Copper chlorophthalocyanine,
16 crude not ready for use as pigment (CAS No.
17 12239–87–1) (provided for in subheading
18 3204.17.90)”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (142) SOLVENT YELLOW 160:1.—Heading
22 9902.08.66 is amended—

23 (A) by amending the article description to
24 read as follows: “Solvent Yellow 160:1 (3-(5-
25 chloro-1,3-benzoxazol-2-yl)-7-

1 (diethylamino)chromen-2-one) (CAS No.
2 35773-43-4) (provided for in subheading
3 3204.19.11)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (143) SOLVENT BLUE 104.—Heading
7 9902.08.70 is amended—

8 (A) by amending the article description to
9 read as follows: “Solvent Blue 104 (1,4-
10 bis(mesitylamino)-9,10-anthraquinone) (CAS
11 No. 116-75-6) (provided for in subheading
12 3204.19.20)”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (144) MONO OR DIPHthalIMIDO METHYL COP-
16 PER PHTHALOCYANINE.—Heading 9902.08.82 is
17 amended—

18 (A) by amending the article description to
19 read as follows: “Mono or diphtalimido methyl
20 copper phthalocyanine ([2-(29H, 31H-
21 phthalocyaninylmethyl) -1H -isoindole-1,3 (2H)-
22 dionato (2-)-N29, N30, N31, N32] copper)
23 (CAS No. 42739-64-0) (provided for in sub-
24 heading 3204.19.50)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (145) SOLUBILIZED SULPHUR BLACK 1.—Head-
4 ing 9902.08.83 is amended—

5 (A) by amending the article description to
6 read as follows: “Solubilized Sulphur Black 1
7 (CAS No. 1326–83–6) (provided for in sub-
8 heading 3204.19.50)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (146) PHTHALOCYANINE BLUE ADDITIVE.—
12 Heading 9902.08.86 is amended—

13 (A) by amending the article description to
14 read as follows: “N, N-Dimethyl-N-octadecyl-1-
15 octadecanaminium-(Sp-4-2)- [29H, 31H-
16 phthalocyanine-2- sulfonato- N29, N30,N31,
17 N32] cuprate (phthalocyanine blue additive)
18 (CAS No. 70750–63–9) (provided for in sub-
19 heading 3204.90.00)”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (147) PIGMENT YELLOW 184.—Heading
23 9902.08.89 is amended—

24 (A) by amending the article description to
25 read as follows: “Pigment Yellow 184 (bismuth

1 vanadium oxide) (CAS No. 14059–33–7) (pro-
2 vided for in subheading 3206.49.60)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (148) POLYMERIC WETTING AGENT.—Heading
6 9902.09.11 is amended—

7 (A) by amending the article description to
8 read as follows: “Mixtures of 1-butanol (CAS
9 No. 71–36–3); 1-propoxy-2-propanol (mixed iso-
10 mers) (CAS No. 1569–01–3); siloxanes and sili-
11 cones, dimethyl, 3-hydroxypropyl methyl,
12 ethoxylated propoxylated (CAS No. 68937–55–
13 3); 2-methyloxirane, oxirane, 3-prop-2-
14 enoxyprop-1-ene (CAS No. 9041–33–2); urea,
15 polymer with formaldehyde, methylated (CAS
16 No. 68071–45–4); 2-propanol (CAS No. 67–
17 63–0); 2-amino-2-methyl-1-propanol (CAS No.
18 124–68–5); 2-methyl-2-(methylamino)-1-pro-
19 panol (CAS No. 27646–80–6); methanol (CAS
20 No. 67–56–1) and water (CAS No. 7732–18–5)
21 (provided for in subheading 3402.19.50)”; and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

24 (149) PARTY POPPER.—Heading 9902.09.15 is
25 amended—

1 (A) by amending the article description to
2 read as follows: “Party poppers (Class 1.4G)
3 (provided for in subheading 3604.90.00)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (150) β -CYFLUTHRIN FORMULATIONS.—Head-
7 ing 9902.09.19 is amended—

8 (A) by amending the article description to
9 read as follows: “Product mixtures containing
10 (RS)- α -cyano-4-fluoro-3-phenoxybenzyl
11 (1RS,3RS,1RS,3SR)-3-(2,2-dichlorovinyl)-2,2-
12 dimethylecyclopropanecarboxylate (β -Cyfluthrin)
13 (CAS No. 68359–37–5) (provided for in sub-
14 heading 3808.91.25)”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (151) IMIDACLOPRID AND β -CYFLUTHRIN FOR-
18 MULATIONS.—Heading 9902.09.21 is amended—

19 (A) by amending the article description to
20 read as follows: “Product mixtures containing
21 1-(6-chloro-3-pyridinyl)methyl-N-
22 nitroimidazolidin-2-ylideneamine (Imidacloprid)
23 (CAS No. 138261–41–3) and (RS)- α -cyano-4-
24 fluoro-3-phenoxybenzyl (1RS, 3RS;1RS, 3SR)-
25 3-(2,2-dichlorovinyl)-2,2-

1 dimethylcyclopropanecarboxylate (β -Cyfluthrin)
2 (CAS No. 68359–37–5) (provided for in sub-
3 heading 3808.91.25)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (152) ACEQUINOCYL.—Heading 9902.09.28 is
7 amended—

8 (A) by amending the article description to
9 read as follows: “Mixtures of 3-dodecyl-1,4-
10 dioxo-1,4-dihydronaphthalen-2-yl acetate (CAS
11 No. 57960–19–7) (Acequinocyl) and application
12 adjuvants (provided for in subheading
13 3808.91.25)”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (153) GAMMA-CYHALOTHRIN FORMULATIONS.—
17 Heading 9902.09.30 is amended—

18 (A) by amending the article description to
19 read as follows: “Mixtures containing Cyano (3-
20 phenoxyphenyl) methyl 3-[(1Z)-2-chloro-3,3,3-
21 trifluoro-1-propen-1-yl] -2,2-
22 dimethylcyclopropanecarboxylate (gamma-
23 cyhalothrin) and application adjuvants (CAS
24 No. 76703–62–3) (provided for in subheading
25 3808.91.25)”; and

1 (B) by striking “12/31/2020” and insert-
 2 ing “12/31/2023”.

3 (154) AZADIRACHTIN.—Heading 9902.09.33 is
 4 amended—

5 (A) by amending the article description to
 6 read as follows: “Mixtures containing dimethyl
 7 (2aR,3S,4S,4aR,5S,7aS,8S,10R,10aS, 10bR)-
 8 10-acetoxy-3,5-dihydroxy-4[(1aR, 2S, 3aS, 6aS,
 9 7S, 7aS)-6a-hydroxy-7a-methyl-3a,6a,7,7a-
 10 tetrahydro-2,7-methanofuro [2,3-b]
 11 oxireno[e]oxepin-1a(2H)-yl]-4-methyl-8-{[(2E)-
 12 2-methylbut-2-enoyl] oxy} octahydro-1H-
 13 naphtho [1,8a-c:4,5-b’c’] difuran-5,10a (8H)-
 14 dicarboxylate (Azadirachtin) (CAS No. 11141–
 15 17–6) (provided for in subheading
 16 3808.91.50)”; and

17 (B) by striking “12/31/2020” and insert-
 18 ing “12/31/2023”.

19 (155) INSECTICIDES, AROMATIC OR MODIFIED
 20 AROMATIC.—Heading 9902.09.38 is amended—

21 (A) by amending the article description to
 22 read as follows: “Mixtures of 1-methyl-2-nitro-
 23 3-(oxolan-3-ylmethyl)guanidine (Dinotefuran)
 24 (CAS No. 165252–70–0) with application adju-

1 vants (provided for in subheading
2 3808.91.50)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (156) METALAXYL, PENFLUFEN, AND
6 PROTHIOCONAZOLE FUNGICIDES.—Heading
7 9902.09.40 is amended—

8 (A) by amending the article description to
9 read as follows: “Product mixtures containing
10 methyl N-(2-methoxyacetyl)-N-(2,6-xylyl)-DL-
11 alaninate (Metalaxyl) (CAS No. 57837–19–1),
12 5-fluoro-1,3-dimethyl-N-[2-(4-methylpentan-2-
13 yl) phenyl] -1H-pyrazole-4-carboxamide
14 (Penflufen) (CAS No. 494793–67–8) and 2-
15 [(2RS)-2-(1-chlorocyclopropyl)-3-(2-
16 chlorophenyl)-2-hydroxypropyl]-2H-1,2,4-tri-
17 azole-3(4H)-thione (Prothioconazole) (CAS No.
18 178928–70–6) (provided for in subheading
19 3808.92.15)”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (157) FLUOXASTROBIN FORMULATIONS.—
23 Heading 9902.09.41 is amended—

24 (A) by amending the article description to
25 read as follows: “Product mixtures containing

1 (E)-{2-[6-(2-chlorophenoxy)-5-fluoropyrimidin-
2 4-yloxy] phenyl} (5,6-dihydro-1,4,2-dioxazin-3-
3 yl) methanone O-methyloxime (Fluoxastrobin)
4 (CAS No. 361377–29–9) (provided for in sub-
5 heading 3808.92.15)”; and

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (158) FLUOPYRAM AND TEBUCONAZOLE FOR-
9 MULATIONS.—Heading 9902.09.48 is amended—

10 (A) by amending the article description to
11 read as follows: “Product mixtures containing
12 N-{2-[3-chloro-5-(trifluoromethyl)-2-
13 pyridinyl]ethyl}-2-(trifluoromethyl) benzamide
14 (Fluopyram) (CAS No. 658066–35–4) and 1-
15 (4-chlorophenyl)-4,4-dimethyl-3-(1H-1,2,4-
16 triazol-1-ylmethyl) pentan-3-ol (Tebuconazole)
17 (CAS No. 107534–96–3) (provided for in sub-
18 heading 3808.92.15)”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (159) TRIFLOXYSTROBIN AND TEBUCONAZOLE
22 FORMULATIONS.—Heading 9902.09.53 is amend-
23 ed—

24 (A) by amending the article description to
25 read as follows: “Product mixtures containing

1 methyl (E)-methoxyimino-{(E)-2-[1-(α,α,α -
2 trifluoro-m-tolyl) ethylideneaminoxy]-o-
3 tolyl}acetate (Trifloxystrobin) (CAS No.
4 141517-21-7) and (RS)-1-p-chlorophenyl-4,4-
5 dimethyl-3-(1H-1,2,4-triazol-1-ylmethyl)
6 pentan-3-ol (Tebuconazole) (CAS No. 107534-
7 96-3) (provided for in subheading
8 3808.92.15)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (160) FLUOPYRAM + PYRIMETHANIL FORMU-
12 LATIONS.—Heading 9902.09.54 is amended—

13 (A) by amending the article description to
14 read as follows: “Product mixtures containing
15 N-[2-[3-chloro-5-(trifluoromethyl)pyridin-2-
16 yl]ethyl]-2-(trifluoromethyl) benzamide
17 (Fluopyram) (CAS No. 658066-35-4) and 4,6-
18 dimethyl-N-phenyl-2-pyrimidinamine
19 (Pyrimethanil) (CAS No. 53112-28-0) (pro-
20 vided for in subheading 3808.92.15)”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (161) FLUOPYRAM AND TRIFLOXYSTROBIN
24 FORMULATIONS.—Heading 9902.09.55 is amend-
25 ed—

1 (A) by amending the article description to
 2 read as follows: “Product mixtures containing
 3 N-[2-[3-chloro-5-(trifluoromethyl)pyridin-2-
 4 yl]ethyl]-2-(trifluoromethyl) benzamide
 5 (Fluopyram) (CAS No. 658066–35–4) and
 6 methyl (E)-methoxyimino-{(E)-2-[1-(α,α,α -
 7 trifluoro-m-tolyl) ethylideneaminoxy]-o-tolyl}
 8 acetate (Trifloxystrobin) (CAS No. 141517–21–
 9 7) (provided for in subheading 3808.92.15)”;
 10 and

11 (B) by striking “12/31/2020” and insert-
 12 ing “12/31/2023”.

13 (162) TRIFLOXYSTROBIN FORMULATIONS.—
 14 Heading 9902.09.57 is amended—

15 (A) by amending the article description to
 16 read as follows: “Product mixtures containing
 17 methyl (2E)-(methoxyimino)[2-({[(E)-{1-[3-
 18 (trifluoromethyl) phenyl] ethyl-
 19 idene}amino]oxy}methyl)phenyl]acetate
 20 (Trifloxystrobin) (CAS No. 141517–21–7) (pro-
 21 vided for in subheading 3808.92.15)”; and

22 (B) by striking “12/31/2020” and insert-
 23 ing “12/31/2023”.

1 (163) FLUOPYRAM AND PROTHIOCONAZOLE
2 FORMULATIONS.—Heading 9902.09.58 is amend-
3 ed—

4 (A) by amending the article description to
5 read as follows: “Product mixtures containing
6 N-[2-[3-chloro-5-(trifluoromethyl)pyridin-2-
7 yl]ethyl]-2-(trifluoromethyl) benzamide
8 (Fluopyram) (CAS No. 658066–35–4) and
9 (RS)-2-[2-(1-chlorocyclopropyl)-3-(2-
10 chlorophenyl)-2-hydroxypropyl] -2,4-dihydro-
11 1,2,4-triazole-3-thione (Prothioconazole) (CAS
12 No. 178928–70–6) (provided for in subheading
13 3808.92.15)”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (164) PROTHIOCONAZOLE FORMULATIONS.—
17 Heading 9902.09.59 is amended—

18 (A) by amending the article description to
19 read as follows: “Product mixtures containing
20 2-[2-(1-chlorocyclopropyl)-3-(2-chlorophenyl)-2-
21 hydroxypropyl] -1,2-dihydro-3H-1,2,4-triazole-
22 3-thione (Prothioconazole) (CAS No. 178928–
23 70–6) (provided for in subheading
24 3808.92.15)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (165) FLUOPYRAM FORMULATIONS.—Heading
4 9902.09.61 is amended—

5 (A) by amending the article description to
6 read as follows: “Mixtures of N-[2-[3-chloro-5-
7 (trifluoromethyl) pyridin-2-yl]ethyl]-2-
8 (trifluoromethyl) benzamide (Fluopyram) (CAS
9 No. 658066–35–4) (provided for in subheading
10 3808.92.15)”; and

11 (B) by striking “12/31/2020” and insert-
12 ing “12/31/2023”.

13 (166) FLUOPYRAM AND IMIDACLOPRID FORMU-
14 LATIONS.—Heading 9902.09.62 is amended—

15 (A) by amending the article description to
16 read as follows: “Mixtures of N-[2-[3-chloro-5-
17 (trifluoromethyl) pyridin-2-yl]ethyl]-2-
18 (trifluoromethyl) benzamide (Fluopyram) (CAS
19 No. 658066–35–4) and N-[1-[(6-chloropyridin-
20 3-yl)methyl]-4,5-dihydroimidazol-2-yl] nitramide
21 (Imidacloprid) (CAS No. 138261–41–3) (pro-
22 vided for in subheading 3808.92.15)”; and

23 (B) by striking “12/31/2020” and insert-
24 ing “12/31/2023”.

1 (167) IPRODIONE AND TRIFLOXYSTROBIN FOR-
2 MULATIONS.—Heading 9902.09.70 is amended—

3 (A) by amending the article description to
4 read as follows: “Mixtures containing 3-(3,5-
5 dichlorophenyl)-N-isopropyl-2,4-dioxo-1-
6 imidazolidinecarboxamide (Iprodione) (CAS No.
7 36734–19–7) and methyl (2E)-(methoxyimino)
8 [2-({[(E)-{1-[3-(trifluoromethyl)
9 phenyl]ethylidene}amino]oxy}methyl)phenyl]
10 acetate (Trifloxystrobin) (CAS No. 141517–21–
11 7) (provided for in subheading 3808.92.15)”;
12 and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (168) TETRACONAZOLE AND AZOXYSTROBIN.—
16 Heading 9902.09.71 is amended—

17 (A) by amending the article description to
18 read as follows: “Mixtures of 1-[2-(2,4-
19 dichlorophenyl)-3-(1,1,2,2-tetrafluoroethoxy)-
20 propyl]-1H-1,2,4-triazole (Tetraconazole) (CAS
21 No. 112281–77–3), methyl (2E)-2-(2-{[6-(2-
22 cyanophenoxy)-4-pyrimidinyl]oxy}phenyl)-3-
23 methoxyacrylate (Azoxystrobin) (CAS No.
24 131860–33–8) and application adjuvants (pro-
25 vided for in subheading 3808.92.15)”;

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (169) MIXTURES OF AT LEAST 95 PERCENT BY
4 WEIGHT ALLYL ISOTHIOCYANATE AND APPLICATION
5 ADJUVANTS.—Heading 9902.09.75 is amended—

6 (A) by amending the article description to
7 read as follows: “Mixtures of at least 95 per-
8 cent by weight allyl isothiocyanate (3-
9 isothiocyanato-1-propene) (CAS No. 57–06–7),
10 and application adjuvants (provided for in sub-
11 heading 3808.92.28)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (170) POLYOXIN D ZINC SALT.—Heading
15 9902.09.79 is amended—

16 (A) by amending the article description to
17 read as follows: “Formulations of zinc 1-
18 {(2R,3R,4S,5R)-5-[(S)-{[(2S,3S,4S)-2-amino-5-
19 carbamoyloxy)-3,4-dihydroxypentanoyl]
20 amino}(carboxylato)methyl]-3,4-
21 dihydroxytetrahydro-2-furanyl}-2,4-dioxo-
22 1,2,3,4-tetrahydro-5-pyrimidinecarboxylate
23 (Polyoxin D zinc salt) (CAS No. 146659–78–1)
24 (provided for in subheading 3808.92.50)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (171) FORAMSULFURON FORMULATIONS.—
4 Heading 9902.09.87 is amended—

5 (A) by amending the article description to
6 read as follows: “Mixtures of 2-[[[(4,6-
7 dimethoxy-2-
8 pyrimidinyl)amino]carbonyl]amino]sulfonyl]-4-
9 (formylamino)-N,N-dimethylbenzamide
10 (Foramsulfuron) (CAS No. 173159–57–4) and
11 application adjuvants (provided for in sub-
12 heading 3808.93.15)”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (172) INDAZIFLAM AND RIMSULFURON FORMU-
16 LATIONS.—Heading 9902.09.90 is amended—

17 (A) by amending the article description to
18 read as follows: “Product mixtures containing
19 N-[(1R,2S)-2,6-dimethyl-2,3-dihydro-1H-inden-
20 1-yl]-6-[(1R)-1-fluoroethyl] -1,3,5-triazine-2,4-
21 diamine (Indaziflam) (CAS No. 950782–86–2)
22 and N-[(4,6-dimethoxy-2-pyrimidinyl) car-
23 bamoyl] -3-(ethylsulfonyl)-2-
24 pyridinesulfonamide (Rimsulfuron) (CAS No.

1 122931–48–0) (provided for in subheading
2 3808.93.15)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (173) PACLOBUTRAZOL FORMULATIONS.—
6 Heading 9902.09.92 is amended—

7 (A) by amending the article description to
8 read as follows: “Mixtures of (2RS, 3RS)-1-(4-
9 chlorophenyl)-4,4-dimethyl-2-(1H-1,2,4-triazol-
10 1-yl)pentan-3-ol (Paclobutrazol) (CAS No.
11 76738–62–0) and application adjuvants (pro-
12 vided for in subheading 3808.93.15)”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (174) PROSULFURON.—Heading 9902.09.93 is
16 amended—

17 (A) by amending the article description to
18 read as follows: “Mixtures of N-[(4-methoxy-6-
19 methyl-1,3,5-triazin-2-yl)carbamoyl]-2-(3,3,3-
20 trifluoropropyl) benzenesulfonamide
21 (Prosulfuron) (CAS No. 94125–34–5) and ap-
22 plication adjuvants (provided for in subheading
23 3808.93.15)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (175) MIXTURES OF RIMSULFURON.—Heading
 2 9902.10.03 is amended—

3 (A) by amending the article description to
 4 read as follows: “Mixtures of N-[[[4,6-
 5 dimethoxy-2-pyrimidinyl) amino] carbonyl]-3-
 6 (ethylsulfonyl)-2-pyridinesulfonamide
 7 (Rimsulfuron) (CAS No. 122931–48–0) and
 8 application adjuvants (provided for in sub-
 9 heading 3808.93.15)”; and

10 (B) by striking “12/31/2020” and insert-
 11 ing “12/31/2023”.

12 (176) CERTAIN HERBICIDES FOR USE ON CERE-
 13 ALS.—Heading 9902.10.04 is amended—

14 (A) by amending the article description to
 15 read as follows: “Product mixtures containing
 16 methyl 4-{{[(3-methoxy-4-methyl-5-oxo-4,5-
 17 dihydro-1H-1,2,4-triazol-1-yl)carbonyl] sul-
 18 famoyl}}-5-methyl-3-thiophenecarboxylate
 19 (Thiencarbazone-methyl) (CAS No. 317815–
 20 83–1), methyl 2-{{[(4,6-dimethoxy-2-
 21 pyrimidinyl) carbamoyl] sulfamoyl}}-4-
 22 {{[(methylsulfonyl)amino]methyl}} benzoate
 23 (Mesosulfuron-methyl) (CAS No. 208465–21–
 24 8) and diethyl 1-(2,4-dichlorophenyl)-5-methyl-
 25 4,5-dihydro-1H-pyrazole -3,5-dicarboxylate

1 (Mefenpyr-diethyl) (CAS No. 135590–91–9)
2 (provided for in subheading 3808.93.15)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (177) HERBICIDES FOR WEED CONTROL IN
6 GRASSY AREAS.—Heading 9902.10.11 is amended—

7 (A) by amending the article description to
8 read as follows: “Mixtures containing methyl 4-
9 {[(3-methoxy-4-methyl-5-oxo-4,5-dihydro-1H-
10 1,2,4-triazol-1-yl) carbonyl] sulfamoyl}-5-meth-
11 yl-3-thiophenecarboxylate (Thiencarbazone-
12 methyl) (CAS No. 317815–83–1); 2-{[(4,6-
13 Dimethoxy-2-pyrimidinyl) carbamoyl] sul-
14 famoyl}-4-formamido-N,N-dimethylbenzamide
15 (Foramsulfuron) (CAS No. 173159–57–4); and
16 methyl 3-chloro-5-{[(4,6-dimethoxy-2-
17 pyrimidinyl) carbamoyl] sulfamoyl}-1-methyl
18 -1H-pyrazole-4-carboxylate (Halosulfuron-meth-
19 yl) (CAS No. 100784–20–1) and application
20 adjuvants (provided for in subheading
21 3808.93.15).”; and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

24 (178) MIXTURES OF ORTHOSULFAMURON.—
25 Heading 9902.10.12 is amended—

1 (A) by amending the article description to
2 read as follows: “Mixtures of 1-(4,6-
3 dimethoxypyrimidin-2-yl)-3-[2-
4 dimethylcarbamoyl] phenylsulfamoyl] urea
5 (Orthosulfamuron) (CAS No. 213464–77–8)
6 and application adjuvants (provided for in sub-
7 heading 3808.93.20)”;

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (179) PROPARGITE MIXTURES.—Heading
11 9902.10.19 is amended—

12 (A) by amending the article description to
13 read as follows: “Mixtures containing 2-[4-(2-
14 methyl-2-propanyl)phenoxy]cyclohexyl 2-propyn-
15 1-yl sulfite (CAS No. 2312–35–8) (Propargite)
16 and application adjuvants (provided for in sub-
17 heading 3808.99.95)”;

18 (B) by striking “12/31/2020” and insert-
19 ing “12/31/2023”.

20 (180) MIXTURES USED IN RUBBER PRODUC-
21 TION.—Heading 9902.10.28 is amended—

22 (A) by amending the article description to
23 read as follows: “Mixtures of zinc dicyanato
24 diamine ((T-4)-diamminebis(cyanato-κN)-zinc)
25 (CAS No. 122012–52–6) with an elastomer

1 binder of ethylene-propylene-diene monomer
2 and ethyl vinyl acetate, and dispersing agents
3 (provided for in subheading 3812.10.50)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (181) ANTIDEGRADANTS.—Heading 9902.10.31
7 is amended—

8 (A) by amending the article description to
9 read as follows: “Antioxidizing preparations for
10 rubber consisting of a mixture of 1,3-dihydro-4-
11 methyl-2H-benzimidazole-2-thione and 1,3-
12 dihydro-5-methyl-2H-benzimidazole-2-thione, in
13 the form of zinc salts (CAS No. 61617–00–3)
14 (provided for in subheading 3812.39.60)”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (182) ANTIOXIDIZING PREPARATIONS.—Head-
18 ing 9902.10.32 is amended—

19 (A) by amending the article description to
20 read as follows: “Antioxidizing preparations for
21 plastics containing 2,4-dimethyl-6-(1-
22 methylpentadecyl)phenol (CAS No. 134701–20–
23 5) (provided for in subheading 3812.39.60)”;
24 and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (183) PHENOL, 4-METHYL-, REACTION PROD-
4 UCTS.—Heading 9902.10.35 is amended—

5 (A) by amending the article description to
6 read as follows: “4-Methylphenol-
7 tricyclo[5.2.2.02,6]undecane (1:1) (CAS No.
8 68610–51–5) (provided for in subheading
9 3812.39.60)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (184) PRODUCT USED IN AGRICULTURAL
13 FILM.—Heading 9902.10.36 is amended—

14 (A) by amending the article description to
15 read as follows: “Hindered amine light and
16 thermal stabilizers for plastics containing 1,6-
17 hexanediamine,N1,N6-bis(2,2,6,6-tetramethyl-4-
18 piperidiny)-, polymer with 2,4,6-trichloro-1,3,5-
19 triazine, reaction products with 3-bromo-1-
20 propene,N-butyl-1-butanamine and N-butyl-
21 2,2,6,6-tetramethyl-4-piperidinamine, oxidized,
22 hydrogenated (CAS No. 247243–62–5) (pro-
23 vided for in subheading 3812.39.90)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (185) LIGHT STABILIZER/UV-ABSORBER FOR
2 COATINGS.—Heading 9902.10.50 is amended—

3 (A) by amending the article description to
4 read as follows: “Preparations based on N-(2-
5 ethoxyphenyl)-N’-[4-(10-methylundecyl)phenyl]
6 ethanediamide (CAS No. 82493–14–9) (pro-
7 vided for in subheading 3824.99.28)”;

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (186) MIXTURES OF C5–C18
11 PERFLUOROCARBON ALKANES, PERFLUOROCARBON
12 AMINES, AND PERFLUOROCARBON ETHERS.—Head-
13 ing 9902.10.57 is amended—

14 (A) by amending the article description to
15 read as follows: “Mixtures of C5–C18
16 perfluorocarbon alkanes, perfluorocarbon
17 amines, and/or perfluorocarbon ethers (CAS
18 No. 86508–42–1) (provided for in subheading
19 3824.99.92)”;

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (187) METHOXY SILANATED AMORPHOUS POLY
23 ALPHA OLEFIN.—Heading 9902.10.69 is amended—

24 (A) by amending the article description to
25 read as follows: “Silane, ethenyltrimethoxy-, re-

1 action products with 1-butene-ethylene-propene
2 polymer (CAS No. 832150–35–3) (provided for
3 in subheading 3902.30.00)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (188) ACID FORM DISPERSION.—Heading
7 9902.10.79 is amended—

8 (A) by amending the article description to
9 read as follows: “Poly(1,1,2,2-tetrafluoro-2-
10 [(trifluoroethenyl)oxy]ethanesulfonyl fluoride-
11 co-tetrafluoroethylene) (CAS No. 1163733–25–
12 2) (provided for in subheading 3904.69.50)”;
13 and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (189) FLUOROPOLYMER LITHIUM SALT POW-
17 DER.—Heading 9902.10.81 is amended—

18 (A) by amending the article description to
19 read as follows: “Poly(1,1,2,2-tetrafluoro-2-
20 [(trifluoroethenyl)oxy]ethanesulfonyl fluoride-
21 co-tetrafluoroethylene) lithium salt (CAS No.
22 1687740–67–5) (provided for in subheading
23 3904.69.50)”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (190) FLUOROPOLYMER, POLYVINYL, AMMO-
2 NIUM SALT.—Heading 9902.10.82 is amended—

3 (A) by amending the article description to
4 read as follows: “Poly(1,1,2,2-tetrafluoro-2-
5 [(trifluoroethenyl)oxy]ethanesulfonyl fluoride-
6 co-tetrafluoroethylene) ammonium salt (CAS
7 No. 1126091–34–6) (provided for in sub-
8 heading 3904.69.50)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (191) ELECTROACTIVE POLYMER.—Heading
12 9902.10.83 is amended—

13 (A) by amending the article description to
14 read as follows: “1,1,2-Trifluoroethene-1,1-
15 difluoroethene (1:1) (Vinylidene fluoride-
16 trifluoroethylene copolymer) (CAS No. 28960–
17 88–5) (provided for in subheading
18 3904.69.50)”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (192) TERPOLYMER USED IN SENSORS.—Head-
22 ing 9902.10.84 is amended—

23 (A) by amending the article description to
24 read as follows: “Poly(1,1-difluoroethene-co-1-
25 chloro-1,2,2-trifluoroethene-co -1,1,2-

1 trifluoroethene) (CAS No. 81197–12–8) (pro-
2 vided for in subheading 3904.69.50)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (193) CERTAIN MIXTURE FOR USE IN
6 GREASES.—Heading 9902.10.87 is amended—

7 (A) by amending the article description to
8 read as follows: “Mixture of poly(1-
9 [difluoro(trifluoromethoxy)methoxy]-1,1,2,2-
10 tetrafluoro -2-(trifluoromethoxy)ethane) (CAS
11 No. 69991–61–3) and
12 Perfluoropolymethylisopropyl ether (CAS No.
13 69991–67–9) (provided for in subheading
14 3904.69.50)”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (194) ADDITIVE FOR RUST PREVENTION.—
18 Heading 9902.10.90 is amended—

19 (A) by amending the article description to
20 read as follows: “1-Propene, 1,1,2,3,3,3-
21 Hexafluoro-, oxidized, polymerized, reduced,
22 hydrolized reaction products with ammonia
23 (CAS No. 370097–12–4) (provided for in sub-
24 heading 3904.69.50)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (195) MOLD RELEASE AGENT.—Heading
4 9902.10.95 is amended—

5 (A) by amending the article description to
6 read as follows: “Ethene, tetrafluoro, oxidized,
7 polymerized, reduced, methyl esters, reduced,
8 ethoxylated (CAS No. 162492–15–1) (provided
9 for in subheading 3904.69.50)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (196) POLYVINYL FORMAL RESIN.—Heading
13 9902.11.02 is amended—

14 (A) by amending the article description to
15 read as follows: “Polyvinyl formal resin
16 (ethenol; [(ethenyloxy)methoxy]ethene (CAS
17 Nos. 63450–15–7, 63148–64–1, and 9003–33–
18 2) (provided for in subheading 3905.91.10)”;
19 and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (197) SOIL ENHANCER.—Heading 9902.11.11
23 is amended—

24 (A) by amending the article description to
25 read as follows: “Starch-g-poly (propenamide-

1 co-2-propenoic acid) potassium salt (CAS No.
2 863132–14–3) (provided for in subheading
3 3906.90.50)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (198) UV LIGHT ABSORBER.—Heading
7 9902.11.12 is amended—

8 (A) by amending the article description to
9 read as follows: “Mixtures of α -(3-(3-(2H-
10 benzotriazol-2-yl)-5-(1,1-dimethylethyl)-4-
11 hydroxyphenyl) -1-oxopropyl)- ω -hydroxy-poly
12 (oxy-1,2-ethanediyl) (CAS No. 104810–48–2);
13 α -(3-(3-(2H-benzotriazol-2-yl)-5-(1,1-
14 dimethylethyl)-4-hydroxyphenyl) -1-oxopropyl)-
15 ω - (3-(3-(2H-benzotriazol-2-yl) -5-(1,1-
16 dimethylethyl) -4-hydroxyphenyl) -1-
17 oxopropoxy)-poly (oxy-1,2-ethanediyl) (CAS No.
18 104810–47–1) and polyethylene glycol (CAS
19 No. 25322–68–3) (provided for in subheading
20 3907.20.00)”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (199) HIGH-PERFORMANCE DISPERSANT USE IN
24 CONCRETE.—Heading 9902.11.13 is amended—

1 (A) by amending the article description to
2 read as follows: “Oxirane, 2-methyl-, polymer
3 with oxirane, monoether with 1,2-propanediol
4 mono(2-methyl-2-propenoate) (CAS No.
5 220846–90–2) (provided for in subheading
6 3907.20.00)”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (200) HDI-BASED POLYISOCYANATE.—Heading
10 9902.11.49 is amended—

11 (A) by amending the article description to
12 read as follows: “Poly(1,6-diisocyanatohexane)-
13 block-polyethylene-block-poly (1-butoxypropan-
14 2-ol) (CAS No. 125252–47–3) (provided for in
15 subheading 3911.90.90)”; and

16 (B) by striking “12/31/2020” and insert-
17 ing “12/31/2023”.

18 (201) IPDI BASED ALIPHATIC
19 POLYISOCYANATE.—Heading 9902.11.50 is amend-
20 ed—

21 (A) by amending the article description to
22 read as follows: “N,N’,N”-[(2,4,6-Trioxo-1,3,5-
23 triazine-1,3,5(2H,4H,6H)-triy] tris [meth-
24 ylene(3,5,5-trimethyl-3,1-cyclohexanediyl)] tris
25 [hexahydro-2-oxo-1H-azepine-1-carboxamide]

1 (CAS No. 68975–83–7) in organic solvent (pro-
2 vided for in subheading 3911.90.90)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (202) HDI BASED ALIPHATIC
6 POLYISOCYANATE.—Heading 9902.11.51 is amend-
7 ed—

8 (A) by amending the article description to
9 read as follows: “3,5-Dimethyl-1H-pyrazole-
10 oligo(hexamethylene diisocyanate) in solvents
11 (CAS No. 163206–31–3) (provided for in sub-
12 heading 3911.90.90)”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (203) STRIPS OF 100% EPTFE SEALANT 3
16 MM<30 MM.—Heading 9902.11.79 is amended—

17 (A) by amending the article description to
18 read as follows: “Strips wholly of expanded
19 poly(tetrafluoroethylene) (PTFE) (CAS No.
20 9002–84–0), noncellular, with adhesive backing,
21 of a thickness greater than 3 mm but not over
22 30 mm, presented rolled in spools, certified by
23 the importer as having a tensile strength of
24 24.1 MPa or higher per ASTM F-152 (provided
25 for in subheading 3916.90.50)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (204) E-PTFE SHEETS 1.6 MM \leq 3.00 MM FOR
4 SEALANTS.—Heading 9902.11.88 is amended—

5 (A) by amending the article description to
6 read as follows: “Expanded
7 poly(tetrafluoroethylene) (PTFE) nonadhesive
8 cellular sheets, of a thickness greater than 1.5
9 mm but not more than 3 mm, certified by the
10 importer as having a tensile strength of at least
11 48.3 MPa per ASTM F-152 (CAS No. 9002–
12 84–0) (provided for in subheading
13 3921.19.00)”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (205) E-PTFE SHEETS 3.1 MM \leq 6.00 MM FOR
17 SEALANTS.—Heading 9902.11.89 is amended—

18 (A) by amending the article description to
19 read as follows: “Expanded
20 poly(tetrafluoroethylene) (PTFE) nonadhesive
21 cellular sheets, of a thickness greater than 3
22 mm but not more than 6 mm, certified by the
23 importer as having a tensile strength of at least
24 48.3 MPa per ASTM F-152 (CAS No. 9002–

1 84–0) (provided for in subheading
2 3921.19.00)”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (206) PLASTIC HANDLES FOR COOLERS.—
6 Heading 9902.12.02 is amended—

7 (A) by amending the article description to
8 read as follows: “Handles of plastics for coolers
9 (provided for in subheading 3926.90.25)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (207) GOLF BAG COMPONENT TOP BOTTOM DI-
13 VIDER.—Heading 9902.12.05 is amended—

14 (A) by amending the article description to
15 read as follows: “Plastic components of a kind
16 used as one-piece internal top and bottom divid-
17 ers for golf bags (provided for in subheading
18 3926.90.99)”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (208) PLASTIC LIP FOR DUSTPANS.—Heading
22 9902.12.07 is amended—

23 (A) by amending the article description to
24 read as follows: “Cut-to-shape pieces or profiles
25 of polyvinyl chloride plastics, the foregoing de-

1 signed to be attached to the edge of a dustpan
2 tray having contact with the floor or other sur-
3 face, rigid and flexible in form, each measuring
4 24.77 cm to 30 cm in length and 1.35 cm to
5 1.87 cm in width, valued not over \$0.09 each
6 (provided for in subheading 3926.90.99)”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (209) THREE-WAY CAMERA MOUNTS.—Heading
10 9902.12.11 is amended—

11 (A) by amending the article description to
12 read as follows: “Accessories of plastics for
13 cameras of subheading 8525.80.40, each incor-
14 porating a handheld camera grip, folding exten-
15 sion arms and a tripod screwed into the base of
16 the handle the foregoing measuring between 50
17 and 53 cm when fully extended without the tri-
18 pod, 62 to 65 cm when fully extended with the
19 tripod and 18 to 21 cm when folded and col-
20 lapsed (provided for in subheading
21 3926.90.99)”; and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

24 (210) BUOYANT PISTOL GRIP CAMERA
25 MOUNTS.—Heading 9902.12.13 is amended—

1 (A) by amending the article description to
2 read as follows: “Accessories of plastics, de-
3 signed for use with cameras of subheading
4 8525.80.40; such goods measuring between 14
5 cm and 17 cm in length, buoyant in water, each
6 incorporating a handle designed to allow a user
7 to grip with the hand, an adjustable hand-strap
8 and an adjustable thumb screw designed to per-
9 mit mounting of the camera and adjusting the
10 viewing angle of the camera on a pivot (pro-
11 vided for in subheading 3926.90.99)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (211) SUCTION CUP CAMERA MOUNTS.—Head-
15 ing 9902.12.14 is amended—

16 (A) by amending the article description to
17 read as follows: “Mounts of plastics, engineered
18 to attach to cameras of subheading 8525.80.40;
19 designed to attach to flat surfaces by means of
20 a round suction cup measuring between 8 and
21 10 cm in diameter; each incorporating x, y and
22 z-directional pivots to adjust the camera’s view-
23 point (provided for in subheading 3926.90.99)”;
24 and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (212) RUBBER PET TOYS COVERED WITH
4 FELT.—Heading 9902.12.31 is amended—

5 (A) by amending the article description to
6 read as follows: “Toys for pets, of noncellular
7 vulcanized rubber other than hard rubber, each
8 with felt textile covering, without holes (pro-
9 vided for in subheading 4016.99.20)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (213) CAMERA DIVE HOUSINGS.—Heading
13 9902.12.51 is amended—

14 (A) by amending the article description to
15 read as follows: “Camera cases of transparent
16 polycarbonate plastics, designed to encase cam-
17 eras of subheading 8525.80.40; each incor-
18 porating buttons for the operation of the cam-
19 era, an opaque plastic base that clips into a
20 camera mount, a thumb-screw on the base
21 mount that allows for adjustment of the camera
22 viewing angle on a pivot, a silicon gasket in the
23 door of the case that allows for waterproof op-
24 eration of the camera at a depth of more than
25 40 m but not more than 60 m, a flat and opti-

1 cally coated glass lens and a heat sink to dis-
2 sipate camera heat (provided for in subheading
3 4202.99.90)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (214) WOVEN FABRIC OF CARDED VICUNA HAIR
7 OF A WEIGHT EXCEEDING 300 G/M².—Heading
8 9902.12.80 is amended—

9 (A) by amending the article description to
10 read as follows: “Woven fabrics of carded vi-
11 cuna hair, containing 85 percent or more by
12 weight of vicuna hair and of a weight exceeding
13 300 g/m² (provided for in subheading
14 5111.19.60)”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (215) WOVEN FABRIC OF COMBED VICUNA HAIR
18 OF A WEIGHT NOT EXCEEDING 200 G/M².—Heading
19 9902.12.81 is amended—

20 (A) by amending the article description to
21 read as follows: “Woven fabrics of combed vi-
22 cuna hair, such fabrics containing 85 percent or
23 more by weight of vicuna hair, of a weight not
24 exceeding 200 g/m² (provided for in subheading
25 5112.11.60)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (216) WOVEN FABRIC OF COMBED VICUNA HAIR
4 OF A WEIGHT EXCEEDING 200 G/M².—Heading
5 9902.12.82 is amended—

6 (A) by amending the article description to
7 read as follows: “Woven fabrics of combed vi-
8 cuna hair, such fabrics containing 85 percent or
9 more by weight of vicuna hair and of a weight
10 exceeding 200 g/m² (provided for in subheading
11 5112.19.95)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (217) FUSIBLE BONDING AND SEPARATION
15 YARN.—Heading 9902.12.88 is amended—

16 (A) by amending the article description to
17 read as follows: “Synthetic filament yarn (other
18 than sewing thread) not put up for retail sale,
19 single, with a twist exceeding 50 turns/m, of
20 nylon or other polyamides, measuring 23 or
21 more but not over 840 decitex, each formed
22 from 4 to 68 filaments and containing 10 per-
23 cent or more by weight of nylon 12 (provided
24 for in subheading 5402.51.00)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (218) POLYACRYLONITRILE TOW WITH AN AV-
4 ERAGE DECITEX OF 2.75.—Heading 9902.13.02 is
5 amended—

6 (A) by amending the article description to
7 read as follows: “Acrylic filament tow
8 (polyacrylonitrile tow), containing by weight 92
9 percent or more of polyacrylonitrile, not more
10 than 0.01 percent of zinc and 2 percent or more
11 but not over 8 percent of water, dyed, presented
12 in the form of bundles of crimped product each
13 containing 214,000 filaments (plus or minus 10
14 percent) with an average decitex of 2.75 (plus
15 or minus 10 percent) and length greater than
16 2 meters (provided for in subheading
17 5501.30.00)”; and

18 (B) by striking “12/31/2020” and insert-
19 ing “12/31/2023”.

20 (219) POLYACRYLONITRILE TOW WITH AN AV-
21 ERAGE DECITEX OF 3.3.—Heading 9902.13.03 is
22 amended—

23 (A) by amending the article description to
24 read as follows: “Acrylic filament tow
25 (polyacrylonitrile tow) containing by weight 92

1 percent or more of polyacrylonitrile, not more
2 than 0.01 percent of zinc and 2 percent or more
3 but not over 8 percent of water, dyed, presented
4 in the form of bundles of crimped product each
5 containing 214,000 filaments (plus or minus 10
6 percent) with an average decitex of 3.3 (plus or
7 minus 10 percent) and length greater than 2
8 meters (provided for in subheading
9 5501.30.00)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (220) ACRYLIC STAPLE FIBERS NOT PROC-
13 ESSED FOR SPINNING.—Heading 9902.13.20 is
14 amended—

15 (A) by amending the article description to
16 read as follows: “Acrylic staple fibers
17 (polyacrylonitrile staple), not dyed and not
18 carded, combed or otherwise processed for spin-
19 ning, containing by weight 92 percent or more
20 of polyacrylonitrile, not more than 0.01 percent
21 of zinc and 2 percent or more but not over 8
22 percent of water, with a decitex of 5 to 5.6,
23 with a fiber shrinkage of 0 to 22 percent and
24 with a cut fiber length of 80 mm to 150 mm
25 (provided for in subheading 5503.30.00)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (221) MODIFIED ACRYLIC FLAME RETARDANT
4 STAPLE FIBER WITH A DECITEX OF 2.7.—Heading
5 9902.13.21 is amended—

6 (A) by amending the article description to
7 read as follows: “Modacrylic staple fibers, not
8 carded, combed or otherwise processed for spin-
9 ning, containing over 35 percent and less than
10 85 percent by weight of acrylonitrile, 2.7
11 decitex (plus or minus 2 percent), natural in
12 color, with fiber length between 38 mm and 120
13 mm (provided for in subheading 5503.30.00)”;
14 and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (222) ACRYLIC FIBER STAPLE, DYED.—Head-
18 ing 9902.13.23 is amended—

19 (A) by amending the article description to
20 read as follows: “Acrylic staple fiber
21 (polyacrylonitrile staple), dyed, not carded,
22 combed or otherwise processed for spinning, the
23 foregoing containing by weight 92 percent or
24 more of polyacrylonitrile, not more than 0.01
25 percent of zinc and 2 percent or more but not

1 over 8 percent of water, with a decitex of 3.3
2 to 5.6, a fiber shrinkage from 0 to 22 percent
3 (provided for in subheading 5503.30.00)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (223) FLAME RETARDANT RAYON FIBERS, 4.7
7 DECITEX.—Heading 9902.13.29 is amended—

8 (A) by amending the article description to
9 read as follows: “Artificial staple fibers of vis-
10 cose rayon, not carded, combed or otherwise
11 processed for spinning, each containing 28 per-
12 cent or more but not over 33 percent by weight
13 of silica, measuring 4.7 decitex and 60 mm in
14 length (provided for in subheading
15 5504.10.00)”; and

16 (B) by striking “12/31/2020” and insert-
17 ing “12/31/2023”.

18 (224) ACRYLIC STAPLE FIBERS PROCESSED
19 AND WITH A DECITEX OF 2.75 TO 3.3.—Heading
20 9902.13.36 is amended—

21 (A) by amending the article description to
22 read as follows: “Acrylic staple fibers, carded,
23 combed or otherwise processed for spinning,
24 containing by weight 92 percent or more of
25 polyacrylonitrile, not more than 0.01 percent of

1 zinc and 2 percent or more but not over 8 per-
2 cent of water, dyed or raw white (undyed), with
3 an average decitex of 2.75 to 3.30 (plus or
4 minus 10 percent) (provided for in subheading
5 5506.30.00)”; and

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (225) ACRYLIC STAPLE FIBERS PROCESSED
9 AND WITH A DECITEX OF 5.0 TO 5.6.—Heading
10 9902.13.38 is amended—

11 (A) by amending the article description to
12 read as follows: “Acrylic staple fibers, carded,
13 combed or otherwise processed for spinning,
14 containing by weight 92 percent or more of
15 polyacrylonitrile, not more than 0.01 percent of
16 zinc and 2 percent or more but not over 8 per-
17 cent of water, dyed, with an average decitex of
18 5.0 to 5.6 (provided for in subheading
19 5506.30.00)”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (226) NEOPRENE WADING SOCKS.—Heading
23 9902.13.51 is amended—

24 (A) by amending the article description to
25 read as follows: “Socks with uppers comprising

1 neoprene measuring 2.5 mm in thickness and
2 covered on both sides with jersey knitted fabric
3 of nylon; such socks with underfoots of breath-
4 able neoprene measuring 2.5 to 3 mm in thick-
5 ness and covered on both sides with a jersey
6 knitted fabric of nylon; the foregoing each
7 formed anatomically so as to be designed for
8 the wearer's left or right foot (provided for in
9 subheading 6115.96.90)"; and

10 (B) by striking "12/31/2020" and insert-
11 ing "12/31/2023".

12 (227) TRAINING GLOVES.—Heading 9902.13.53
13 is amended—

14 (A) by amending the article description to
15 read as follows: "Training gloves of vulcanized
16 rubber other than of hard rubber (provided for
17 in subheading 4015.19.50) or of synthetic tex-
18 tile materials (provided for in subheading
19 6116.93.08), such gloves of textile materials
20 knitted or crocheted"; and

21 (B) by striking "12/31/2020" and insert-
22 ing "12/31/2023".

23 (228) BRAKE SEGMENTS.—Heading 9902.13.82
24 is amended—

1 (A) by amending the article description to
2 read as follows: “Nonwoven radial segment and
3 chordal orientation brake segments of oxidized
4 polyacrylonitrile fibers, made up and presented
5 as cut otherwise than into squares or rectan-
6 gles, such segments formed by needling web
7 and unidirectional tow fabrics together, the
8 foregoing designed for use in aircraft braking
9 systems (provided for in subheading
10 6307.90.98)”; and

11 (B) by striking “12/31/2020” and insert-
12 ing “12/31/2023”.

13 (229) SPORTS AND ATHLETIC FOOTWEAR FOR
14 WOMEN.—Heading 9902.14.32 is amended—

15 (A) by amending the article description to
16 read as follows: “Women’s sports footwear; ten-
17 nis shoes, basketball shoes, gym shoes, training
18 shoes and the like, with outer soles of rubber or
19 plastics and uppers of textile materials, such
20 uppers of which over 50 percent of the external
21 surface area (including any leather accessories
22 or reinforcements such as those mentioned in
23 note 4(a) to chapter 64) is leather (provided for
24 in subheading 6404.11.20)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (230) MEN’S BOOTS FOR FISHING WADERS
4 WITH FELT OUTSOLES.—Heading 9902.14.53 is
5 amended—

6 (A) by amending the article description to
7 read as follows: “Footwear for men, with vul-
8 canized uppers of neoprene measuring 7 mm in
9 thickness, covered with a polyester knit fleece
10 on the interior and coated with rubber on the
11 exterior; such footwear measuring (from the
12 base of the inner sole to the top of the upper)
13 20.32 cm or more but not over 25.4 cm in
14 height, with felt outsoles; the foregoing water-
15 proof, valued at \$40/pr or higher and with each
16 boot having a slit in the top of upper collar to
17 allow boot to be affixed to a fishing wader (pro-
18 vided for in subheading 6405.20.90)”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (231) CATALYTIC CONVERTER NEEDED BLAN-
22 KET MATS WITH A THICKNESS OF 10 MM OR MORE
23 AND NOT OVER 3 PERCENT OF BINDER.—Heading
24 9902.14.70 is amended—

1 (A) by amending the article description to
2 read as follows: “Catalytic converter needled
3 blanket mats of ceramic fibers, containing over
4 65 percent by weight of aluminum oxide and
5 not over 3 percent of acrylic latex organic bind-
6 er, of a basis weight greater than or equal to
7 1745 g/m², measuring 10.0 mm or more in
8 thickness; the foregoing presented in bulk,
9 sheets or rolls, designed for use in motor vehi-
10 cles of heading 8703 (provided for in sub-
11 heading 6806.10.00)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (232) CATALYTIC CONVERTER BLANKET MATS
15 WITH A THICKNESS BETWEEN 5 MM AND 9.9 MM
16 AND NOT OVER 3 PERCENT OF BINDER.—Heading
17 9902.14.71 is amended—

18 (A) by amending the article description to
19 read as follows: “Catalytic converter needled
20 blanket mats of ceramic fibers, containing over
21 65 percent by weight of aluminum oxide and
22 not over 3 percent by weight of acrylic latex or-
23 ganic binder, of a basis weight less than 1745
24 g/m², measuring 5 mm or more but not over
25 9.9 mm in thickness; presented in bulk, sheets

1 or rolls, designed for use in motor vehicles of
2 heading 8703 (provided for in subheading
3 6806.10.00)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (233) CATALYTIC CONVERTER NEEDED BLAN-
7 KET MATS WITH A THICKNESS BETWEEN 5 MM AND
8 9.9 MM AND BETWEEN 3 AND 7 PERCENT OF BIND-
9 ER.—Heading 9902.14.72 is amended—

10 (A) by amending the article description to
11 read as follows: “Catalytic converter needed
12 blanket mats of ceramic fibers containing over
13 65 percent by weight of aluminum oxide, con-
14 taining an acrylic latex organic binder of great-
15 er than 3 percent and less than 7 percent by
16 weight, of a basis weight less than 1745 g/m²,
17 measuring at least 5 mm or no more than 9.9
18 mm in thickness, in bulk, sheets or rolls, de-
19 signed for motor vehicles of heading 8703 (pro-
20 vided for in subheading 6806.10.00)”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (234) CATALYTIC CONVERTER NEEDED BLAN-
24 KET MATS WITH A THICKNESS OF 10 MM OR MORE

1 AND BETWEEN 3 AND 7 PERCENT BINDER.—Head-
2 ing 9902.14.73 is amended—

3 (A) by amending the article description to
4 read as follows: “Catalytic converter needed
5 blanket mats of ceramic fibers, containing over
6 65 percent by weight of aluminum oxide and 3
7 percent or more but less than 7 percent by
8 weight of acrylic latex organic binder, meas-
9 uring 10.0 mm or more in thickness, of a basis
10 weight greater than or equal to 1745 g/m²; pre-
11 sented in bulk, sheets or rolls, designed for use
12 in motor vehicles of heading 8703 (provided for
13 in subheading 6806.10.00)”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (235) CERTAIN SILVER WIRE.—Heading
17 9902.14.88 is amended—

18 (A) by amending the article description to
19 read as follows: “Silver wire, containing 90 per-
20 cent or more by weight of silver, but not more
21 than 93 percent by weight of silver, and con-
22 taining 6 percent or more by weight of tin
23 oxide, but not more than 9 percent by weight
24 of tin oxide (provided for in subheading
25 7106.92.50)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (236) METAL GAUZES.—Heading 9902.14.90 is
4 amended—

5 (A) by amending the article description to
6 read as follows: “Gauzes containing platinum,
7 palladium and rhodium (provided for in sub-
8 heading 7115.10.00)”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (237) STRIPS CONSISTING OF SILVER AND COP-
12 PER AND ZINC.—Heading 9902.14.91 is amended—

13 (A) by amending the article description to
14 read as follows: “Clad strips of silver, further
15 worked than semimanufactured, each con-
16 taining 54 percent or more but not over 56 per-
17 cent by weight of silver; having three layers
18 with one layer containing 87 percent or more
19 but not over 89 percent by weight of silver and
20 1.1 percent or more but not over 3 percent of
21 tin, a second layer containing 99.9 percent or
22 more by weight of silver, and a third layer con-
23 taining 14.5 percent or more but not over 15.5
24 percent by weight of silver, 79 percent or more
25 but not over 81 percent of copper and 4.8 per-

1 cent or more but not over 5.2 percent of phos-
2 phorus; measuring 15.65 mm in width and 0.95
3 mm in thickness, presented in coils (provided
4 for in subheading 7115.90.40)”; and

5 (B) by striking “12/31/2020” and insert-
6 ing “12/31/2023”.

7 (238) GERMANIUM UNWROUGHT IN INGOT
8 FORM.—Heading 9902.15.13 is amended—

9 (A) by amending the article description to
10 read as follows: “Ingots of germanium, un-
11 wrought, each weighing 0.5 kg or more but less
12 than 2 kg (provided for in subheading
13 8112.92.60)”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (239) TWEEZERS.—Heading 9902.15.18 is
17 amended—

18 (A) by amending the article description to
19 read as follows: “Tweezers (provided for in sub-
20 heading 8203.20.20)”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (240) NAIL CLIPPERS, NAIL NIPPERS AND NAIL
24 FILES.—Heading 9902.15.33 is amended—

1 (A) by amending the article description to
2 read as follows: “Nail nippers and clippers and
3 nail files, the foregoing other than nail nippers
4 and clippers with one or both blades having
5 rounded edged cut-outs and designed for use in
6 cutting nails of dogs, cats or other small pets
7 (including birds, rabbits, ferrets, hamsters,
8 guinea pigs or gerbils) (provided for in sub-
9 heading 8214.20.30)”; and

10 (B) by striking “12/31/2020” and insert-
11 ing “12/31/2023”.

12 (241) PORTABLE AIR CONDITIONER.—Heading
13 9902.15.63 is amended—

14 (A) by amending the article description to
15 read as follows: “Air conditioning machines,
16 each incorporating a refrigerating unit, mount-
17 ed on wheels or castors, rated at less than 3.52
18 kW per hour (provided for in subheading
19 8415.82.01)”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (242) ELECTRIC CYLINDRICAL COFFEE GRIND-
23 ERS.—Heading 9902.16.25 is amended—

24 (A) by amending the article description to
25 read as follows: “Electromechanical domestic

1 cylindrical coffee grinders, each operated by
2 pushing the plastic cover into the base, the
3 foregoing having a removable stainless steel
4 bowl with a capacity of more than 0.1 liter and
5 not exceeding 0.2 liter (provided for in sub-
6 heading 8509.40.00)”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (243) HANDHELD ELECTRIC CAN OPENERS.—
10 Heading 9902.16.32 is amended—

11 (A) by amending the article description to
12 read as follows: “Hand-held battery-operated
13 automatic can openers, each with self-contained
14 electric motor, such can openers weighing not
15 over 20 kg exclusive of extra interchangeable
16 parts or detachable auxiliary devices (provided
17 for in subheading 8509.80.50)”; and

18 (B) by striking “12/31/2020” and insert-
19 ing “12/31/2023”.

20 (244) FOOD BEATERS DESIGNED TO ATTACH
21 TO HANDHELD MIXERS.—Heading 9902.16.33 is
22 amended—

23 (A) by amending the article description to
24 read as follows: “Stainless steel food beaters,
25 designed for use solely on electromechanical

1 hand-held food mixers suitable for domestic
2 purposes (provided for in subheading
3 8509.90.55)”; and

4 (B) by striking “12/31/2020” and insert-
5 ing “12/31/2023”.

6 (245) LAMP-HOLDER HOUSINGS OF POR-
7 CELAIN.—Heading 9902.16.89 is amended—

8 (A) by amending the article description to
9 read as follows: “Lamp-holder housings of por-
10 celain, containing sockets (provided for in sub-
11 heading 8536.61.00)”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (246) CATHODE-RAY TUBES.—Heading
15 9902.16.94 is amended—

16 (A) by amending the article description to
17 read as follows: “Cathode-ray data/graphic dis-
18 play tubes, color, with a phosphor dot screen
19 pitch smaller than 0.4 mm and with less than
20 90-degree deflection (provided for in subheading
21 8540.40.10)”; and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

24 (247) ZEE CAGES.—Heading 9902.17.11 is
25 amended—

1 (A) by amending the article description to
2 read as follows: ““Z”-shaped water bottle hold-
3 ers (cages) of alloy or composite material, de-
4 signed for use on bicycles (provided for in sub-
5 heading 8714.99.80)”; and

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (248) OPTICAL ATTENUATORS.—Heading
9 9902.17.27 is amended—

10 (A) by amending the article description to
11 read as follows: “Optical attenuators designed
12 to reduce the power level of an optical signal,
13 either in free space or in an optical fiber, such
14 instruments or apparatus specifically designed
15 for telecommunications (provided for in sub-
16 heading 9013.80.90)”; and

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (249) SKI BINDINGS, VALUED NOT MORE THAN
20 \$55 EACH.—Heading 9902.17.55 is amended—

21 (A) by amending the article description to
22 read as follows: “Ski bindings (other than for
23 cross-country skis), valued not over \$55 each
24 (provided for in subheading 9506.12.80)”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (c) MODIFICATION TO DUTY RATES.—

4 (1) ARTICHOKEs, IN VINEGAR.—Heading
5 9902.01.04 is amended—

6 (A) by striking “7.2%” and inserting
7 “Free”; and

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (2) ARTICHOKEs, OTHER THAN IN VINEGAR.—
11 Heading 9902.01.10 is amended—

12 (A) by striking “12.7%” and inserting
13 “12%”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (3) NICOTINE GUM.—Heading 9902.01.13 is
17 amended—

18 (A) by striking “5.8%” and inserting
19 “5.7%”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (4) ISOHEXADECANE.—Heading 9902.01.19 is
23 amended—

24 (A) by striking “Free” and inserting
25 “1%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (5) SODIUM.—Heading 9902.01.20 is amend-
4 ed—

5 (A) by striking “2.5%” and inserting
6 “Free”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (6) SODIUM CONTAINING NOT MORE THAN 200
10 PPM OF CALCIUM.—Heading 9902.01.21 is amend-
11 ed—

12 (A) by striking “0.7%” and inserting
13 “3.6%”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (7) HYDRAZINE 64%.—Heading 9902.01.38 is
17 amended—

18 (A) by striking “Free” and inserting
19 “0.1%”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (8) GERMANIUM DIOXIDE (GeO₂).—Heading
23 9902.01.39 is amended—

24 (A) by striking “Free” and inserting
25 “1%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (9) SODIUM TUNGSTATE DIHYDRATE.—Heading
4 9902.01.67 is amended—

5 (A) by striking “Free” and inserting
6 “2.1%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (10) MONOCHLOROBENZENE.—Heading
10 9902.01.85 is amended—

11 (A) by striking “3.9%” and inserting
12 “3.8%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (11) P-DICHLOROBENZENE.—Heading
16 9902.01.87 is amended—

17 (A) by striking “2.7%” and inserting
18 “4.4%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (12) P-CHLOROBENZOTRIFLUORIDE.—Heading
22 9902.01.88 is amended—

23 (A) by striking “4.3%” and inserting
24 “4.7%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (13) METHANESULFONIC ACID.—Heading
4 9902.02.02 is amended—

5 (A) by striking “0.8%” and inserting
6 “0.7%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (14) LEAF ALCOHOL.—Heading 9902.02.14 is
10 amended—

11 (A) by striking “Free” and inserting
12 “1%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (15) RESORCINOL.—Heading 9902.02.23 is
16 amended—

17 (A) by striking “Free” and inserting
18 “4.7%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (16) OXYFLUORFEN.—Heading 9902.02.35 is
22 amended—

23 (A) by striking “0.8%” and inserting
24 “3.5%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (17) GLYOXAL.—Heading 9902.02.45 is
4 amended—

5 (A) by striking “0.2%” and inserting
6 “Free”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (18) 4-PROPYL BENZALDEHYDE (NPBAL).—
10 Heading 9902.02.46 is amended—

11 (A) by striking “2.8%” and inserting
12 “4.2%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (19) 4-(1,1-DIMETHYLETHYL)-ALPHA-
16 M(LYSMERAL EXTRA).—Heading 9902.02.48 is
17 amended—

18 (A) by striking “Free” and inserting
19 “2.3%”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (20) DIETHYL KETONE.—Heading 9902.02.54
23 is amended—

24 (A) by striking “0.2%” and inserting
25 “1.7%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (21) CYCLOPENTANONE.—Heading 9902.02.59
4 is amended—

5 (A) by striking “1.7%” and inserting
6 “Free”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (22) HYDROXYLMETHYLPENTANONE.—Heading
10 9902.02.63 is amended—

11 (A) by striking “1%” and inserting
12 “2.8%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (23) ETFBO.—Heading 9902.02.71 is amend-
16 ed—

17 (A) by striking “Free” and inserting
18 “1.7%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (24) SORBIC ACID.—Heading 9902.02.83 is
22 amended—

23 (A) by striking “2.6%” and inserting
24 “2.5%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (25) BENZOYL CHLORIDE.—Heading
4 9902.02.87 is amended—

5 (A) by striking “2%” and inserting
6 “2.9%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (26) SEBACIC ACID.—Heading 9902.02.93 is
10 amended—

11 (A) by striking “2%” and inserting
12 “2.9%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (27) DIMETHYL MALONATE OR DMM.—Heading
16 9902.02.94 is amended—

17 (A) by striking “Free” and inserting
18 “1.6%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (28) PYROMELLITIC DIANHYDRIDE.—Heading
22 9902.03.02 is amended—

23 (A) by striking “Free” and inserting
24 “4.3%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (29) O-ACETYLSALICYLIC ACID (ASPIRIN).—
4 Heading 9902.03.07 is amended—

5 (A) by striking “1.9%” and inserting
6 “2.2%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (30) METHYL SAL.—Heading 9902.03.08 is
10 amended—

11 (A) by striking “2.3%” and inserting
12 “3.4%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (31) PHBA.—Heading 9902.03.09 is amend-
16 ed—

17 (A) by striking “2%” and inserting
18 “3.4%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (32) PLASTIC ADDITIVE.—Heading 9902.03.14
22 is amended—

23 (A) by striking “Free” and inserting
24 “3%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (33) MCPA.—Heading 9902.03.23 is amend-
4 ed—

5 (A) by striking “2.5%” and inserting
6 “4.2%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (34) DIMETHYL CARBONATE.—Heading
10 9902.03.46 is amended—

11 (A) by striking “Free” and inserting
12 “1.2%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (35) PERFLUOROCARBONS FOR PERFORMANCE
16 FLUID.—Heading 9902.03.50 is amended—

17 (A) by striking “Free” and inserting
18 “0.7%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (36) 3,5-DIFLUOROANILINE.—Heading
22 9902.03.57 is amended—

23 (A) by striking “Free” and inserting
24 “1.5%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (37) TRIFLURALIN.—Heading 9902.03.65 is
4 amended—

5 (A) by striking “4%” and inserting
6 “1.2%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (38) ETHALFLURALIN.—Heading 9902.03.66 is
10 amended—

11 (A) by striking “Free” and inserting
12 “1.3%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (39) O-TOLUIDINE.—Heading 9902.03.71 is
16 amended—

17 (A) by striking “5.5%” and inserting
18 “5.8%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (40) MPDA.—Heading 9902.03.80 is amend-
22 ed—

23 (A) by striking “Free” and inserting
24 “5.4%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (41) 4-ADPA (4-AMINODIPHENYLAMINE).—
4 Heading 9902.03.82 is amended—

5 (A) by striking “4.6%” and inserting
6 “5.3%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (42) 4,4'-DIAMINOSTILBENE-2,2'-DISULFONIC
10 ACID.—Heading 9902.03.84 is amended—

11 (A) by striking “1.5%” and inserting
12 “4.3%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (43) PRODIAMINE.—Heading 9902.03.87 is
16 amended—

17 (A) by striking “1.6%” and inserting
18 “4.1%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (44) P-CRESIDINE SULFONIC ACID.—Heading
22 9902.03.98 is amended—

23 (A) by striking “Free” and inserting
24 “4%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (45) CHOLINE HYDROXIDE.—Heading
4 9902.04.16 is amended—

5 (A) by striking “Free” and inserting
6 “0.6%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (46) DIURON.—Heading 9902.04.30 is amend-
10 ed—

11 (A) by striking “0.4%” and inserting
12 “3.8%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (47) METOLACHLOR.—Heading 9902.04.35 is
16 amended—

17 (A) by striking “Free” and inserting
18 “5.3%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (48) FLUTOLANIL.—Heading 9902.04.40 is
22 amended—

23 (A) by striking “1.5%” and inserting
24 “1.4%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (49) MEFENOXAM.—Heading 9902.04.42 is
4 amended—

5 (A) by striking “4.2%” and inserting
6 “5.5%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (50) FLUFENACET-ALCOHOL.—Heading
10 9902.04.48 is amended—

11 (A) by striking “3.9%” and inserting
12 “3.7%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (51) 2-(TRIFLUOROMETHYL)BENZAMIDE.—
16 Heading 9902.04.49 is amended—

17 (A) by striking “4.2%” and inserting
18 “Free”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (52) METHYL-4-TRIFLUOROMETHOXYPHENYL-
22 N-(CHL.) CARBAMATE.—Heading 9902.04.52 is
23 amended—

24 (A) by striking “2%” and inserting
25 “2.5%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (53) GUANIDINOACETIC ACID.—Heading
4 9902.04.64 is amended—

5 (A) by striking “Free” and inserting
6 “1.6%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (54) CHLOROTHALONIL.—Heading 9902.04.65
10 is amended—

11 (A) by striking “5%” and inserting
12 “5.6%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (55) BROMOXYNIL OCTANOATE.—Heading
16 9902.04.67 is amended—

17 (A) by striking “Free” and inserting
18 “3.4%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (56) BIFENAZATE TECHNICAL.—Heading
22 9902.04.85 is amended—

23 (A) by striking “Free” and inserting
24 “3.7%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (57) MESOTRIONE.—Heading 9902.05.03 is
4 amended—

5 (A) by striking “6.2%” and inserting
6 “6.1%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (58) 2-(METHYLTHIO)-4-
10 (TRIFLUOROMETHYL)BENZOIC ACID.—Heading
11 9902.05.08 is amended—

12 (A) by striking “Free” and inserting
13 “5.4%”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (59) ACEPHATE.—Heading 9902.05.16 is
17 amended—

18 (A) by striking “3.2%” and inserting
19 “Free”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (60) METHOMYL.—Heading 9902.05.18 is
23 amended—

24 (A) by striking “5%” and inserting
25 “Free”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (61) ALLYL ISOTHIOCYANATE.—Heading
4 9902.05.26 is amended—

5 (A) by striking “Free” and inserting
6 “1.0”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (62) PMIDA.—Heading 9902.05.29 is amend-
10 ed—

11 (A) by striking “2.5%” and inserting
12 “2.9%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (63) TRIPHENYLTIN HYDROXIDE.—Heading
16 9902.05.32 is amended—

17 (A) by striking “Free” and inserting
18 “3.2%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (64) PBA SOLID (PHENYL BORONIC ACID).—
22 Heading 9902.05.34 is amended—

23 (A) by striking “4.6%” and inserting
24 “1.9%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (65) SEDAXANE.—Heading 9902.05.68 is
4 amended—

5 (A) by striking “Free” and inserting
6 “6.2%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (66) TECHNICAL FLUAZINAM FUNGICIDE.—
10 Heading 9902.05.83 is amended—

11 (A) by striking “Free” and inserting
12 “3.5%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (67) IMAZETHAPYR.—Heading 9902.05.86 is
16 amended—

17 (A) by striking “2.2%” and inserting
18 “4.3%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (68) FLURIDONE.—Heading 9902.05.87 is
22 amended—

23 (A) by striking “Free” and inserting
24 “0.1%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (69) BICYCLOPYRONE.—Heading 9902.05.88 is
4 amended—

5 (A) by striking “4%” and inserting
6 “2.5%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (70) CLOPYRALID TECHNICAL.—Heading
10 9902.05.89 is amended—

11 (A) by striking “1.4%” and inserting
12 “3.2%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (71) AMINOPYRALID TECHNICAL.—Heading
16 9902.05.92 is amended—

17 (A) by striking “4.1%” and inserting
18 “3.5%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (72) FLUROXYPYR TECHNICAL.—Heading
22 9902.05.94 is amended—

23 (A) by striking “1.6%” and inserting
24 “4.6%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (73) 2,3-DICHLORO-5-
4 (TRIFLUOROMETHYL)PYRIDINE.—Heading
5 9902.06.07 is amended—

6 (A) by striking “2.5%” and inserting
7 “5.3%”; and

8 (B) by striking “12/31/2020” and insert-
9 ing “12/31/2023”.

10 (74) 2,3-PYRIDINEDICARBOXYLIC ACID.—Head-
11 ing 9902.06.13 is amended—

12 (A) by striking “Free” and inserting
13 “2.9%”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (75) FOOD AND FEED PRESERVATIVE.—Head-
17 ing 9902.06.22 is amended—

18 (A) by striking “1.2%” and inserting
19 “2.1%”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (76) CLOQUINTOCET-MEXYL.—Heading
23 9902.06.24 is amended—

24 (A) by striking “4.2%” and inserting
25 “Free”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (77) CYPRODINIL TECHNICAL.—Heading
4 9902.06.31 is amended—

5 (A) by striking “Free” and inserting
6 “3.2%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (78) AMINOCYCLOPYRACHLOR.—Heading
10 9902.06.37 is amended—

11 (A) by striking “Free” and inserting
12 “3.8%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (79) DMDS.—Heading 9902.06.45 is amend-
16 ed—

17 (A) by striking “1%” and inserting
18 “Free”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (80) METRIBUZIN.—Heading 9902.06.51 is
22 amended—

23 (A) by striking “1.9%” and inserting
24 “3.2%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (81) ATRAZINE.—Heading 9902.06.54 is
4 amended—

5 (A) by striking “Free” and inserting
6 “2.7%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (82) 1,2,4-TRIAZOLE.—Heading 9902.06.97 is
10 amended—

11 (A) by striking “2.8%” and inserting
12 “5.1%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (83) OXADIAZON.—Heading 9902.07.13 is
16 amended—

17 (A) by striking “1.3%” and inserting
18 “3.7%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (84) FLUDIOXONIL TECHNICAL.—Heading
22 9902.07.15 is amended—

23 (A) by striking “5%” and inserting
24 “4.7%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (85) THIDIAZURON.—Heading 9902.07.24 is
4 amended—

5 (A) by striking “Free” and inserting
6 “4.8%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (86) FLUPYRADIFURONE.—Heading
10 9902.07.32 is amended—

11 (A) by striking “Free” and inserting
12 “0.1%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (87) PENTHIOPYRAD.—Heading 9902.07.47 is
16 amended—

17 (A) by striking “Free” and inserting
18 “4.1%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (88) CYPROSULFAMIDE.—Heading 9902.07.56
22 is amended—

23 (A) by striking “5%” and inserting
24 “1.6%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (89) SULFENTRAZONE.—Heading 9902.07.60
4 is amended—

5 (A) by striking “5.4%” and inserting
6 “6%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (90) COLD PRESSED ORANGE OIL.—Heading
10 9902.08.99 is amended—

11 (A) by striking “Free” and inserting
12 “1%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (91) INSTANT PRINT FILM.—Heading
16 9902.09.16 is amended—

17 (A) by striking “3.1%” and inserting
18 “3.2%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (92) FLUPYRADIFURONE FORMULATIONS.—
22 Heading 9902.09.20 is amended—

23 (A) by striking “4.2%” and inserting
24 “Free”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (93) SPIROMESIFEN FORMULATIONS.—Heading
4 9902.09.23 is amended—

5 (A) by striking “1.0%” and inserting
6 “Free”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (94) FLONICAMID.—Heading 9902.09.29 is
10 amended—

11 (A) by striking “Free” and inserting
12 “4.9%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (95) ABAMECTIN.—Heading 9902.09.34 is
16 amended—

17 (A) by striking “Free” and inserting
18 “2.3%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (96) ACEPHATE FORMULATIONS.—Heading
22 9902.09.35 is amended—

23 (A) by striking “1.8%” and inserting
24 “3.1%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (97) QUINOXYFEN FUNGICIDE.—Heading
4 9902.09.66 is amended—

5 (A) by striking “1.6%” and inserting
6 “1.8%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (98) COPPER HYDROXIDE AND COPPER
10 OXYCHLORIDE.—Heading 9902.09.76 is amended—

11 (A) by striking “Free” and inserting
12 “0.4%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (99) 1,1'-DIMETHYL-4,4'-BIPYRIDINIUM DICHLO-
16 RIDE.—Heading 9902.09.94 is amended—

17 (A) by striking “4.6%” and inserting
18 “5.8%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (100) FORMULATED PYRITHIOBAC-SODIUM.—
22 Heading 9902.10.07 is amended—

23 (A) by striking “1.0%” and inserting
24 “Free”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (101) HERBICIDE MIXTURE.—Heading
4 9902.10.15 is amended—

5 (A) by striking “Free” and inserting
6 “1.7%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (102) PLASTICIZER.—Heading 9902.10.30 is
10 amended—

11 (A) by striking “3.2%” and inserting
12 “3.9%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (103) PALM FATTY ACID DISTILLATE
16 (“PFAD”).—Heading 9902.10.44 is amended—

17 (A) by striking “1.4%” and inserting
18 “0.9%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (104) IMINODISUCCINATE.—Heading
22 9902.10.55 is amended—

23 (A) by striking “Free” and inserting
24 “1%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (105) VINYLACETATE-VINYLCHLORIDE COPOLY-
4 MER.—Heading 9902.10.75 is amended—

5 (A) by striking “Free” and inserting
6 “0.9%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (106) COMPOUNDS USED IN LUBRICANTS.—
10 Heading 9902.10.88 is amended—

11 (A) by striking “2.4%” and inserting
12 “2.1%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (107) POLYVINYL ACETATE FOR FOOD USE.—
16 Heading 9902.10.98 is amended—

17 (A) by striking “Free” and inserting
18 “1.2%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (108) MIXTURES FOR USE IN PAPER COAT-
22 INGS.—Heading 9902.11.14 is amended—

23 (A) by striking “0.3%” and inserting
24 “Free”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (109) HINDERED AMINE LIGHT STABILIZER.—
4 Heading 9902.11.21 is amended—

5 (A) by striking “Free” and inserting
6 “0.3%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (110) HYDROGENATED POLYMERS OF
10 NORBORNENE DERIVATIVES.—Heading 9902.11.43
11 is amended—

12 (A) by striking “Free” and inserting
13 “1.5%”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (111) MODIFIED ETHYLENE-NORBORNENE CO-
17 POLYMER.—Heading 9902.11.54 is amended—

18 (A) by striking “Free” and inserting
19 “0.6%”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (112) INDUSTRIAL NITROCELLULOSE (DAMPED
23 ALCOHOL CONTENT OF 28–32%).—Heading
24 9902.11.57 is amended—

1 (A) by striking “Free” and inserting
2 “2%”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (113) SODIUM ALGINATE.—Heading
6 9902.11.59 is amended—

7 (A) by striking “Free” and inserting
8 “2.3%”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (114) ACRYLIC FILMS.—Heading 9902.11.85 is
12 amended—

13 (A) by striking “Free” and inserting
14 “0.6%”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (115) PLASTIC ORNAMENTATION FOR AQUAR-
18 IUMS.—Heading 9902.11.99 is amended—

19 (A) by striking “0.5%” and inserting
20 “Free”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (116) QUICK CLAMPS.—Heading 9902.12.08 is
24 amended—

1 (A) by striking “0.2%” and inserting
2 “1.5%”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (117) HIGH-QUALITY BULL HIDES.—Heading
6 9902.12.34 is amended—

7 (A) by striking “Free” and inserting
8 “0.2%”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (118) BATTING GLOVES OF LEATHER.—Head-
12 ing 9902.12.58 is amended—

13 (A) by striking “Free” and inserting
14 “0.1%”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (119) LEATHER GLOVES WITH
18 FOURCHETTES.—Heading 9902.12.61 is amended—

19 (A) by striking “9.2%” and inserting
20 “7.6%”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (120) LEATHER GLOVES WITHOUT
24 FOURCHETTES.—Heading 9902.12.62 is amended—

1 (A) by striking “13.4%” and inserting
2 “13.1%”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (121) ACRYLIC STAPLE FIBERS WITH A FIBER
6 LENGTH BETWEEN 40 AND 47.5 MM AND A SOLAR
7 REFLECTANCE INDEX GREATER THAN 30.—Heading
8 9902.13.15 is amended—

9 (A) by striking “Free” and inserting
10 “0.5%”; and

11 (B) by striking “12/31/2020” and insert-
12 ing “12/31/2023”.

13 (122) RAYON STAPLE FIBERS FOR USE IN
14 GOODS OF HEADING 9619.—Heading 9902.13.28 is
15 amended—

16 (A) by striking “1.7%” and inserting
17 “2.6%”; and

18 (B) by striking “12/31/2020” and insert-
19 ing “12/31/2023”.

20 (123) MECHANICS’ WORK GLOVES WITH
21 FOURCHETTES.—Heading 9902.13.71 is amended—

22 (A) by striking “9.8%” and inserting
23 “7%”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (124) SLEEPING BAG SHELLS.—Heading
2 9902.13.80 is amended—

3 (A) by striking “Free” and inserting
4 “0.2%”; and

5 (B) by striking “12/31/2020” and insert-
6 ing “12/31/2023”.

7 (125) WORK FOOTWEAR FOR WOMEN.—Head-
8 ing 9902.14.07 is amended—

9 (A) by striking “2.5%” and inserting
10 “Free”; and

11 (B) by striking “12/31/2020” and insert-
12 ing “12/31/2023”.

13 (126) WORK FOOTWEAR FOR MEN.—Heading
14 9902.14.08 is amended—

15 (A) by striking “3.6%” and inserting
16 “1.3%”; and

17 (B) by striking “12/31/2020” and insert-
18 ing “12/31/2023”.

19 (127) MEN’S AND BOYS’ HOUSE SLIPPERS WITH
20 LEATHER UPPERS.—Heading 9902.14.22 is amend-
21 ed—

22 (A) by striking “5.7%” and inserting
23 “5%”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (128) WOMEN’S HOUSE SLIPPERS WITH LEATH-
2 ER UPPERS.—Heading 9902.14.28 is amended—

3 (A) by striking “7.9 %” and inserting
4 “4.4%”; and

5 (B) by striking “12/31/2020” and insert-
6 ing “12/31/2023”.

7 (129) WOMEN’S FOOTWEAR WITH TEXTILE UP-
8 PERS, OPEN TOES OR HEELS, VALUED \$10–\$14.99
9 PER PAIR.—Heading 9902.14.43 is amended—

10 (A) by striking “Free” and inserting
11 “12.2%”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (130) MEN’S FOOTWEAR, COVERING THE
15 ANKLE BUT NOT THE KNEE, VALUED OVER \$24 PER
16 PAIR.—Heading 9902.14.49 is amended—

17 (A) by striking “8.1%” and inserting
18 “Free”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (131) OPAQUE GLASS-CERAMIC COOKWARE.—
22 Heading 9902.14.80 is amended—

23 (A) by striking “7.1%” and inserting
24 “Free”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (132) LIQUID-FILLED GLASS BULBS.—Heading
4 9902.14.87 is amended—

5 (A) by striking “1.8%” and inserting
6 “1%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (133) SCREW ANCHORS.—Heading 9902.14.94
10 is amended—

11 (A) by striking “Free” and inserting
12 “3.5%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (134) STAINLESS STEEL HANDLES FOR
16 COOKWARE.—Heading 9902.14.96 is amended—

17 (A) by striking “1.5%” and inserting
18 “Free”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (135) LARGE METAL WIRE CRATES FOR
22 DOGS.—Heading 9902.14.99 is amended—

23 (A) by striking “1.4%” and inserting
24 “2%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (136) METAL WIRE CAGES FOR PETS OTHER
4 THAN DOGS.—Heading 9902.15.01 is amended—

5 (A) by striking “Free” and inserting
6 “1.7%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (137) USED COMPRESSION-IGNITION INTERNAL
10 COMBUSTION ENGINES.—Heading 9902.15.41 is
11 amended—

12 (A) by striking “1.5%” and inserting
13 “1.7%”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (138) CONNECTING RODS.—Heading
17 9902.15.44 is amended—

18 (A) by striking “0.4%” and inserting
19 “Free”; and

20 (B) by striking “12/31/2020” and insert-
21 ing “12/31/2023”.

22 (139) USED FUEL PUMPS.—Heading
23 9902.15.50 is amended—

24 (A) by striking “0.6%” and inserting
25 “1.2%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (140) EXHAUST FANS FOR PERMANENT IN-
4 STALLATION.—Heading 9902.15.54 is amended—

5 (A) by striking “4.1%” and inserting
6 “2%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (141) SELF-CONTAINED PORTABLE AIR CONDI-
10 TIONER.—Heading 9902.15.64 is amended—

11 (A) by striking “1.8%” and inserting
12 “Free”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (142) TABLE SAWS.—Heading 9902.15.74 is
16 amended—

17 (A) by striking “1.2%” and inserting
18 “1.7%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (143) VEHICLE STABILITY CONTROL ACTUATOR
22 ASSEMBLIES.—Heading 9902.15.85 is amended—

23 (A) by striking “2.3%” and inserting
24 “1.5%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (144) VALVE-TYPE FUEL INJECTORS.—Heading
4 9902.15.91 is amended—

5 (A) by striking “0.5%” and inserting
6 “1.1%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (145) NEW CRANKSHAFTS.—Heading
10 9902.15.96 is amended—

11 (A) by striking “0.6%” and inserting
12 “Free”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (146) POWER BACK DOOR ACTUATOR ASSEM-
16 BLIES.—Heading 9902.16.06 is amended—

17 (A) by striking “1.7%” and inserting
18 “Free”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (147) DIRECT CURRENT PUMP MOTORS.—
22 Heading 9902.16.07 is amended—

23 (A) by striking “2.8%” and inserting
24 “Free”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (148) MOTORS FOR LOW WATTAGE FANS.—
4 Heading 9902.16.10 is amended—

5 (A) by striking “0.3%” and inserting
6 “1.6%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (149) USED STARTERS.—Heading 9902.16.38
10 is amended—

11 (A) by striking “0.4%” and inserting
12 “Free”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (150) USED ALTERNATORS.—Heading
16 9902.16.40 is amended—

17 (A) by striking “1.6%” and inserting
18 “Free”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (151) ELECTRIC STEAM IRONS.—Heading
22 9902.16.46 is amended—

23 (A) by striking “1.0%” and inserting
24 “Free”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (152) MICROWAVE HOODS WITH A PLASTIC
4 HANDLE.—Heading 9902.16.47 is amended—

5 (A) by striking “0.5%” and inserting
6 “0.7%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (153) MICROWAVE HOODS WITH A METAL HAN-
10 DLE.—Heading 9902.16.48 is amended—

11 (A) by striking “1.2%” and inserting
12 “1.4%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (154) CARAFE-LESS COFFEE MAKERS.—Head-
16 ing 9902.16.65 is amended—

17 (A) by striking “0.4%” and inserting
18 “Free”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (155) TOASTER OVENS WITH A POP-UP TOAST-
22 ER FEATURE.—Heading 9902.16.67 is amended—

23 (A) by striking “Free” and inserting
24 “1.4%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (156) ELECTRIC PRESSURE COOKERS RATED
4 MORE THAN 800W BUT NOT MORE THAN 1000W,
5 WITH A CAPACITY OF LESS THAN 5 LITERS.—Head-
6 ing 9902.16.79 is amended—

7 (A) by striking “0.4%” and inserting
8 “Free”; and

9 (B) by striking “12/31/2020” and insert-
10 ing “12/31/2023”.

11 (157) FLAT PANEL LCD TELEVISIONS FOR EX-
12 ERCISE EQUIPMENT.—Heading 9902.16.85 is
13 amended—

14 (A) by striking “3.6%” and inserting
15 “3%”; and

16 (B) by striking “12/31/2020” and insert-
17 ing “12/31/2023”.

18 (158) MOTOR VEHICLE CHASSIS WITH CAB AND
19 ONLY AN ELECTRIC MOTOR FOR PROPULSION FOR
20 THE TRANSPORT OF GOODS.—Heading 9902.16.97
21 is amended—

22 (A) by striking “23.9%” and inserting
23 “20.9%”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (159) USED GEAR BOXES FOR CERTAIN VEHI-
2 CLES FOR THE TRANSPORTATION OF GOODS.—
3 Heading 9902.17.01 is amended—

4 (A) by striking “Free” and inserting
5 “0.9%”; and

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (160) NEW GEAR BOXES.—Heading 9902.17.02
9 is amended—

10 (A) by striking “2.1%” and inserting
11 “1.2%”; and

12 (B) by striking “12/31/2020” and insert-
13 ing “12/31/2023”.

14 (161) BICYCLE DISC BRAKES.—Heading
15 9902.17.10 is amended—

16 (A) by striking “6.7%” and inserting
17 “8.8%”; and

18 (B) by striking “12/31/2020” and insert-
19 ing “12/31/2023”.

20 (162) BABY STROLLERS.—Heading 9902.17.13
21 is amended—

22 (A) by striking “Free” and inserting
23 “2.8%”; and

24 (B) by striking “12/31/2020” and insert-
25 ing “12/31/2023”.

1 (163) LCD TELEVISION PANEL ASSEMBLIES,
2 WITH A VIDEO DISPLAY MEASURING OVER 101.6 CM
3 BUT NOT OVER 124.46 CM.—Heading 9902.17.24 is
4 amended—

5 (A) by striking “Free” and inserting
6 “2.8%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (164) LCD TELEVISION PANEL ASSEMBLIES,
10 WITH A VIDEO DISPLAY MEASURING OVER 124.46 CM
11 BUT NOT OVER 137.16 CM.—Heading 9902.17.25 is
12 amended—

13 (A) by striking “Free” and inserting
14 “0.3%”; and

15 (B) by striking “12/31/2020” and insert-
16 ing “12/31/2023”.

17 (165) LIGHT EMITTING DIODE (LED) LAMPS,
18 MOUNTING OPTIONS, BASES, CLAMPS, MOUNTS.—
19 Heading 9902.17.48 is amended—

20 (A) by striking “3.0%” and inserting
21 “Free”; and

22 (B) by striking “12/31/2020” and insert-
23 ing “12/31/2023”.

1 (166) GOLF CLUB DRIVER HEADS WITH A LOFT
2 OVER 9.5 DEGREES.—Heading 9902.17.57 is amend-
3 ed—

4 (A) by striking “Free” and inserting
5 “3.5%”; and

6 (B) by striking “12/31/2020” and insert-
7 ing “12/31/2023”.

8 (167) GOLF CLUB DRIVER HEADS WITH A LOFT
9 UNDER 9.5 DEGREES.—Heading 9902.17.58 is
10 amended—

11 (A) by striking “Free” and inserting
12 “1.6%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (168) GOLF CLUB HYBRID HEADS.—Heading
16 9902.17.60 is amended—

17 (A) by striking “Free” and inserting
18 “1.2%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (169) GOLF CLUB WEDGE HEADS WITH A LOFT
22 OF 56 DEGREES OR LESS.—Heading 9902.17.61 is
23 amended—

24 (A) by striking “Free” and inserting
25 “1.9%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (170) GOLF CLUB IRON HEADS OF 8-IRONS AND
4 9-IRONS.—Heading 9902.17.63 is amended—

5 (A) by striking “Free” and inserting
6 “1.4%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (171) TENNIS RACKET FRAMES, UNSTRUNG.—
10 Heading 9902.17.71 is amended—

11 (A) by striking “0.4%” and inserting
12 “1.2%”; and

13 (B) by striking “12/31/2020” and insert-
14 ing “12/31/2023”.

15 (172) VOLLEYBALLS.—Heading 9902.17.74 is
16 amended—

17 (A) by striking “Free” and inserting
18 “2.1%”; and

19 (B) by striking “12/31/2020” and insert-
20 ing “12/31/2023”.

21 (173) BASKETBALLS OTHER THAN LEATHER OR
22 RUBBER.—Heading 9902.17.75 is amended—

23 (A) by striking “3.1%” and inserting
24 “3.2%”; and

1 (B) by striking “12/31/2020” and insert-
2 ing “12/31/2023”.

3 (174) RUBBER BASKETBALLS.—Heading
4 9902.17.77 is amended—

5 (A) by striking “2.5%” and inserting
6 “1.6%”; and

7 (B) by striking “12/31/2020” and insert-
8 ing “12/31/2023”.

9 (175) FISHING RODS, ONE-PIECE, OF BOTH FI-
10 BERGLASS AND CARBON FIBER.—Heading
11 9902.17.93 is amended—

12 (A) by striking “Free” and inserting
13 “4.3%”; and

14 (B) by striking “12/31/2020” and insert-
15 ing “12/31/2023”.

16 (176) HAIR-SLIDES WITHOUT IMITATION
17 PEARLS OR STONES.—Heading 9902.17.96 is
18 amended—

19 (A) by striking “Free” and inserting
20 “8.6%”; and

21 (B) by striking “12/31/2020” and insert-
22 ing “12/31/2023”.

23 (177) EYELASH CURLERS.—Heading
24 9902.17.97 is amended—

1 (A) by striking “Free” and inserting
2 “0.7%”; and

3 (B) by striking “12/31/2020” and insert-
4 ing “12/31/2023”.

5 (d) MODIFICATIONS TO ARTICLE DESCRIPTIONS AND
6 RATES OF DUTY.—

7 (1) MINCED PIMIENTO STUFFED GREEN OL-
8 IVES.—Heading 9902.01.07 is amended—

9 (A) by amending the article description to
10 read as follows: “Olives, green in color, stuffed
11 with minced pimiento, the foregoing in brine
12 and presented in glass containers, other than
13 place packed (provided for in subheading
14 2005.70.25)”;

15 (B) by striking “Free” and inserting
16 “1.9%”; and

17 (C) by striking “12/31/2020” and inserting
18 “12/31/2023”.

19 (2) VINYL NEODECANOATE.—Heading
20 9902.02.78 is amended—

21 (A) by amending the article description to
22 read as follows: “Vinyl neodecanoate (vinyl 7,7-
23 dimethyloctanoate) (CAS No. 51000–52–3)
24 (provided for in subheading 2915.90.18)”;

1 (B) by striking “Free” and inserting
2 “1.1%”; and

3 (C) by striking “12/31/2020” and inserting
4 “12/31/2023”.

5 (3) BIFENTHRIN.—Heading 9902.02.86 is
6 amended—

7 (A) by amending the article description to
8 read as follows: “2-Methylbiphenyl-3-ylmethyl
9 (1RS,3RS)-3-[(Z)-2-chloro-3,3,3-trifluoroprop-
10 1-enyl]-2,2-dimethylcyclopropanecarboxylate
11 (Bifenthrin) (CAS No. 82657–04–3) (provided
12 for in subheading 2916.20.50)”;

13 (B) by striking “2.4%” and inserting
14 “3.3%”; and

15 (C) by striking “12/31/2020” and inserting
16 “12/31/2023”.

17 (4) TRINEXAPAC-ETHYL.—Heading 9902.03.31
18 is amended—

19 (A) by amending the article description to
20 read as follows: “Ethyl (RS)-4-
21 cyclopropyl(hydroxy)methylene-3,5-
22 dioxocyclohexanecarboxylate (Trinexapac-ethyl)
23 (CAS No. 95266–40–3) (provided for in sub-
24 heading 2918.99.50)”;

1 (B) by striking “Free” and inserting
2 “2.5%”; and

3 (C) by striking “12/31/2020” and inserting
4 “12/31/2023”.

5 (5) 3,3' DICHLOROBENZIDINE
6 DIHYDROCHLORIDE.—Heading 9902.03.88 is
7 amended—

8 (A) by amending the article description to
9 read as follows: “3,3'-Dichlorobenzidine
10 dihydrochloride (3,3'-Dichloro-4,4'-
11 biphenyldiamine dihydrochloride) (CAS No.
12 612–83–9) (provided for in subheading
13 2921.59.80)”;

14 (B) by striking “Free” and inserting
15 “0.8%”; and

16 (C) by striking “12/31/2020” and inserting
17 “12/31/2023”.

18 (6) 4-(4-AMINOPHENOXY)ANILINE.—Heading
19 9902.04.01 is amended—

20 (A) by amending the article description to
21 read as follows: “4-(4-Aminophenoxy)aniline
22 (CAS No. 101–80–4) (provided for in sub-
23 heading 2922.29.81)”;

24 (B) by striking “1.3%” and inserting
25 “3.3%”; and

1 (C) by striking “12/31/2020” and inserting
2 “12/31/2023”.

3 (7) S-METOLACHLOR.—Heading 9902.04.43 is
4 amended—

5 (A) by amending the article description to
6 read as follows: “2-Chloro-N-(2-ethyl-6-
7 methylphenyl)-N-[(1S)-2-methoxy-1-
8 methylethyl]acetamide ((S)-Metolachlor) (CAS
9 No. 87392–12–9) (provided for in subheading
10 2924.29.47)”;

11 (B) by striking “6.0%” and inserting
12 “6.3%”; and

13 (C) by striking “12/31/2020” and inserting
14 “12/31/2023”.

15 (8) COMPOUND USED IN POLYMER PRODUC-
16 TION.—Heading 9902.04.58 is amended—

17 (A) by amending the article description to
18 read as follows: “1,1’-[1,3-
19 Phenylenebis(methylene)]bis(3-methyl-1H-pyr-
20 role-2,5-dione) (CAS No. 119462–56–5) (pro-
21 vided for in subheading 2925.19.42)”;

22 (B) by striking “Free” and inserting
23 “2.7%”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (9) 2-METHOXYETHYL(RS)-2-(4-TERT-
2 (CYFLUMETOFEN).—Heading 9902.04.66 is amend-
3 ed—

4 (A) by amending the article description to
5 read as follows: “2-Methoxyethyl 2-cyano-2-[4-
6 (2-methyl-2-propanyl)phenoxy]-3-oxo-3-[2-
7 (trifluoromethyl)phenyl]propanoate
8 (Cyflumetafen) (CAS No. 400882–07–7) (pro-
9 vided for in subheading 2926.90.25)”;

10 (B) by striking “Free” and inserting
11 “1.5%”; and

12 (C) by striking “12/31/2020” and inserting
13 “12/31/2023”.

14 (10) β -CYFLUTHRIN.—Heading 9902.04.70 is
15 amended—

16 (A) by amending the article description to
17 read as follows: “Cyano-(4-fluoro-3-
18 phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)-
19 2,2-dimethylcyclopropane-1-carboxylate (β -
20 Cyfluthrin) (CAS No. 68359–37–5) (provided
21 for in subheading 2926.90.30)”;

22 (B) by striking “3.4%” and inserting
23 “Free”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (11) DELTAMETHRIN.—Heading 9902.04.71 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “[*(S)*-Cyano-(3-
5 phenoxyphenyl)methyl] (1*R*,3*R*)-3-(2,2-
6 dibromoethenyl)-2,2-dimethylcyclopropane-1-
7 carboxylate (Deltamethrin) (CAS No. 52918-
8 63-5) (provided for in subheading
9 2926.90.30)”;

10 (B) by striking “1.8%” and inserting
11 “4.3%”; and

12 (C) by striking “12/31/2020” and inserting
13 “12/31/2023”.

14 (12) METHOXYFENOZIDE TECHNICAL INSECTI-
15 CIDE.—Heading 9902.04.84 is amended—

16 (A) by amending the article description to
17 read as follows: “*N*-(3,5-Dimethylbenzoyl)-3-
18 methoxy-2-methyl-*N*-(2-methyl-2-
19 propanyl)benzohydrazide (Methoxyfenozide)
20 (CAS No. 161050-58-4) (provided for in sub-
21 heading 2928.00.25)”;

22 (B) by striking “3.2%” and inserting
23 “5.4%”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (13) N-BUTYLTHIOPHOSPHORIC TRIAMIDE
2 (NBPT).—Heading 9902.04.98 is amended—

3 (A) by amending the article description to
4 read as follows: “N-Butylthiophosphoric
5 triamide (CAS No. 94317–64–3) (provided for
6 in subheading 2929.90.50)”;

7 (B) by striking “Free” and inserting
8 “5.1%”; and

9 (C) by striking “12/31/2020” and inserting
10 “12/31/2023”.

11 (14) CLETHODIM.—Heading 9902.05.05 is
12 amended—

13 (A) by amending the article description to
14 read as follows: “2-[1-({[(2E)-3-Chloro-2-
15 propen-1-yl]oxy}amino)propyl]-5-[2-
16 (ethylsulfanyl)propyl]-1,3-cyclohex- anedione
17 (Clethodim) (CAS No. 99129–21–2) (provided
18 for in subheading 2930.90.10)”;

19 (B) by striking “Free” and inserting
20 “3.9%”; and

21 (C) by striking “12/31/2020” and inserting
22 “12/31/2023”.

23 (15) AE 747 ETHER.—Heading 9902.05.07 is
24 amended—

1 (A) by amending the article description to
2 read as follows: “2-Chloro-4-(methylsulfonyl)-3-
3 ((2,2,2-trifluoroethoxy)methyl) benzoic acid
4 (CAS No. 120100–77–8) (provided for in sub-
5 heading 2930.90.29)”;

6 (B) by striking “5.7%” and inserting
7 “6%”; and

8 (C) by striking “12/31/2020” and inserting
9 “12/31/2023”.

10 (16) THIODICARB.—Heading 9902.05.15 is
11 amended—

12 (A) by amending the article description to
13 read as follows: “Methyl (1E)-N-[methyl-[meth-
14 yl-[(E)-1-methyl- sulfanylethylideneamino]
15 oxycarbonylamino] sulfanyl- car-
16 bamoyl]oxyethanimidothioate (Thiodicarb)
17 (CAS No. 59669–26–0) (provided for in sub-
18 heading 2930.90.43)”;

19 (B) by striking “Free” and inserting
20 “3.6%”; and

21 (C) by striking “12/31/2020” and inserting
22 “12/31/2023”.

23 (17) GLUFOSINATE-AMMONIUM.—Heading
24 9902.05.37 is amended—

1 (A) by amending the article description to
2 read as follows: “2-amino-4-[hy-
3 droxy(methyl)phosphoryl]butanoic acid;azane
4 (Glufosinate Ammonium) (CAS No. 77182–82–
5 2) (provided for in subheading 2931.39.00)”;

6 (B) by striking “1.5%” and inserting
7 “3.5%”; and

8 (C) by striking “12/31/2020” and inserting
9 “12/31/2023”.

10 (18) PYRAFLUFEN-ETHYL.—Heading
11 9902.05.63 is amended—

12 (A) by amending the article description to
13 read as follows: “Ethyl 2-chloro-5-(4-chloro-5-
14 difluoromethoxy-1-methyl-1H-pyra- zol-3-yl)-4-
15 fluorophenoxyacetate (Pyraflufen-ethyl) (CAS.
16 No 129630–19–9) (provided for in subheading
17 2933.19.23)”;

18 (B) by striking “Free” and inserting
19 “2.2%”; and

20 (C) by striking “12/31/2020” and inserting
21 “12/31/2023”.

22 (19) FIPRONIL.—Heading 9902.05.66 is
23 amended—

24 (A) by amending the article description to
25 read as follows: “(RS)-5-Amino-1-[2,6-dichloro-

1 4-(trifluoromethyl)phenyl]-4-
2 (trifluoromethylsulfanyl)-1H-pyrazole-3-
3 carbonitrile (Fipronil) (CAS No. 120068–37–3)
4 (provided for in subheading 2933.19.23)”;

5 (B) by striking “4.4%” and inserting
6 “5.4%”; and

7 (C) by striking “12/31/2020” and inserting
8 “12/31/2023”.

9 (20) SOLATENOL.—Heading 9902.05.69 is
10 amended—

11 (A) by amending the article description to
12 read as follows: “N-[9-(Dichloromethylidene)-
13 1,2,3,4-tetrahydro-1,4-methano- naphthalen-5-
14 yl]-3-(difluoromethyl)-1-methyl-1H-pyrazole-4-
15 carboxamide (Benzovindiflupyr) (CAS No.
16 1072957–71–1) (provided for in subheading
17 2933.19.23)”;

18 (B) by striking “4.0%” and inserting
19 “4.3%”; and

20 (C) by striking “12/31/2020” and inserting
21 “12/31/2023”.

22 (21) TECHNICAL TOLPYRALATE HERBICIDE.—
23 Heading 9902.05.71 is amended—

24 (A) by amending the article description to
25 read as follows: “1-[[1-Ethyl-4-[3-(2-

1 methoxyethoxy)-2-methyl-4-
2 (methylsulfonyl)benzoyl]-1H-pyrazol-5-
3 yl]oxy]ethyl methyl carbonate (Tolpyralate)
4 (CAS No. 1101132–67–5) (provided for in sub-
5 heading 2933.19.23”);

6 (B) by striking “Free” and inserting
7 “3.7%”; and

8 (C) by striking “12/31/2020” and inserting
9 “12/31/2023”.

10 (22) IPRIDIONE.—Heading 9902.05.73 is
11 amended—

12 (A) by amending the article description to
13 read as follows: “3-(3,5-Dichlorophenyl)-N-iso-
14 propyl-2,4-dioxoimidazoli- dine-1-carboxamide
15 (Iprodione) (CAS No. 36734–19–7) (provided
16 for in subheading 2933.21.00)”;

17 (B) by striking “2.0%” and inserting
18 “1.4%”; and

19 (C) by striking “12/31/2020” and inserting
20 “12/31/2023”.

21 (23) FLUOPICOLIDE.—Heading 9902.05.79 is
22 amended—

23 (A) by amending the article description to
24 read as follows: “2,6-Dichloro-N-[3-chloro-5-
25 (trifluoromethyl)-2- pyridylmethyl]benzamide

1 (Fluopicolide) (CAS No. 239110–15–7) (pro-
2 vided for in subheading 2933.39.21)”;

3 (B) by striking “Free” and inserting
4 “1%”; and

5 (C) by striking “12/31/2020” and inserting
6 “12/31/2023”.

7 (24) PICLORAM TECHNICAL.—Heading
8 9902.05.90 is amended—

9 (A) by amending the article description to
10 read as follows: “4-Amino-3,5,6-trichloro-2-
11 pyridinecarboxylic acid (CAS No. 1918–02–1)
12 (provided for in subheading 2933.39.25)”;

13 (B) by striking “4.3%” and inserting
14 “5.1%”; and

15 (C) by striking “12/31/2020” and inserting
16 “12/31/2023”.

17 (25) IMIDACLOPRID.—Heading 9902.05.97 is
18 amended—

19 (A) by amending the article description to
20 read as follows: “N-[1-[(6-Chloropyridin-3-
21 yl)methyl]-4,5-dihydroimidazol- 2-yl]nitramide
22 (Imidacloprid) (CAS No. 138261–41–3) (pro-
23 vided for in subheading 2933.39.27)”;

24 (B) by striking “4.3%” and inserting
25 “5.4%”; and

1 (C) by striking “12/31/2020” and inserting
2 “12/31/2023”.

3 (26) 2-CYANOPYRIDINE.—Heading 9902.06.20
4 is amended—

5 (A) by amending the article description to
6 read as follows: “2-Cyanopyridine (2-
7 Pyridinecarbonitrile) (CAS No. 100–70–9)
8 (provided for in subheading 2933.39.91)”;

9 (B) by striking “2.3%” and inserting
10 “3.2%”; and

11 (C) by striking “12/31/2020” and inserting
12 “12/31/2023”.

13 (27) QUINCLORAC.—Heading 9902.06.23 is
14 amended—

15 (A) by amending the article description to
16 read as follows: “3,7-dichloroquinoline-8-car-
17 boxylic acid (Quinclorac) (CAS No. 84087–01–
18 4) (provided for in subheading 2933.49.30)”;

19 (B) by striking “Free” and inserting
20 “3.1%”; and

21 (C) by striking “12/31/2020” and inserting
22 “12/31/2023”.

23 (28) AZOXYSTROBIN.—Heading 9902.06.30 is
24 amended—

1 (A) by amending the article description to
2 read as follows: “Methyl (2E)-2-(2-{[6-(2-
3 cyanophenoxy)pyrimidin-4-yl]oxy}phenyl)-3-
4 methoxyacrylate (Azoxystrobin) (CAS No.
5 131860–33–8) (provided for in subheading
6 2933.59.15)”;

7 (B) by striking “6.2%” and inserting
8 “5.9%”; and

9 (C) by striking “12/31/2020” and inserting
10 “12/31/2023”.

11 (29) DEDS.—Heading 9902.06.41 is amend-
12 ed—

13 (A) by amending the article description to
14 read as follows: “5-Ethoxy-2-[(5-ethoxy-7-
15 fluoro-[1,2,4]triazolo[1,5-c]pyrimidin-2-
16 yl)disulfanyl]-7-fluoro-[1,2,4]triazolo[1,5-
17 c]pyrimidine (CAS No. 166524–75–0) (pro-
18 vided for in subheading 2933.59.70)”;

19 (B) by striking “0.6%” and inserting
20 “5%”; and

21 (C) by striking “12/31/2020” and inserting
22 “12/31/2023”.

23 (30) SPIROTETRAMAT.—Heading 9902.06.67 is
24 amended—

1 (A) by amending the article description to
2 read as follows: “[3-(2,5-Dimethylphenyl)-8-
3 methoxy-2-oxo-1-azaspiro[4.5]dec-3-en-4-yl]
4 ethyl carbonate (Spirotetramat) (CAS No.
5 203313–25–1) (provided for in subheading
6 2933.79.08)”;

7 (B) by striking “3.2%” and inserting
8 “1%”; and

9 (C) by striking “12/31/2020” and inserting
10 “12/31/2023”.

11 (31) CYPROCONAZOLE.—Heading 9902.06.77 is
12 amended—

13 (A) by amending the article description to
14 read as follows: “[α -(4-Chlorophenyl)- α -(1-
15 cyclopropylethyl)-1H-1-1,2,4- triazole-1-ethanol
16 (Cyproconazole) (CAS No. 94361–06–5) (pro-
17 vided for in subheading 2933.99.22)”;

18 (B) by striking “Free” and inserting
19 “1.3%”; and

20 (C) by striking “12/31/2020” and inserting
21 “12/31/2023”.

22 (32) TEBUCONAZOLE.—Heading 9902.06.78 is
23 amended—

24 (A) by amending the article description to
25 read as follows: “(RS)-1-p-Chlorophenyl-4,4-di-

1 methyl-3-(1H-1,2,4-triazol-1-ylmethyl)pentan-
2 3-ol (Tebuconazole) (CAS No. 107534-96-3)
3 (provided for in subheading 2933.99.22)”;

4 (B) by striking “Free” and inserting
5 “4.4%”; and

6 (C) by striking “12/31/2020” and inserting
7 “12/31/2023”.

8 (33) METCONAZOLE.—Heading 9902.06.80 is
9 amended—

10 (A) by amending the article description to
11 read as follows: “5-[(4-Chlorophenyl)methyl]-
12 2,2-dimethyl-1-(1,2,4-triazol- 1-
13 ylmethyl)cyclopentan-1-ol (Metconazole) (CAS
14 No. 125116-23-6) (provided for in subheading
15 2933.99.22)”;

16 (B) by striking “1.6%” and inserting
17 “Free”; and

18 (C) by striking “12/31/2020” and inserting
19 “12/31/2023”.

20 (34) PROTHIOCONAZOLE.—Heading 9902.06.81
21 is amended—

22 (A) by amending the article description to
23 read as follows: “2-[(2RS)-2-(1-
24 Chlorocyclopropyl)-3-(2-chlorophenyl)-2-
25 hydroxypropyl]-2H-1,2,4-triazole-3(4H)-thione

1 (Prothioconazole) (CAS No. 178928–70–6)
2 (provided for in subheading 2933.99.22)”;

3 (B) by striking “5.3%” and inserting
4 “5.7%”; and

5 (C) by striking “12/31/2020” and inserting
6 “12/31/2023”.

7 (35) FLUTRIAFOL.—Heading 9902.06.84 is
8 amended—

9 (A) by amending the article description to
10 read as follows: “1-(2-Fluorophenyl)-1-(4-
11 fluorophenyl)-2-(1H-1,2,4- triazol-1-yl)ethanol
12 (Flutriafol) (CAS No. 76674–21–0) (provided
13 for in subheading 2933.99.22)”;

14 (B) by striking “0.2%” and inserting
15 “3%”; and

16 (C) by striking “12/31/2020” and inserting
17 “12/31/2023”.

18 (36) IPCONAZOLE.—Heading 9902.06.85 is
19 amended—

20 (A) by amending the article description to
21 read as follows: “(1R,2S,5R)-2-(4-
22 Chlorobenzyl)-5-isopropyl-1-(1H-1,2,4- triazol-
23 1-ylmethyl)cyclopentanol (Ipconazole) (CAS No.
24 125225–28–7) (provided for in subheading
25 2933.99.22)”;

1 (B) by striking “Free” and inserting
2 “1.3%”; and

3 (C) by striking “12/31/2020” and inserting
4 “12/31/2023”.

5 (37) HEXYTHIAZOX.—Heading 9902.06.99 is
6 amended—

7 (A) by amending the article description to
8 read as follows: “(4RS,5RS)-5-(4-chlorophenyl)-
9 N-cyclohexyl-4-methyl-2-oxo-1,3-thiazolidine-3-
10 carboxamide (Hexythiazox) (CAS No. 78587-
11 05-0) (provided for in subheading
12 2934.10.10)”;

13 (B) by striking “1.8%” and inserting
14 “2.4%”; and

15 (C) by striking “12/31/2020” and inserting
16 “12/31/2023”.

17 (38) CLOTHIANIDIN.—Heading 9902.07.06 is
18 amended—

19 (A) by amending the article description to
20 read as follows: “(E)-1-(2-Chloro-1,3-thiazol-5-
21 ylmethyl)-3-methyl-2-nitro- guanidine
22 (Clothianidin) (CAS No. 210880-92-5) (pro-
23 vided for in subheading 2934.10.90)”;

24 (B) by striking “6.1%” and inserting
25 “5.9%”; and

1 (C) by striking “12/31/2020” and inserting
2 “12/31/2023”.

3 (39) THIAMETHOXAM.—Heading 9902.07.07 is
4 amended—

5 (A) by amending the article description to
6 read as follows: “Thiamethoxam (3-(2-chloro-5-
7 thiazolylmethyl)tetrahydro-5- methyl-N-nitro-
8 1,3,5-oxadiazin-4-imine) (CAS No. 153719–23–
9 4) (provided for in subheading 2934.10.90)”;

10 (B) by striking “2.5%” and inserting
11 “6%”; and

12 (C) by striking “12/31/2020” and inserting
13 “12/31/2023”.

14 (40) DIFENOCONAZOLE.—Heading 9902.07.14
15 is amended—

16 (A) by amending the article description to
17 read as follows: “1-({2-[2-Chloro-4-(4-
18 chlorophenoxy)phenyl]-4-methyl-1,3- dioxolan-2-
19 yl}methyl)-1H-1,2,4-triazole (Difenoconazole)
20 (CAS No. 119446–68–3) (provided for in sub-
21 heading 2934.99.12)”;

22 (B) by striking “4.6%” and inserting
23 “5.6%”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (41) FLUOXASTROBIN.—Heading 9902.07.21 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “(E)-1-[2-[6-(2-
5 Chlorophenoxy)-5-fluoropyrimidin-4-
6 yl]oxyphenyl]-1-(5,6-dihydro-1,4,2-dioxazin-3-
7 yl)-N-methoxymethanimine (Fluoxastrobin)
8 (CAS No. 361377–29–9) (provided for in sub-
9 heading 2934.99.12)”;

10 (B) by striking “Free” and inserting
11 “2.7%”; and

12 (C) by striking “12/31/2020” and inserting
13 “12/31/2023”.

14 (42) ISOXAFLUTOLE.—Heading 9902.07.22 is
15 amended—

16 (A) by amending the article description to
17 read as follows: “(5-Cyclopropyl-1,2-oxazol-4-
18 yl)-[2-methylsulfonyl-4-
19 (trifluoromethyl)phenyl]methanone
20 (Isoxaflutole) (CAS No. 141112–29–0) (pro-
21 vided for in subheading 2934.99.15)”;

22 (B) by striking “5.5%” and inserting
23 “4.8%”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (43) PINOXADEN.—Heading 9902.07.26 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “8-(2,6-Diethyl-4-
5 methylphenyl)-1,2,4,5-tetrahydro-7-oxo- 7H-
6 pyrazolo[1,2-d][1,4,5]oxadiazepin-9-yl-2,2-
7 dimethylpropanoate (Pinoxaden) (CAS No.
8 243973–20–8) (provided for in subheading
9 2934.99.15)”;

10 (B) by striking “5.4%” and inserting
11 “Free”; and

12 (C) by striking “12/31/2020” and inserting
13 “12/31/2023”.

14 (44) ISOXABEN TECHNICAL HERBICIDE.—
15 Heading 9902.07.27 is amended—

16 (A) by amending the article description to
17 read as follows: “2,6-Dimethoxy-N-[3-(3-meth-
18 yl-3-pentanyl)-1,2-oxazol-5- yl]benzamide
19 (isoxaben) (CAS No. 82558–50–7) (provided
20 for in subheading 2934.99.15)”;

21 (B) by striking “3.1%” and inserting
22 “2.7%”; and

23 (C) by striking “12/31/2020” and inserting
24 “12/31/2023”.

1 (45) FLUTHIACETMETHYL.—Heading
2 9902.07.29 is amended—

3 (A) by amending the article description to
4 read as follows: “Methyl [[2-chloro-4-fluoro-
5 5[(tetrahydro-3-oxo-1H,3H-[1,3,4]thi-
6 adiazolo[3,4-a]pyridazin-1-
7 ylidene)amino]phenyl]thio]acetate (Fluthiacet-
8 methyl technical) (CAS No. 117337–19–6)
9 (provided for in subheading 2934.99.15)”;

10 (B) by striking “Free” and inserting
11 “3%”; and

12 (C) by striking “12/31/2020” and inserting
13 “12/31/2023”.

14 (46) FLUMIOXAZIN.—Heading 9902.07.30 is
15 amended—

16 (A) by amending the article description to
17 read as follows: “2-[7-Fluoro-3-oxo-4-(2-propyn-
18 1-yl)-3,4-dihydro-2H- 1,4-benzoxazin-6-yl]-
19 4,5,6,7-tetrahydro-1H- isoindole-1,3(2H)-dione
20 (Flumioxazin) (CAS No. 103361–09–7) (pro-
21 vided for in subheading 2934.99.15)”;

22 (B) by striking “6.1%” and inserting
23 “5.6%”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (47) BUPROFEZIN.—Heading 9902.07.31 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “(2Z)-3-Isopropyl-2-[(2-methyl-
5 2-propanyl)imino]-5-phenyl- 1,3,5-thiadiazinan-
6 4-one (Buprofezin) (CAS No. 69327–76–0 or
7 953030–84–7) (provided for in subheading
8 2934.99.16)”;

9 (B) by striking “1.4%” and inserting
10 “Free”; and

11 (C) by striking “12/31/2020” and inserting
12 “12/31/2023”.

13 (48) SAROLANER.—Heading 9902.07.38 is
14 amended—

15 (A) by amending the article description to
16 read as follows: “1-{5'-[(5S)-5-(3,5-Dichloro-4-
17 fluorophenyl)-4,5-dihydro-5- (trifluoromethyl)-
18 1,2-oxazol-3-yl]-1H,3'H-spiro[azetidine-3,1'-
19 [2]benzofuran]-1-yl}-2-mesyethanone
20 (Sarolaner) (CAS No. 1398609–39–6) (pro-
21 vided for in subheading 2934.99.30)”;

22 (B) by striking “Free” and inserting
23 “4.5%”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (49) ISOXADIFEN-ETHYL.—Heading
2 9902.07.43 is amended—

3 (A) by amending the article description to
4 read as follows: “Ethyl 5,5-diphenyl-4H-1,2-
5 oxazole-3-carboxylate (Isoxadifen-ethyl) (CAS
6 No. 163520–33–0) (provided for in subheading
7 2934.99.39)”;

8 (B) by striking “4.0%” and inserting
9 “5.6%”; and

10 (C) by striking “12/31/2020” and inserting
11 “12/31/2023”.

12 (50) PYROXASULFONE TECHNICAL.—Heading
13 9902.07.53 is amended—

14 (A) by amending the article description to
15 read as follows: “3-({[5-(Difluoromethoxy)-1-
16 methyl-3-(trifluoromethyl)-1H- pyrazol-4-
17 yl]methyl}sulfonyl)-5,5-dimethyl-4,5- dihydro-
18 1,2-oxazole (Pyroxasulfone) (CAS No. 447399–
19 55–5) (provided for in subheading
20 2934.99.90)”;

21 (B) by striking “3.5%” and inserting
22 “6.3%”; and

23 (C) by striking “12/31/2020” and inserting
24 “12/31/2023”.

1 (51) TRIASULFURON.—Heading 9902.07.57 is
2 amended—

3 (A) by amending the article description to
4 read as follows: “2-(2-Chloroethoxy)-N-[(4-
5 methoxy-6-methyl-1,3,5-triazin-2-
6 yl)carbamoyl]benzenesulfonamide (Triasulfuron)
7 (CAS No. 82097–50–5) (provided for in sub-
8 heading 2935.90.75)”;

9 (B) by striking “0.4%” and inserting
10 “Free”; and

11 (C) by striking “12/31/2020” and inserting
12 “12/31/2023”.

13 (52) TRIFLOXYSULFURON.—Heading
14 9902.07.58 is amended—

15 (A) by amending the article description to
16 read as follows: “Sodium 4,6-dimethoxy-2-[(3-
17 (2,2,2-trifluoro- ethoxy)pyridin-2-
18 yl)sulfonyl}carbamoyl)imino]- 2H-pyrimidin-1-
19 ide (Trifloxysulfuron-sodium) (CAS No.
20 199119–58–9) (provided for in subheading
21 2935.90.75)”;

22 (B) by striking “4.6%” and inserting
23 “4.9%”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (53) COPPER PHTHALOCYANINE BLUE
2 CRUDE.—Heading 9902.08.59 is amended—

3 (A) by amending the article description to
4 read as follows: “Copper phthalocyanine
5 ((Phthalocyanato(2-))-copper), not ready for
6 use as pigment (PCN Blue Crude) (CAS No.
7 147–14–8) (provided for in subheading
8 3204.17.20)”;

9 (B) by striking “3.3%” and inserting
10 “3%”; and

11 (C) by striking “12/31/2020” and inserting
12 “12/31/2023”.

13 (54) SPIROTETRAMAT FORMULATIONS.—Head-
14 ing 9902.09.24 is amended—

15 (A) by amending the article description to
16 read as follows: “Product mixtures containing
17 (5s, 8s)-3-(2,5-dimethylphenyl)-8-methoxy-2-
18 oxo-1-azaspiro [4.5] dec-3-en-4-yl ethyl car-
19 bonate (Spirotetramat) (CAS No. 203313–25–
20 1) (provided for in subheading 3808.91.25)”;

21 (B) by striking “5.2%” and inserting
22 “Free”; and

23 (C) by striking “12/31/2020” and inserting
24 “12/31/2023”.

1 (55) PROTHIOCONAZOLE AND TEBUCONAZOLE
2 FORMULATIONS.—Heading 9902.09.50 is amend-
3 ed—

4 (A) by amending the article description to
5 read as follows: “Product mixtures containing
6 2-[(2RS)-2-(1-chlorocyclopropyl)-3-(2-
7 chlorophenyl) -2-hydroxypropyl]-2H-1,2,4-tri-
8 azole-3 (4H)-thione (Prothioconazole) (CAS No.
9 178928–70–6) and (RS)-1-p-chlorophenyl-4,4-
10 dimethyl-3-(1H-1,2,4-triazol-1-ylmethyl)
11 pentan-3-ol (Tebuconazole) (CAS No. 107534–
12 96–3) (provided for in subheading
13 3808.92.15)”;

14 (B) by striking “4.9%” and inserting
15 “3.2%”; and

16 (C) by striking “12/31/2020” and inserting
17 “12/31/2023”.

18 (56) TRIFLOXYSTROBIN AND
19 PROTHIOCONAZOLE FORMULATIONS.—Heading
20 9902.09.51 is amended—

21 (A) by amending the article description to
22 read as follows: “Product mixtures containing
23 methyl (E)-methoxyimino-{(E)-2-[1-(α,α,α -
24 trifluoro-m-tolyl) ethylideneaminoxy]-o-
25 tolyl}acetate (Trifloxystrobin) (CAS No.

1 141517–21–7) and 2-[(2RS)-2-(1-
2 chlorocyclopropyl)-3-(2-chlorophenyl) -2-
3 hydroxypropyl]-2H-1,2,4-triazole-3(4H)-thione
4 (Prothioconazole) (CAS No. 178928–70–6)
5 (provided for in subheading 3808.92.15)”;

6 (B) by striking “4.0%” and inserting
7 “Free”; and

8 (C) by striking “12/31/2020” and inserting
9 “12/31/2023”.

10 (57) PROPOXYCARBAZONE-SODIUM FORMULA-
11 TIONS.—Heading 9902.09.85 is amended—

12 (A) by amending the article description to
13 read as follows: “Product mixtures containing
14 sodium {[2-(methoxycarbonyl) phenyl]sulfonyl}
15 [(4,5-dihydro-4-methyl-5-oxo-3-propoxy-1H-
16 1,2,4-triazol-1-yl) carbonyl] azanide
17 (Propoxycarbazone sodium) (CAS No. 181274–
18 15–7) (provided for in subheading
19 3808.93.15)”;

20 (B) by striking “3.8%” and inserting
21 “Free”; and

22 (C) by striking “12/31/2020” and inserting
23 “12/31/2023”.

24 (58) HERBICIDE FOR BROADLEAF WEEDS.—
25 Heading 9902.09.86 is amended—

1 (A) by amending the article description to
2 read as follows: “Product mixtures containing
3 (5-hydroxy-1,3-dimethyl-1H-pyrazol-4-yl)[2-
4 (methylsulfonyl)-4-(trifluoromethyl) phenyl]
5 methanone (Pyrasulfotole) (CAS No. 365400–
6 11–9); (2,6-dibromo-4-cyanophenyl) octanoate
7 (Bromoxynil Octanoate) (CAS No. 1689–99–2);
8 2,6-dibromo-4-cyanophenyl heptanoate
9 (Bromoxynil Heptanoate) (CAS No. 56634–95–
10 8); and diethyl 1-(2,4-dichlorophenyl)-5-methyl-
11 4,5-dihydro-1H-pyrazole-3,5-dicarboxylate
12 (Mefenpyr-diethyl) (CAS No. 135590–91–9)
13 (provided for in subheading 3808.93.15)”;

14 (B) by striking “3.7%” and inserting
15 “2.6%”; and

16 (C) by striking “12/31/2020” and inserting
17 “12/31/2023”.

18 (59) ASULAM SODIUM SALT FORMULATIONS.—
19 Heading 9902.09.96 is amended—

20 (A) by amending the article description to
21 read as follows: “Mixtures of methyl
22 sulfanilylcarbamate, sodium salt (Asulam so-
23 dium salt) (CAS No. 2302–17–2) and applica-
24 tion adjuvants (provided for in subheading
25 3808.93.15)”;

1 (B) by striking “2.0%” and inserting
2 “3.7%”; and

3 (C) by striking “12/31/2020” and inserting
4 “12/31/2023”.

5 (60) ISOXAFLUTOLE AND CYPROSULFAMIDE
6 FORMULATIONS.—Heading 9902.10.01 is amend-
7 ed—

8 (A) by amending the article description to
9 read as follows: “Mixtures containing 5-
10 cyclopropyl-4-(2-mesyl-4-trifluoromethylbenzoyl)
11 isoxazole (Isoxaflutole) (CAS No. 141112–29–
12 0) and N-({4-[(cyclopropylamino) car-
13 bonyl]phenyl} sulfonyl)-2-methoxybenzamide
14 (Cyprosulfamide) (CAS No. 221667–31–8)
15 (provided for in subheading 3808.93.15)”;

16 (B) by striking “2.5%” and inserting
17 “5%”; and

18 (C) by striking “12/31/2020” and inserting
19 “12/31/2023”.

20 (61) ISOXADIFEN-ETHYL AND TEMBOTRIONE
21 FORMULATIONS.—Heading 9902.10.02 is amend-
22 ed—

23 (A) by amending the article description to
24 read as follows: “Product mixtures containing
25 ethyl 5,5-diphenyl-4H-1,2-oxazole-3-carboxylate

1 (Isoxadifen-ethyl) (CAS No. 163520–33–0) and
2 2-{2-chloro-4-(methylsulfonyl)-3-[(2,2,2-
3 trifluoroethoxy)methyl]benzoyl} -1,3-
4 cyclohexanedione (Tembotrione) (CAS No.
5 335104–84–2) (provided for in subheading
6 3808.93.15)”;

7 (B) by striking “1.3%” and inserting
8 “Free”; and

9 (C) by striking “12/31/2020” and inserting
10 “12/31/2023”.

11 (62) INDAZIFLAM FORMULATIONS.—Heading
12 9902.10.09 is amended—

13 (A) by amending the article description to
14 read as follows: “Mixtures containing N-
15 [(1R,2S)-2,6-dimethyl-2,3-dihydro-1H-inden-1-
16 yl]-6-[(1R)-1-fluoroethyl]-1,3,5-triazine-2,4-
17 diamine (Indaziflam) (CAS No. 950782–86–2)
18 and application adjuvants (provided for in sub-
19 heading 3808.93.15)”;

20 (B) by striking “5.6%” and inserting
21 “5.1%”; and

22 (C) by striking “12/31/2020” and inserting
23 “12/31/2023”.

24 (63) HERBICIDE MIXTURES.—Heading
25 9902.10.10 is amended—

1 (A) by amending the article description to
2 read as follows: “Mixtures containing 2,5-di-
3 methyl-4-[2-methylsulfonyl-4-
4 (trifluoromethyl)benzoyl]-1H-pyrazol-3-one
5 (Pyrasulfotole) (CAS No. 365400–11–9); 2,6-
6 dibromo-4-cyanophenyl octanoate (Bromoxynil
7 Octanoate) (CAS No. 1689–99–2); methyl 4-
8 {[(3-methoxy-4-methyl-5-oxo-4,5-dihydro -1H-
9 1,2,4-triazol-1-yl) carbonyl] sulfamoyl}-5-meth-
10 yl-3-thiophenecarboxylate (Thiencarbazone-
11 Methyl) (CAS No. 317815–83–1); and diethyl
12 1-(2,4-dichlorophenyl)-5-methyl-4,5-dihydro-1H-
13 pyrazole -3,5-dicarboxylate (Mefenpyr-diethyl)
14 (CAS No. 135590–91–9) (provided for in sub-
15 heading 3808.93.15)”;

16 (B) by striking “3.6%” and inserting
17 “2.6%”; and

18 (C) by striking “12/31/2020” and inserting
19 “12/31/2023”.

20 (64) PRODUCT USED AS LUBRICANT OR MOLD
21 RELEASE MATERIAL.—Heading 9902.10.93 is
22 amended—

23 (A) by amending the article description to
24 read as follows: “Ethene, 1,1,2,2-tetrafluoro-,
25 oxidized, polymerized, reduced, methyl esters,

1 reduced (CAS No. 88645–29–8) (provided for
2 in subheading 3904.69.50)”;

3 (B) by striking “2.1%” and inserting
4 “Free”; and

5 (C) by striking “12/31/2020” and inserting
6 “12/31/2023”.

7 (65) HEAT-CURABLE EPOXY RESIN MIX-
8 TURES.—Heading 9902.11.15 is amended—

9 (A) by amending the article description to
10 read as follows: “Heat-curable epoxy resin mix-
11 tures containing more than 30 percent by
12 weight of 4,4’-(9H-fluorene-9,9-diyl)bis(2-
13 chloroaniline) (CAS No. 107934–68–9) as a
14 curing agent (provided for in subheading
15 3907.30.00)”;

16 (B) by striking “Free” and inserting
17 “3.4%”; and

18 (C) by striking “12/31/2020” and inserting
19 “12/31/2023”.

20 (66) POLYMER OF 1,4-BENZENEDICARBOXYLIC
21 ACID WITH 1,4-BUTANEDIOL AND HEXANEDIOIC
22 ACID.—Heading 9902.11.23 is amended—

23 (A) by amending the article description to
24 read as follows: “Polymer of 1,4-
25 benzenedicarboxylic acid with 1,4-butanediol

1 and hexanedioic acid (CAS No. 60961–73–1)
2 (provided for in subheading 3907.99.50)”;

3 (B) by striking “1.6%” and inserting
4 “3.6%”; and

5 (C) by striking “12/31/2020” and inserting
6 “12/31/2023”.

7 (67) SET OF PLASTIC CUTLERY WRAPPED IN
8 PAPER.—Heading 9902.11.96 is amended—

9 (A) by amending the article description to
10 read as follows: “Cutlery of plastics, presented
11 with quantities of identical cutlery items joined
12 together by paper wrapping or paper banding
13 designed for ease of loading in a fully enclosed
14 dispensing system (provided for in subheading
15 3924.10.40)”;

16 (B) by striking “Free” and inserting
17 “1.8%”; and

18 (C) by striking “12/31/2020” and inserting
19 “12/31/2023”.

20 (68) ACRYLIC FILAMENT TOW WITH A DECITEX
21 OF 5 TO 5.6.—Heading 9902.13.04 is amended—

22 (A) by amending the article description to
23 read as follows: “Acrylic filament tow con-
24 taining 85 percent or more by weight of acrylo-
25 nitrile units and 2 percent or more but not

1 more than 8 percent of water, dyed, such tow
2 with a decitex of 5 to 5.6, an aggregate fila-
3 ment measure in the tow bundle between
4 660,000 and 1,200,000 and a length greater
5 than 2 m (provided for in subheading
6 5501.30.00)”;

7 (B) by striking “Free” and inserting
8 “1.5%”; and

9 (C) by striking “12/31/2020” and inserting
10 “12/31/2023”.

11 (69) MODACRYLIC STAPLE FIBER WITH A
12 DECITEX OF 1.7 AND A FIBER LENGTH OF 38MM.—
13 Heading 9902.13.19 is amended—

14 (A) by amending the article description to
15 read as follows: “Modacrylic staple fibers con-
16 taining by weight 2 percent or more but not
17 over 3 percent of water, not pigmented (ecru),
18 crimped, with a decitex of 1.7 and fiber length
19 of 38 mm (provided for in subheading
20 5503.30.00)”;

21 (B) by striking “Free” and inserting
22 “0.6%”; and

23 (C) by striking “12/31/2020” and inserting
24 “12/31/2023”.

1 (70) HAND-TUFTED WOOL CARPETS.—Heading
2 9902.13.42 is amended—

3 (A) by amending the article description to
4 read as follows: “Carpets and other textile floor
5 coverings, tufted, whether or not made up, of
6 wool or fine animal hair, hand-hooked, that is,
7 in which the tufts were inserted by hand or by
8 means of a hand tool that is not power-driven
9 (provided for in subheading 5703.10.20)”;

10 (B) by striking “5.8%” and inserting
11 “5.3%”; and

12 (C) by striking “12/31/2020” and inserting
13 “12/31/2023”.

14 (71) WOMEN’S FOOTWEAR MADE ON A BASE OR
15 PLATFORM OF WOOD.—Heading 9902.14.20 is
16 amended—

17 (A) by amending the article description to
18 read as follows: “Footwear for women, with
19 outer soles of rubber or plastics and uppers of
20 leather, made on a base or platform of wood
21 (provided for in subheading 6403.99.20)”;

22 (B) by striking “1.4%” and inserting
23 “Free”; and

24 (C) by striking “12/31/2020” and inserting
25 “12/31/2023”.

1 (72) SCISSORS, VALUED OVER \$1.75 PER
2 DOZEN.—Heading 9902.15.31 is amended—

3 (A) by amending the article description to
4 read as follows: “Scissors, valued over \$1.75/
5 dozen, each with stainless steel blades, one
6 small loop handle and one larger loop handle
7 and with an overall length of less than 17 cm,
8 the foregoing other than those scissors designed
9 for use in pet grooming and presented with at-
10 tached retail labeling or put up for retail sale
11 as goods designed to cut pet hair (provided for
12 in subheading 8213.00.90)”;

13 (B) by striking “4.2%” and inserting
14 “2.5%”; and

15 (C) by striking “12/31/2020” and inserting
16 “12/31/2023”.

17 (73) TIRE ASSEMBLY MACHINES.—Heading
18 9902.15.82 is amended—

19 (A) by amending the article description to
20 read as follows: “Machinery for molding, assem-
21 bling or otherwise forming uncured,
22 unvulcanized rubber (green) tires (provided for
23 in subheading 8477.59.01), the foregoing to be
24 used in production of new pneumatic tires de-
25 signed in all sizes for motor cars (such tires of

1 subheadings 4011.10.10 and 4011.10.50),
2 buses and trucks (such tires of subheadings
3 4011.20.10 and 4011.20.50), motorcycles (such
4 tires of subheading 4011.40.00) and agricul-
5 tural, forestry, construction or industrial vehi-
6 cles (such tires of subheadings 4011.70.00,
7 4011.80.10, 4011.80.20, 4011.80.80,
8 4011.90.10, 4011.90.20 and 4011.90.80)”;

9 (B) by striking “2.5%” and inserting
10 “2.1%”; and

11 (C) by striking “12/31/2020” and inserting
12 “12/31/2023”.

13 (74) FUEL INJECTORS.—Heading 9902.15.94
14 is amended—

15 (A) by amending the article description to
16 read as follows: “Fuel injectors (other than
17 used), each incorporating a valve and a micro-
18 stamped orifice hole, certified by the importer
19 as designed to deliver fuel to the combustion
20 chamber of a gasoline engine with a pressure
21 not exceeding 120 MPa (1200 bar) (provided
22 for in subheading 8481.80.90)”;

23 (B) by striking “1.9%” and inserting
24 “1.3%”; and

1 (C) by striking “12/31/2020” and inserting
2 “12/31/2023”.

3 (75) SUBSEA FLOW MODULES.—Heading
4 9902.15.95 is amended—

5 (A) by amending the article description to
6 read as follows: “Valves, capable of operating at
7 pressures of 68.94 MPa or more (provided for
8 in subheading 8481.80.90), for controlling pro-
9 duction flow through a subsea tree, each valve
10 mounted in a module that can be unlocked by
11 a remotely operated underwater vehicle for sub-
12 sequent removal and replacement”;

13 (B) by striking “Free” and inserting
14 “0.4%”; and

15 (C) by striking “12/31/2020” and inserting
16 “12/31/2023”.

17 (76) USED TRANSMISSIONS.—Heading
18 9902.16.01 is amended—

19 (A) by amending the article description to
20 read as follows: “Used fixed ratio speed chang-
21 ers (provided for in subheading 8483.40.50),
22 other than transmissions for the vehicles of
23 headings 8701, 8702, 8703, 8704 and 8705”;

24 (B) by striking “1.9%” and inserting
25 “Free”; and

1 (C) by striking “12/31/2020” and inserting
2 “12/31/2023”.

3 (77) MOTOR ASSEMBLIES FOR ELECTRIC BOX
4 FANS.—Heading 9902.16.08 is amended—

5 (A) by amending the article description to
6 read as follows: “AC electric motors of an out-
7 put exceeding 37.5 W but not exceeding 74.6
8 W, single phase, each equipped with a capac-
9 itor, rotary speed control mechanism and a
10 motor mounting cooling ring (provided for in
11 subheading 8501.40.20)”;

12 (B) by striking “Free” and inserting
13 “1.1%”; and

14 (C) by striking “12/31/2020” and inserting
15 “12/31/2023”.

16 (78) MOTOR ASSEMBLIES FOR OSCILLATING
17 FANS.—Heading 9902.16.09 is amended—

18 (A) by amending the article description to
19 read as follows: “AC electric motors of an out-
20 put exceeding 37.5 W but not exceeding 72 W,
21 single phase, each equipped with a capacitor, a
22 speed control mechanism, and a motor mount
23 of plastics and a self-contained gear mechanism
24 for oscillation (provided for in subheading
25 8501.40.20)”;

1 (B) by striking “2.0%” and inserting
2 “2.3%”; and

3 (C) by striking “12/31/2020” and inserting
4 “12/31/2023”.

5 (79) ELECTRIC MULTI-COOKERS.—Heading
6 9902.16.74 is amended—

7 (A) by amending the article description to
8 read as follows: “Electrothermic multifunctional
9 cookers (multicookers) of a kind used for do-
10 mestic purposes, each incorporating a timer and
11 designed to prepare foods by various methods,
12 including boiling, simmering, baking, frying,
13 roasting or stewing (provided for in subheading
14 8516.79.00), the foregoing without a thermom-
15 eter probe”;

16 (B) by striking “Free” and inserting
17 “2.3%”; and

18 (C) by striking “12/31/2020” and inserting
19 “12/31/2023”.

20 (80) BABY STROLLER SYSTEMS.—Heading
21 9902.17.14 is amended—

22 (A) by amending the article description to
23 read as follows: “Baby strollers, each with chas-
24 sis presented with removable seat and remov-
25 able bassinet, with the seat designed to be at-

1 tached to the chassis base plate, with the seat
2 backrest designed to allow a child to be in a re-
3 clining position or to be supported at varying
4 backrest angles; the foregoing not including any
5 such stroller with a tilting or tilted seat only
6 (provided for in subheading 8715.00.00)”;

7 (B) by striking “Free” and inserting
8 “2.5%”; and

9 (C) by striking “12/31/2020” and inserting
10 “12/31/2023”.

11 (81) IRON HEAD GOLF CLUBS.—Heading
12 9902.17.59 is amended—

13 (A) by amending the article description to
14 read as follows: “Golf club heads designed for
15 clubs designated as 1-irons, 2-irons, 3-irons, 4-
16 irons or 5-irons (provided for in subheading
17 9506.39.00)”;

18 (B) by striking “1.0%” and inserting
19 “2.1%”; and

20 (C) by striking “12/31/2020” and inserting
21 “12/31/2023”.

22 (82) GOLF CLUB IRON HEADS OF 6-IRONS AND
23 7-IRONS.—Heading 9902.17.62 is amended—

24 (A) by amending the article description to
25 read as follows: “Golf club heads designed for

1 clubs designated as 6-irons and 7-irons (pro-
2 vided for in subheading 9506.39.00)”;

3 (B) by striking “1.0%” and inserting
4 “2.4%”; and

5 (C) by striking “12/31/2020” and inserting
6 “12/31/2023”.

7 **Subtitle C—Effective Date and** 8 **Technical Corrections Authority**

9 **SEC. 108461. EFFECTIVE DATE.**

10 (a) IN GENERAL.—The amendments made by this
11 title apply to articles entered on or after the date that
12 is 120 days before the date of the enactment of this Act.

13 (b) RETROACTIVE APPLICATION.—

14 (1) IN GENERAL.—Notwithstanding section 514
15 of the Tariff Act of 1930 (19 U.S.C. 1514) or any
16 other provision of law and subject to paragraph (2),
17 any entry of an article classifiable under a heading
18 of subchapter II of chapter 99 of the Harmonized
19 Tariff Schedule of the United States added or
20 amended by this title—

21 (A) that was made—

22 (i) on or after the date that is 120
23 days before the date of the enactment of
24 this Act, and

1 (ii) before the date of the enactment
2 of this Act, and

3 (B) to which a lower rate of duty would
4 apply if the entry were made on or after such
5 date of enactment,

6 shall be liquidated or reliquidated as though such
7 entry occurred on such date of enactment.

8 (2) REQUESTS.—A liquidation or reliquidation
9 may be made under paragraph (1) with respect to
10 an entry only if a request therefor is filed with U.S.
11 Customs and Border Protection not later than 300
12 days after the date of the enactment of this Act that
13 contains sufficient information to enable U.S. Cus-
14 toms and Border Protection—

15 (A) to locate the entry; or

16 (B) to reconstruct the entry if it cannot be
17 located.

18 (c) DEFINITIONS.—In this section, the terms “enter”
19 and “entry” include a withdrawal from warehouse for con-
20 sumption.

21 **SEC. 108462. AUTHORITY TO MAKE TECHNICAL AND CON-**
22 **FORMING CHANGES.**

23 The United States Trade Representative is author-
24 ized to make such conforming changes to the article de-
25 scriptions of subchapter II of chapter 99 of the Har-

1 monized Tariff Schedule of the United States, as added
2 or amended by this title, as may be necessary to ensure
3 that such article descriptions conform to and are otherwise
4 in accordance with the modifications to the Harmonized
5 Tariff Schedule proclaimed by the President pursuant to
6 Presidential Proclamation 10326 (86 Fed. Reg. 73593; re-
7 lating to modifying the Harmonized Tariff Schedule of the
8 United States and for other purposes).

9 **DIVISION L—COMMITTEE ON**
10 **TRANSPORTATION AND IN-**
11 **FRASTRUCTURE**

12 **SEC. 110001. RECOMPETE PILOT PROGRAM.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated \$4,000,000,000 for fiscal
15 years 2022 through 2025 to remain available until ex-
16 pended, to the Department of Commerce for economic ad-
17 justment assistance as authorized by section 209 of the
18 Public Works and Economic Development Act of 1965 (42
19 U.S.C. 3149) to establish a pilot program, to be known
20 as the “Recompete Pilot Program”, to provide grants to
21 eligible recipients to carry out activities in eligible areas
22 and Tribal lands represented by an eligible recipient to
23 alleviate persistent economic distress and support long-
24 term comprehensive economic development and job cre-
25 ation in eligible areas, except that sections 204 and 301

1 of such Act shall not apply to a grant provided under this
2 section.

3 (b) TERM.—A grant shall have a term of 10 fiscal
4 years and be disbursed at such time and in such manner
5 as determined by the Secretary of Commerce in accord-
6 ance with benchmarking requirements established by the
7 Secretary.

8 (c) ALLOCATION OF FUNDS.—Of the funds provided
9 by this section—

10 (1) not less than 96 percent shall be used for
11 grants to be awarded to eligible recipients rep-
12 resenting eligible areas to carry out activities de-
13 scribed in a recompetete plan that has been approved
14 by the Secretary of Commerce;

15 (2) not more than 1 percent may be used for
16 planning and technical assistance grants to be
17 awarded to eligible recipients representing eligible
18 areas to develop a recompetete plan and carry out re-
19 lated predevelopment activities; and

20 (3) the Secretary shall transfer not more than
21 3 percent to the Salary and Expenses Account of the
22 Economic Development Administration for the costs
23 of administration and oversight of this section.

24 (d) LIMITATIONS.—

1 (1) LIMITATION ON ELIGIBLE AREAS.—An eligi-
2 ble area may not benefit from more than 1 grant de-
3 scribed in subsection (c)(1) and 1 grant described in
4 subsection (c)(2).

5 (2) LIMITATION ON RECIPIENTS.—For purposes
6 of the program under this section, an eligible recipi-
7 ent may not receive a grant described in subsection
8 (c)(1) on behalf of more than 1 eligible area.

9 (e) AWARD AMOUNT.—In determining the amount of
10 a grant that an eligible recipient may be awarded under
11 subsection (c)(1), the Secretary shall—

12 (1) take into consideration the proposed activi-
13 ties and projected expenditures outlined in an ap-
14 proved recompetete plan; and

15 (2) use not more than the product obtained by
16 multiplying—

17 (A) the prime-age employment gap of the
18 eligible area;

19 (B) the prime-age population of the eligible
20 area; and

21 (C) either—

22 (i) \$70,585 for local labor markets; or

23 (ii) \$53,600 for local communities.

24 (f) ELIGIBLE USES.—Eligible recipients and other
25 specified entities in an eligible area may use funds award-

1 ed under subsection (c)(1), in accordance with an ap-
2 proved recompetete plan, to carry out coordinated and com-
3 prehensive economic development programs and activities
4 in an eligible area, which shall include—

5 (1) the provision of business advice and assist-
6 ance to small and medium-sized local businesses and
7 entrepreneurs, including—

8 (A) manufacturing extension services;

9 (B) small business development centers;

10 (C) centers to help businesses bid for Fed-
11 eral procurement contracts;

12 (D) entrepreneurial assistance programs
13 that link entrepreneurs with available public
14 and private resources;

15 (E) legal advice and resources; and

16 (F) assistance in accessing capital;

17 (2) land and site development programs, such
18 as brownfield redevelopment, research and tech-
19 nology parks, business incubators, business corridor
20 development, and Main Street redevelopment pro-
21 grams;

22 (3) infrastructure and housing activities that
23 are directly related to supporting job creation and
24 employment for residents, such as—

1 (A) improvements to transit, roads, and
2 broadband access;

3 (B) housing development and other activi-
4 ties to address local housing needs;

5 (C) land-use and zoning reforms; and

6 (D) transit-oriented development activities;

7 (4) job training oriented to local employer
8 needs, such as customized job training programs
9 carried out by local community colleges in partner-
10 ship with local businesses;

11 (5) workforce outreach programs, such as—

12 (A) programs located in, and targeted to,
13 lower-income and underemployed neighbor-
14 hoods; and

15 (B) embedding job placement and training
16 services in neighborhood institutions such as
17 churches, housing projects, and community ad-
18 vocacy programs;

19 (6) job retention programs and activities, such
20 as the provision of—

21 (A) job coaches;

22 (B) child care services; and

23 (C) transportation support;

24 (7) planning, predevelopment, technical assist-
25 ance, and other administrative activities as may be

1 necessary for the ongoing implementation, adminis-
2 tration, and operation of the programs and activities
3 carried out with a grant described in subsection
4 (c)(1) and in accordance with the requirements of
5 this section, including but not limited to economic
6 development planning and evaluation; and

7 (8) such other programs and activities as the
8 Secretary determines to be appropriate, including
9 any proposed programs or activities that the recipi-
10 ent demonstrates clearly and substantially, to the
11 satisfaction of the Secretary, will directly advance
12 the goals of the program established under this sec-
13 tion.

14 (g) DEFINITIONS.—In this section:

15 (1) ELIGIBLE AREA.—The term “eligible area”
16 means either of the following:

17 (A) A local labor market that—

18 (i) has a prime-age employment gap
19 equal to not less than 2.5 percent; and

20 (ii) meets additional criteria as the
21 Secretary may establish.

22 (B) A local community that—

23 (i) has a prime-age employment gap
24 equal to not less than 5 percent;

1 (ii) is not located within an eligible
2 local labor market that meets the criteria
3 described in subparagraph (A);

4 (iii) has a median annual household
5 income of not more than \$75,000; and

6 (iv) meets additional criteria as the
7 Secretary may establish.

8 (2) ELIGIBLE RECIPIENT.—The term “eligible
9 recipient” means a specified entity which has been
10 authorized in a manner as determined by the Sec-
11 retary to represent and act on behalf of an eligible
12 area for the purposes of the Recompete Pilot Pro-
13 gram.

14 (3) LOCAL LABOR MARKET.—The term “local
15 labor market” means any of the following areas that
16 contains 1 or more specified entities described in
17 subparagraphs (A) through (D) of paragraph (6):

18 (A) A metropolitan statistical area or
19 micropolitan statistical area, excluding any area
20 described in subparagraph (C).

21 (B) A commuting zone, excluding any
22 areas described in subparagraphs (A) and (C).

23 (C) The Tribal land with a Tribal prime-
24 age population represented by a Tribal govern-
25 ment.

1 (4) LOCAL COMMUNITY.—The term “local com-
2 munity” means the area served by a unit of general
3 local government that is located within, but does not
4 cover the entire area of, a local labor market that
5 does not meet the criteria described in paragraph
6 (1)(A).

7 (5) PRIME-AGE EMPLOYMENT GAP.—

8 (A) IN GENERAL.—The term “prime-age
9 employment gap” means the difference (ex-
10 pressed as a percentage) between—

11 (i) the national 5-year average prime-
12 age employment rate; and

13 (ii) the 5-year average prime-age em-
14 ployment rate of the eligible area.

15 (B) CALCULATION.—For the purposes of
16 subparagraph (A), an individual is prime-age if
17 such individual between the ages of 25 years
18 and 54 years.

19 (6) RECOMPETE PLAN.—The term “recompete
20 plan” means a comprehensive 10-year economic de-
21 velopment plan that—

22 (A) includes—

23 (i) proposed programs and activities
24 to be carried out with a grant awarded
25 under subsection (c)(1) to address the eco-

1 nomic challenges of the eligible area in a
2 comprehensive manner that promotes long-
3 term, sustained economic growth, lasting
4 job creation, per capita wage increases,
5 and reduction in the prime-age employ-
6 ment gap of the eligible area;

7 (ii) projected costs and annual ex-
8 penditures and proposed disbursement
9 schedule;

10 (iii) the roles and responsibilities of
11 specified entities which may receive funds
12 awarded under this grant to carry out pro-
13 posed programs and activities; and

14 (iv) other information as the Sec-
15 retary determines appropriate;

16 (B) is developed by an eligible recipient
17 that is the recipient of a planning and technical
18 assistance grant described in subsection (c)(2);

19 (C) is submitted to the Secretary for ap-
20 proval for an eligible recipient to be considered
21 for a grant described in subsection (c)(1); and

22 (D) may be modified over the term of the
23 grant by the eligible recipient, subject to the
24 approval of the Secretary or at the direction of
25 the Secretary, if benchmarking requirements

1 are repeatedly not met or if other circumstances
2 necessitate a modification.

3 (7) SPECIFIED ENTITY.—The term “specified
4 entity” means—

5 (A) a unit of local government;

6 (B) the District of Columbia;

7 (C) a territory of the United States;

8 (D) a Tribal government;

9 (E) a State-authorized political subdivision
10 or other entity, including a special-purpose enti-
11 ty engaged in economic development activities;

12 (F) a public entity or nonprofit organiza-
13 tion, acting in cooperation with the officials of
14 a political subdivision or entity described in
15 subparagraph (E);

16 (G) an economic development district (as
17 defined in section 3 of the Public Works and
18 Economic Development Act of 1965 (42 U.S.C.
19 3122)); and

20 (H) a consortium of any of the specified
21 entities described in this paragraph which serve
22 or are contained within the same eligible area.

23 (8) TRIBAL GOVERNMENT.—The term “Tribal
24 government” means the recognized governing body
25 of any Indian or Alaska Native Tribe, band, nation,

1 pueblo, village, community, component band, or com-
2 ponent reservation, individually identified (including
3 parenthetically) in the list published by the Bureau
4 of Indian Affairs on January 29, 2021, pursuant to
5 section 104 of the Federally Recognized Indian
6 Tribe List Act of 1994 (25 U.S.C. 5131).

7 (9) TRIBAL LAND.—The term “Tribal land”
8 means any land—

9 (A) located within the boundaries of an In-
10 dian reservation, pueblo, or rancharia; or

11 (B) not located within the boundaries of an
12 Indian reservation, pueblo, or rancharia, the
13 title to which is held—

14 (i) in trust by the United States for
15 the benefit of an Indian Tribe or an indi-
16 vidual Indian;

17 (ii) by an Indian Tribe or an indi-
18 vidual Indian, subject to restriction against
19 alienation under laws of the United States;
20 or

21 (iii) by a dependent Indian commu-
22 nity.

23 (10) TRIBAL PRIME-AGE POPULATION.—

1 (A) IN GENERAL.—The term “Tribal
2 prime-age population” shall be equal to the sum
3 obtained by adding—

4 (i) the product obtained by multi-
5 plying—

6 (I) the total number of individ-
7 uals ages 25 through 54 residing on
8 the Tribal land of the Tribal govern-
9 ment; and

10 (II) 0.65; and

11 (ii) the product obtained by multi-
12 plying—

13 (I) the total number of individ-
14 uals ages 25 through 54 included on
15 the membership roll of the Tribal gov-
16 ernment; and

17 (II) 0.35.

18 (B) USE OF DATA.—A calculation under
19 subparagraph (A) shall be determined based on
20 data provided by the applicable Tribal govern-
21 ment to the Department of the Treasury under
22 the Coronavirus State and Local Fiscal Recov-
23 ery Fund programs under title VI of the Social
24 Security Act (42 U.S.C. 801 et seq.).

1 **SEC. 110002. CENTERS OF EXCELLENCE FOR DOMESTIC**
2 **MARITIME WORKFORCE TRAINING AND EDU-**
3 **CATION.**

4 Section 51706 of title 46, United States Code, is
5 amended—

6 (1) in subsection (a), by striking “of Transpor-
7 tation”;

8 (2) in subsection (b), in the subsection heading,
9 by striking “ASSISTANCE” and inserting “COOPERA-
10 TIVE AGREEMENTS”;

11 (3) by redesignating subsection (c) as sub-
12 section (d);

13 (4) in subsection (d), as redesignated by para-
14 graph (3), by adding at the end the following:

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

17 (5) by inserting after subsection (b) the fol-
18 lowing:

19 “(c) GRANT PROGRAM.—

20 “(1) DEFINITION OF ELIGIBLE INSTITUTION.—

21 In this subsection, the term ‘eligible institution’
22 means a postsecondary educational institution as
23 such term is defined in section 3 of the Carl D. Per-
24 kins Career and Technical Education Act of 2006
25 (20 U.S.C. 2302) that offers a 2-year program of

1 study, a 1-year program of training, or is a postsec-
2 ondary vocational institution.

3 “(2) GRANT AUTHORIZATION.—

4 “(A) IN GENERAL.—Not later than 1 year
5 after the date of enactment of the Maritime Ad-
6 ministration Authorization and Improvement
7 Act, the Secretary, in consultation with the Sec-
8 retary of Labor and the Secretary of Education,
9 may award maritime career training grants to
10 eligible institutions for the purpose of devel-
11 oping, offering, or improving educational or ca-
12 reer training programs for American workers
13 related to the maritime workforce.

14 “(B) GUIDELINES.—Not later than 1 year
15 after the date of enactment of the Maritime Ad-
16 ministration Authorization and Improvement
17 Act, the Secretary shall—

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

21 “(ii) publish and maintain such guide-
22 lines on the website of the Department of
23 Transportation.

1 “(3) LIMITATIONS.—The Secretary may not
2 award a grant under this subsection in an amount
3 that is more than \$20,000,000.

4 “(4) REQUIRED INFORMATION.—

5 “(A) IN GENERAL.—An eligible institution
6 that desires to receive a grant under this sub-
7 section shall submit to the Secretary a grant
8 proposal that includes a detailed description
9 of—

10 “(i) the specific project for which the
11 grant proposal is submitted, including the
12 manner in which the grant will be used to
13 develop, offer, or improve an educational
14 or career training program that is suited
15 to maritime industry workers;

16 “(ii) the extent to which the project
17 for which the grant proposal is submitted
18 will meet the educational or career training
19 needs of maritime workers in the commu-
20 nity served by the eligible institution;

21 “(iii) the extent to which the project
22 for which the grant proposal is submitted
23 fits within any overall strategic plan devel-
24 oped by an eligible community; and

1 “(iv) any previous experience of the
2 eligible institution in providing maritime
3 educational or career training programs.

4 “(B) COMMUNITY OUTREACH REQUIRED.—
5 In order to be considered by the Secretary, a
6 grant proposal submitted by an eligible institu-
7 tion under this subsection shall—

8 “(i) demonstrate that the eligible in-
9 stitution—

10 “(I) reached out to employers to
11 identify—

12 “(aa) any shortcomings in
13 existing maritime educational
14 and career training opportunities
15 available to workers in the com-
16 munity; and

17 “(bb) any future employ-
18 ment opportunities within the
19 community and the educational
20 and career training skills re-
21 quired for workers to meet the
22 future maritime employment de-
23 mand; and

24 “(II) reached out to other simi-
25 larly situated institutions in an effort

1 to benefit from any best practices that
2 may be shared with respect to pro-
3 viding maritime educational or career
4 training programs to workers eligible
5 for training; and

6 “(ii) include a detailed description
7 of—

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

11 “(II) the extent to which the
12 project for which the grant proposal is
13 submitted will contribute to meeting
14 any shortcomings identified under
15 clause (i)(I)(aa) or any maritime edu-
16 cational or career training needs iden-
17 tified under clause (i)(I)(bb); and

18 “(III) the extent to which em-
19 ployers, including small- and medium-
20 sized firms within the community,
21 have demonstrated a commitment to
22 employing workers who would benefit
23 from the project for which the grant
24 proposal is submitted.

25 “(5) CRITERIA FOR AWARD OF GRANTS.—

1 “(A) IN GENERAL.—Subject to the appro-
2 priation of funds, the Secretary shall award a
3 grant under this subsection based on—

4 “(i) a determination of the merits of
5 the grant proposal submitted by the eligi-
6 ble institution to develop, offer, or improve
7 maritime educational or career training
8 programs to be made available to workers;

9 “(ii) an evaluation of the likely em-
10 ployment opportunities available to workers
11 who complete a maritime educational or
12 career training program that the eligible
13 institution proposes to develop, offer, or
14 improve;

15 “(iii) an evaluation of prior demand
16 for training programs by workers in the
17 community served by the eligible institu-
18 tion, as well as the availability and capac-
19 ity of existing maritime training programs
20 to meet future demand for training pro-
21 grams; and

22 “(iv) any prior designation of an insti-
23 tution as a Center of Excellence for Do-
24 mestic Maritime Workforce Training and
25 Education.

1 “(B) MATCHING REQUIREMENTS.—A
2 grant awarded under this subsection may not
3 be used to satisfy any private matching require-
4 ment under any other provision of law.

5 “(6) PUBLIC REPORT.—Not later than Decem-
6 ber 15 in each of the calendar years 2021 through
7 2023, the Secretary shall make available on a pub-
8 lically available website a report and provide a brief-
9 ing to the Committee on Commerce, Science, and
10 Transportation of the Senate and the Committee on
11 Transportation and Infrastructure of the House of
12 Representatives—

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

15 “(B) assessing the impact of each award of
16 a grant under this subsection in a fiscal year
17 preceding the fiscal year referred to in subpara-
18 graph (A) on workers receiving training; and

19 “(C) the performance of the grant awarded
20 with respect to the indicators of performance
21 under section 116(b)(2)(A)(i) of the Workforce
22 Innovation and Opportunity Act (29 U.S.C.
23 3141(b)(2)(A)(i)).

1 “(7) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to carry out

3 this subsection \$200,000,000.”.

4 **SEC. 110003. FREIGHT RAIL INNOVATION INSTITUTE.**

5 (a) IN GENERAL.—Chapter 229 of title 49, United

6 States Code, is amended by adding at the end the fol-

7 lowing:

8 **“§ 22911. Freight Rail Innovation Institute**

9 “(a) ESTABLISHMENT.—Not later than 6 months

10 after the date of the enactment of this section, the Sec-

11 retary of Transportation, in coordination with the Sec-

12 retary of Energy, representatives of the National Labora-

13 tories, the National Institute of Standards and Tech-

14 nology, and the National Science Foundation, and in part-

15 nership with an eligible institution of higher education and

16 a freight rail locomotive manufacturer, shall establish a

17 Freight Rail Innovation Institute (referred to in this sec-

18 tion as the ‘Institute’) to carry out a research and develop-

19 ment program—

20 “(1) to develop—

21 “(A) technologies necessary for the design,

22 development, manufacturing, and operation of

23 zero-emission battery and hydrogen-powered

24 freight locomotives; and

1 “(B) technologies that enhance freight rail
2 safety, efficiency and utilization; and

3 “(2) to accelerate the deployment of—

4 “(A) zero-emission locomotives, including
5 passenger locomotives;

6 “(B) supporting supply chains;

7 “(C) advanced freight and logistics sys-
8 tems; and

9 “(D) related workforce development and
10 education innovations.

11 “(b) ACTIVITIES.—The Institute shall—

12 “(1) research, develop, and deploy zero-emission
13 battery and hydrogen-powered freight locomotives
14 and locomotive technologies;

15 “(2) develop and operate testing programs and
16 demonstration facilities;

17 “(3) develop advanced technologies that ad-
18 vance freight rail safety, efficiency, logistics, and uti-
19 lization;

20 “(4) develop and deploy an operating prototype
21 hydrogen powered locomotive;

22 “(5) deploy a revenue service testing and dem-
23 onstration program to accelerate commercial adop-
24 tion of battery electric locomotives;

1 “(6) develop specific technologies and innova-
2 tions to support the manufacturing and deployment
3 of zero-emission locomotives for passenger rail;

4 “(7) pay wages to all laborers and mechanics
5 employed by the Institute at rates that are not less
6 than those prevailing for the same type of work for
7 similar projects in the immediate locality, consistent
8 with the wage requirement set forth in section
9 113(a) of title 23, United States Code;

10 “(8) ensure that the freight rail locomotive
11 manufacturer that is associated with the Institute
12 fully complies with the Buy America requirement set
13 forth in section 22905(a) with respect to manufac-
14 turing and production associated with the Institute
15 and as a result of new technologies, innovations, and
16 methods developed at least in part by the Institute;
17 and

18 “(9) carry out other activities that the Sec-
19 retary of Transportation considers necessary.

20 “(c) APPLICANT REQUIREMENTS.—Applicants seek-
21 ing to establish the Institute under this section shall—

22 “(1) be a partnership consisting of at least 1
23 institution of higher education and at least 1 freight
24 rail locomotive manufacturer, which shall enter into

1 a cost-sharing agreement for purposes of the Insti-
2 tute; and

3 “(2) submit a comprehensive proposal to the
4 Secretary of Transportation that—

5 “(A) identifies how activities described in
6 subsection (b) will be carried out by the Insti-
7 tute;

8 “(B) includes a Memorandum of Under-
9 standing, signed by all partners, that com-
10 prehensively addresses all aspects of the Insti-
11 tute’s work, including how intellectual property
12 and revenue sharing from resulting techno-
13 logical developments will be handled; and

14 “(C) includes such other information as
15 the Secretary may require.

16 “(d) CONSIDERATIONS.—In selecting the applicant
17 that will receive funding to establish the Institute, the Sec-
18 retary of Transportation shall consider—

19 “(1) the extent to which the applicant’s pro-
20 posal maximizes greenhouse gas reductions and
21 other environmental benefits;

22 “(2) the ability of the applicant’s proposal to
23 increase the use of low- and zero- emission freight
24 rail technologies among the United States freight
25 and passenger rail industry;

1 “(3) the anticipated public benefits of the appli-
2 cant’s proposal, including the creation of construc-
3 tion, manufacturing, and services jobs that pay pre-
4 vailing wages;

5 “(4) proposed plans to train workers from the
6 area surrounding the Institute to develop competitive
7 advanced manufacturing, battery- or hydrogen-
8 power, and advanced freight utilization, network
9 safety and logistics technology skills;

10 “(5) the degree to which the applicant, includ-
11 ing its freight rail locomotive manufacturer, has ex-
12 perience—

13 “(A) carrying out battery and hydrogen re-
14 search on freight locomotives that reduce green-
15 house gas emissions; and

16 “(B) developing freight rail advanced sig-
17 naling, network safety, and logistics tech-
18 nologies;

19 “(6) the extent to which the applicant’s pro-
20 posal increases the proportional amount of goods
21 moved by freight rail in the United States;

22 “(7) the extent to which such proposal—

23 “(A) maximizes the private share of the
24 total cost of the institute beyond the minimum
25 level required under subsection (d); and

1 “(B) sustains the private investment up to
2 and beyond 2026; and

3 “(8) whether the proposed Institute is located
4 at a site that—

5 “(A) has legacy rail infrastructure;

6 “(B) has access to freight rail tracks and
7 rail connections; and

8 “(C) is located on a redeveloped brownfield
9 site in close proximity to a freight rail loco-
10 motive manufacturer, an institution of higher
11 education, and a short line or regional railroad.

12 “(e) FUNDING REQUIREMENT.—The non-Federal
13 share of the costs of the Institute’s research and develop-
14 ment program shall be not less than 50 percent.

15 “(f) NOTIFICATION.—

16 “(1) NOTICE.—Not later than 3 days after
17 Congress appropriates funds for the Institute for
18 any fiscal year, the Secretary of Transportation shall
19 submit to the Committee on Commerce, Science, and
20 Transportation of the Senate and the Committee on
21 Transportation and Infrastructure of the House of
22 Representatives—

23 “(A) the institution of higher education
24 and freight rail locomotive manufacturer that

1 have been selected to receive such funding to
2 operate the Institute; and

3 “(B) a summary of activities to be carried
4 out by the Institute.

5 “(2) ANNUAL REPORT.—Not later than 1 year
6 after Congress appropriates funds for the Institute
7 for any fiscal year, the Secretary shall submit a re-
8 port to the committees listed under paragraph (1)
9 that summarizes the work of the Institute on—

10 “(A) low- and zero-emission rail tech-
11 nologies;

12 “(B) increased freight rail utilization; and

13 “(C) training a workforce in advanced
14 manufacturing, battery- or hydrogen-power, ad-
15 vanced freight utilization, network safety, logis-
16 tics technology skills, and advanced rail safety
17 and logistics technologies.

18 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated \$120,000,000 for each
20 of the fiscal years 2022 through 2026, to carry out the
21 activities of the Institute described in subsection (b). Such
22 sums shall remain available until expended.

23 “(h) DEFINITIONS.—In this section:

1 “(1) FREIGHT RAIL LOCOMOTIVE MANUFAC-
2 TURER.—The term ‘freight rail locomotive manufac-
3 turer’ means a company—

4 “(A) headquartered in the United States;
5 and

6 “(B) that is engaged in the design, manu-
7 facture, and sale of freight rail locomotives,
8 train network systems, engines, parts, logistics,
9 rail safety and braking systems, and other
10 freight rail and locomotive products.

11 “(2) INSTITUTION OF HIGHER EDUCATION.—
12 The term ‘institution of higher education’ has the
13 meaning given such term in section 101 of the High-
14 er Education Act of 1965 (20 U.S.C. 1001).”.

15 (b) CLERICAL AMENDMENT.—The analysis for chap-
16 ter 229 of title 49, United States Code, is amended by
17 adding at the end the following:

 “22911. Freight Rail Innovation Institute.”.

18 **SEC. 110004. ECONOMIC ADJUSTMENT ASSISTANCE FOR EN-**
19 **ERGY AND INDUSTRIAL TRANSITION COMMU-**
20 **NITIES.**

21 There is authorized to be appropriated \$240,000,000
22 in total for fiscal years 2023 through 2028 to the Sec-
23 retary of Commerce for economic adjustment assistance
24 as authorized by section 209 of the Public Works and Eco-
25 nomic Development Act of 1965 (42 U.S.C. 3149) to pro-

1 vide assistance, including grants for technical assistance,
2 planning, and predevelopment activities, to energy and in-
3 dustrial transition communities, including oil, gas, coal,
4 nuclear, and biomass transition communities, and manu-
5 facturing transition communities.

6 **DIVISION M—SENSE OF CON-**
7 **GRESS REGARDING NEGA-**
8 **TIVE PERCEPTION OF PER-**
9 **SONS OF ASIAN ANCESTRY**
10 **AND FEDERAL LAW ENFORCE-**
11 **MENT**

12 **SEC. 120001. SENSE OF CONGRESS REGARDING NEGATIVE**
13 **PERCEPTION OF PERSONS OF ASIAN ANCES-**
14 **TRY AND FEDERAL LAW ENFORCEMENT.**

15 It is the sense of Congress that—

16 (1) there are notable instances where certain
17 Federal law enforcement officials and institutions
18 have contributed towards a negative growing percep-
19 tion that being of Asian ancestry or having ties to
20 China render an individual more suspect of espio-
21 nage and that such perceptions have created a cul-
22 ture of fear that has negatively impacted the Asian
23 immigrant and Asian American community;

24 (2) national policy should guard against un-
25 justly targeting scientists, academics, and institu-

1 tional faculty members on the basis of Chinese eth-
2 nicity or familial background, which risks irreparable
3 damage to careers, reputations, and lives, and erodes
4 the freedom of intellectual and academic exchange;

5 (3) the global competitiveness of the United
6 States, including with the People's Republic of
7 China, is harmed by hostility toward and unfair tar-
8 geting of Chinese and Chinese American scientists
9 and academics; and

10 (4) Congress rejects any dangerous attempts to
11 portray Chinese students, professors, and scholars
12 with more suspicion than non-Chinese academics.

13 **DIVISION N—PROHIBITING USE**
14 **OF FUNDS FOR PUBLICITY OR**
15 **PROPAGANDA**

16 **SEC. 130001. PROHIBITING USE OF FUNDS FOR PUBLICITY**
17 **OR PROPAGANDA.**

18 No part of any funds authorized to be appropriated
19 or otherwise made available under this Act shall be used
20 for publicity or propaganda purposes not authorized by
21 the Congress.

1 **DIVISION O—NATIONAL SECU-**
2 **RITY RESTRICTIONS ON USE**
3 **OF CERTAIN FUNDS**

4 **SEC. 140001. PROHIBITION ON USE OF FUNDS TO OBTAIN**
5 **COMMUNICATIONS EQUIPMENT OR SERVICES**
6 **POSING NATIONAL SECURITY RISK.**

7 (a) IN GENERAL.—The American Rescue Plan Act
8 of 2021 (Public Law 117–2; 135 Stat. 4) is amended by
9 adding at the end the following:

10 **“TITLE XII—NATIONAL SECU-**
11 **RITY RESTRICTIONS ON USE**
12 **OF FUNDS**

13 **“SEC. 12001. PROHIBITION ON USE OF FUNDS TO OBTAIN**
14 **COMMUNICATIONS EQUIPMENT OR SERVICES**
15 **POSING NATIONAL SECURITY RISK.**

16 “None of the funds made available under this Act or
17 an amendment made by this Act may be used to purchase,
18 rent, lease, or otherwise obtain any covered communica-
19 tions equipment or service, as defined in section 9 of the
20 Secure and Trusted Communications Networks Act of
21 2019 (47 U.S.C. 1608).”.

22 (b) TECHNICAL AND CONFORMING AMENDMENT.—
23 The table of contents in section 2 of the American Rescue
24 Plan Act of 2021 is amended by adding at the end the
25 following:

“TITLE XII—NATIONAL SECURITY RESTRICTIONS ON USE OF
FUNDS

“Sec. 12001. Prohibition on use of funds to obtain communications equipment
or services posing national security risk.”.

1 **DIVISION** **P—AGRICULTURE**
2 **FOREIGN INVESTMENT DIS-**
3 **CLOSURE REFORM**

4 **SEC. 150001. SHORT TITLE.**

5 This division may be cited as the “Agriculture For-
6 eign Investment Disclosure Reform Act”.

7 **SEC. 150002. ANNUAL REPORTS.**

8 The matter preceding paragraph (1) of section 2(b)
9 of the Agricultural Foreign Investment Disclosure Act of
10 1978 (7 U.S.C. 3501(b)) is amended by striking “agricul-
11 tural land” and all that follows through “effective date.”
12 and inserting “agricultural land on the day before the date
13 of the enactment of the Agricultural Foreign Investment
14 Disclosure Reform Act shall, beginning 180 days after
15 such date of enactment, and annually thereafter, submit
16 to the Secretary a report or certify to the Secretary that
17 there has been no change in status with respect to the
18 information required under paragraphs (1) through (8)
19 since the most recent such report was submitted to the
20 Secretary by such foreign person.”.

1 **SEC. 150003. REPORTS TO CONGRESS.**

2 The Agricultural Foreign Investment Disclosure Act
3 of 1978 (7 U.S.C. 3501 et seq.) is amended by inserting
4 after section 4 the following:

5 **“SEC. 5. REPORTS TO CONGRESS.**

6 “(a) Beginning 180 days after the date of the enact-
7 ment of the Agricultural Foreign Investment Disclosure
8 Reform Act, and annually thereafter, the Secretary shall,
9 using information obtained under section 2, submit to the
10 Congress a report on foreign investment in agricultural
11 land in the United States.

12 “(b) Beginning 90 days after the date of the enact-
13 ment of the Agricultural Foreign Investment Disclosure
14 Reform Act, the Secretary shall, using information ob-
15 tained under section 2, publish on the internet website of
16 the Department of Agriculture, and update every 90 days
17 thereafter, a database listing the agricultural lands owned
18 by foreign persons. Such listing shall be limited to the in-
19 formation described in paragraphs (1), (3), (4), (5), and
20 (7) of section 2(b), or if applicable, the certification made
21 to the Secretary pursuant to such subsection.

22 “(c)(1) Not later than 90 days after the end of each
23 covered period, the Secretary shall—

24 “(A) analyze information obtained by the Sec-
25 retary under section 2 and determine the effects of
26 foreign persons acquiring, transferring, and holding

1 agricultural land, particularly the effects of such ac-
2 quisitions, transfers, and holdings on family farms,
3 rural communities and the domestic food supply;
4 and

5 “(B) transmit to the President and Congress a
6 report on the findings and conclusions of the Sec-
7 retary regarding—

8 “(i) each analysis and determination made
9 under subparagraph (A);

10 “(ii) trends and patterns in foreign acqui-
11 sitions, transfers, and holdings of agricultural
12 land; and

13 “(iii) recommendations to Congress with
14 respect to the data and analysis.

15 “(2) In this subsection, the term ‘covered period’
16 means each of the following periods:

17 “(A) The 10-year period beginning on the date
18 of the enactment of Agricultural Foreign Investment
19 Disclosure Reform Act.

20 “(B) Each 10-year period thereafter.”.

21 **SEC. 150004. CIVIL PENALTY FOR FAILURE TO REPORT OR**
22 **MISREPORTING.**

23 Section 3(b) of the Agricultural Foreign Investment
24 Disclosure Act of 1978 (7 U.S.C. 3502(b)) is amended
25 by striking “, except that such amount shall not exceed

1 25 percent of the fair market value, on the date of the
2 assessment of such penalty, of the interest in agricultural
3 land with respect to which such violation occurred”.

4 **DIVISION Q—EMERGING**
5 **TECHNOLOGY LEADS**

6 **SEC. 160001. EMERGING TECHNOLOGY LEADS.**

7 (a) DEFINITIONS.—In this section:

8 (1) COVERED INDIVIDUAL.—The term “covered
9 individual” means—

10 (A) an individual serving in a Senior Exec-
11 utive Service position, as that term is defined in
12 section 3132(a) of title 5, United States Code;

13 (B) an individual who—

14 (i) is serving in a position to which
15 section 5376 of title 5, United States
16 Code, applies; and

17 (ii) has a significant amount of se-
18 niority and experience, as determined by
19 the head of the applicable covered Federal
20 agency; or

21 (C) another individual who is the equiva-
22 lent of an individual described in subparagraph
23 (A) or (B), as determined by the head of the
24 applicable covered Federal agency.

1 (2) COVERED FEDERAL AGENCY.—The term
2 “covered Federal agency” means—

3 (A) an agency listed in section 901(b) of
4 title 31, United States Code; or

5 (B) an element of the intelligence commu-
6 nity, as defined in section 3 of the National Se-
7 curity Act of 1947 (50 U.S.C. 3003).

8 (b) APPOINTMENT OR DESIGNATION.—Each covered
9 Federal agency that is also substantially engaged in the
10 development, application, or oversight of emerging tech-
11 nologies shall consider appointing or designating a covered
12 individual as an emerging technology lead to advise the
13 agency on the responsible use of emerging technologies,
14 including artificial intelligence, provide expertise on re-
15 sponsible policies and practices, collaborate with inter-
16 agency coordinating bodies, and provide input for procure-
17 ment policies.

18 (c) INFORMING CONGRESS.—Not later than 180 days
19 after the date of the enactment of this Act, the President
20 shall inform Congress of each covered Federal agency in
21 which a covered individual has been appointed or des-
22 ignated as an emerging technology lead under subsection
23 (b) and provide Congress with a description of the authori-
24 ties and responsibilities of the covered individuals so ap-
25 pointed.

1 **DIVISION R—COMMITTEE ON**
2 **SMALL BUSINESS**

3 **SEC. 170001. CHILD CARE RESOURCE GUIDE.**

4 The Small Business Act (15 U.S.C. 631 et seq.) is
5 amended—

6 (1) by redesignating section 49 as section 50;

7 and

8 (2) by inserting after section 48 the following
9 new section:

10 **“SEC. 49. CHILD CARE RESOURCE GUIDE.**

11 “(a) IN GENERAL.—Not later than 2 years after the
12 date of the enactment of this section and not less fre-
13 quently than every 5 years thereafter, the Administrator
14 shall publish or update a resource guide, applicable to var-
15 ious business models as determined by the Administrator,
16 for small business concerns operating as child care pro-
17 viders.

18 “(b) GUIDANCE ON SMALL BUSINESS CONCERN
19 MATTERS.—The resource guide required under subsection
20 (a) shall include guidance for such small business concerns
21 related to—

22 “(1) operations (including marketing and man-
23 agement planning);

24 “(2) finances (including financial planning, fi-
25 nancing, payroll, and insurance);

1 “(3) compliance with relevant laws (including
2 the Internal Revenue Code of 1986 and this Act);

3 “(4) training and safety (including equipment
4 and materials);

5 “(5) quality (including eligibility for funding
6 under the Child Care and Development Block Grant
7 Act of 1990 as an eligible child care provider); and

8 “(6) any other matters the Administrator deter-
9 mines appropriate.

10 “(c) CONSULTATION REQUIRED.—Before publication
11 or update of the resource guide required under subsection
12 (a), the Administrator shall consult with the following:

13 “(1) The Secretary of Health and Human Serv-
14 ices.

15 “(2) Representatives from lead agencies des-
16 igned under section 658D of the Child Care and
17 Development Block Grant Act of 1990.

18 “(3) Representatives from local or regional
19 child care resource and referral organizations de-
20 scribed in section 658E(c)(3)(B)(iii)(I) of the Child
21 Care and Development Block Grant Act of 1990.

22 “(4) Any other relevant entities as determined
23 by the Administrator.

24 “(d) PUBLICATION AND DISSEMINATION RE-
25 QUIRED.—

1 “(1) PUBLICATION.—The Administrator shall
2 publish the resource guide required under subsection
3 (a) on a publicly accessible website of the Adminis-
4 tration.

5 “(2) DISTRIBUTION.—

6 “(A) ADMINISTRATOR.—The Adminis-
7 trator shall distribute the resource guide re-
8 quired under subsection (a) to offices within the
9 Administration, including district offices, and to
10 the persons consulted under subsection (c).

11 “(B) OTHER ENTITIES.—Women’s busi-
12 ness centers (as described under section 29),
13 small business development centers, chapters of
14 the Service Corps of Retired Executives (estab-
15 lished under section 8(b)(1)(B)), and Veteran
16 Business Outreach Centers (as described under
17 section 32) shall distribute to small business
18 concerns operating as child care providers, sole
19 proprietors operating as child care providers,
20 and child care providers that have limited ad-
21 ministrative capacity (as determined by the Ad-
22 ministrator)—

23 “(i) the resource guide required under
24 subsection (a); and

1 “(ii) other resources available that the
2 Administrator determines to be relevant.”.

3 **DIVISION S—OCEAN SHIPPING**
4 **REFORM**

5 **SEC. 180001. PURPOSES.**

6 Section 40101 of title 46, United States Code, is
7 amended by striking paragraphs (2) through (4) and in-
8 serting the following:

9 “(2) ensure an efficient and competitive trans-
10 portation system for the common carriage of goods
11 by water in the foreign commerce of the United
12 States that is, as far as possible, in harmony with
13 fair and equitable international shipping practices;

14 “(3) encourage the development of a competi-
15 tive and efficient liner fleet of vessels of the United
16 States capable of meeting national security and com-
17 merce needs of the United States;

18 “(4) support the growth and development of
19 United States exports through a competitive and ef-
20 ficient system for the common carriage of goods by
21 water in the foreign commerce of the United States
22 and by placing a greater reliance on the market-
23 place; and

1 “(5) promote reciprocal trade in the common
2 carriage of goods by water in the foreign commerce
3 of the United States.”.

4 **SEC. 180002. SERVICE CONTRACTS.**

5 Section 40502 of title 46, United States Code, is
6 amended—

7 (1) in subsection (c)—

8 (A) in paragraph (7) by striking “; and”
9 and inserting a semicolon;

10 (B) in paragraph (8) by striking the period
11 and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(9) any other essential terms or minimum con-
14 tract requirements that the Federal Maritime Com-
15 mission determines necessary or appropriate.”; and

16 (2) by adding at the end the following:

17 “(g) **SERVICE CONTRACT REQUIREMENT.**—With re-
18 spect to service contracts entered into under this section,
19 a common carrier shall establish, observe, and enforce just
20 and reasonable regulations and practices relating to essen-
21 tial terms and minimum contract requirements the Com-
22 mission determines are necessary or appropriate under
23 subsection (c)(9).”.

1 **SEC. 180003. SHIPPING EXCHANGE REGISTRY.**

2 (a) IN GENERAL.—Chapter 405 of title 46, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 40504. Shipping exchange registry**

6 “(a) IN GENERAL.—No person may operate a ship-
7 ping exchange involving ocean transportation in the for-
8 eign commerce of the United States unless the shipping
9 exchange is registered as a national shipping exchange
10 under the terms and conditions provided in this section
11 and the regulations issued pursuant to this section.

12 “(b) REGISTRATION.—A person shall register a ship-
13 ping exchange by filing with the Federal Maritime Com-
14 mission an application for registration in such form as the
15 Commission, by rule, may prescribe containing the rules
16 of the exchange and such other information and docu-
17 ments as the Commission, by rule, may prescribe as nec-
18 essary or appropriate in the public interest.

19 “(c) EXEMPTION.—The Commission may exempt,
20 conditionally or unconditionally, a shipping exchange from
21 registration and licensing under this section if the Com-
22 mission finds that the shipping exchange is subject to com-
23 parable, comprehensive supervision and regulation by the
24 appropriate governmental authorities in the home country
25 of the shipping exchange.

1 “(d) REGULATIONS.—In issuing regulations pursu-
2 ant to subsection (a), the Commission shall set standards
3 necessary to carry out subtitle IV for registered national
4 shipping exchanges, including the minimum requirements
5 for service contracts established under section 40502, and
6 issue licenses for registered national shipping exchanges.

7 “(e) DEFINITION.—In this subsection, the term ‘ship-
8 ping exchange’ means a platform, digital, over-the-counter
9 or otherwise, which connects shippers with common car-
10 riers (both vessel-operating and non-vessel-operating) for
11 the purpose of entering into underlying agreements or con-
12 tracts for the transport of cargo, by vessel or other modes
13 of transportation.”.

14 (b) APPLICABILITY.—The registration requirement
15 under section 40504 of title 46, United States Code (as
16 added by this section), shall take effect on the date on
17 which the Federal Maritime Commission issues regula-
18 tions required under subsection (d) of such section.

19 (c) CLERICAL AMENDMENT.—The analysis for chap-
20 ter 405 of title 46, United States Code, is amended by
21 adding at the end the following:

“40504. Shipping exchange registry.”.

22 **SEC. 180004. DATA COLLECTION.**

23 (a) IN GENERAL.—Chapter 411 of title 46, United
24 States Code, is amended by adding at the end the fol-
25 lowing:

1 **“§ 41110. Data collection**

2 “(a) IN GENERAL.—Common carriers covered under
3 this chapter shall submit to the Federal Maritime Com-
4 mission a calendar quarterly report that describes the
5 total import and export tonnage and the total loaded and
6 empty 20-foot equivalent units per vessel (making port in
7 the United States, including any territory or possession
8 of the United States) operated by such common carrier.

9 “(b) PROHIBITION ON DUPLICATION.—Data required
10 to be reported under subsection (a) may not duplicate in-
11 formation—

12 “(1) submitted to the Corps of Engineers pur-
13 suant to section 11 of the Act entitled ‘An Act au-
14 thorizing the construction, repair, and preservation
15 of certain public works on rivers and harbors, and
16 for other purposes’, approved September 22, 1922
17 (33 U.S.C. 555), by an ocean common carrier acting
18 as a vessel operator; or

19 “(2) submitted pursuant to section 481 of the
20 Tariff Act of 1930 (19 U.S.C. 1481) to U.S. Cus-
21 toms and Border Protection by merchandise import-
22 ers.”.

23 (b) CLERICAL AMENDMENT.—The analysis for chap-
24 ter 411 of title 46, United States Code, is amended by
25 adding at the end the following:

“41110. Data collection.”.

1 **SEC. 180005. NATIONAL SHIPPER ADVISORY COMMITTEE.**

2 (a) NATIONAL SHIPPER ADVISORY COMMITTEE.—
3 Section 42502(c)(3) of title 46, United States Code, is
4 amended by inserting “, including customs brokers or
5 freight forwarders” after “ocean common carriers” each
6 place such term occurs.

7 (b) ANALYSIS.—The analysis for chapter 425 of title
8 46, United States Code, is amended by inserting before
9 the item relating to section 42501 the following:

“Sec.”.

10 **SEC. 180006. ANNUAL REPORT AND PUBLIC DISCLOSURES.**

11 (a) REPORT ON FOREIGN LAWS AND PRACTICES.—
12 Section 46106(b) of title 46, United States Code, is
13 amended—

14 (1) in paragraph (5) by striking “and” at the
15 end;

16 (2) in paragraph (6)—

17 (A) by striking “under this part” and in-
18 serting “under chapter 403”; and

19 (B) by striking the period and inserting a
20 semicolon; and

21 (3) by adding at the end the following:

22 “(7) an identification of any anticompetitive or
23 nonreciprocal trade practices by ocean common car-
24 riers;

1 “(8) an analysis of any trade imbalance result-
2 ing from the business practices of ocean common
3 carriers, including an analysis of the data collected
4 under section 41110; and

5 “(9) an identification of any otherwise con-
6 cerning practices by ocean common carriers, particu-
7 larly such carriers that are—

8 “(A) State-owned or State-controlled enter-
9 prises; or

10 “(B) owned or controlled by, is a sub-
11 sidiary of, or is otherwise related legally or fi-
12 nancially (other than a minority relationship or
13 investment) to a corporation based in a coun-
14 try—

15 “(i) identified as a nonmarket econ-
16 omy country (as defined in section 771(18)
17 of the Tariff Act of (U.S.C. 1677(18))) as
18 of the date of enactment of this paragraph;

19 “(ii) identified by the United States
20 Trade Representative in the most recent
21 report required by section 182 of the
22 Trade Act of 1974 (19 U.S.C. 2242) as a
23 priority foreign country under subsection
24 (a)(2) of that section; or

1 “(iii) subject to monitoring by the
2 Trade Representative under section 306 of
3 the Trade Act of 1974 (19 U.S.C. 2416).”.

4 (b) PUBLIC DISCLOSURE.—

5 (1) IN GENERAL.—Section 46106 of title 46,
6 United States Code, is amended by adding at the
7 end the following:

8 “(d) PUBLIC DISCLOSURES.—The Federal Maritime
9 Commission shall publish, and annually update, on the
10 website of the Commission—

11 “(1) all findings by the Commission of false
12 certifications by common carriers or marine terminal
13 operators under section 41104(a)(15) of this title;
14 and

15 “(2) all penalties imposed or assessed against
16 common carriers or marine terminal operators, as
17 applicable, under sections 41107, 41108, and 41109,
18 listed by each common carrier or marine terminal
19 operator.”.

20 (2) CONFORMING AND CLERICAL AMEND-
21 MENTS.—

22 (A) CONFORMING AMENDMENT.—The
23 heading for section 46106 of title 46, United
24 States Code, is amended by inserting “**and**
25 **public disclosure**” after “**report**”.

1 (B) CLERICAL AMENDMENT.—The analysis
2 for chapter 461 of title 46, United States Code,
3 is amended by striking the item related to sec-
4 tion 46106 and inserting the following:

“46106. Annual report and public disclosure.”.

5 **SEC. 180007. GENERAL PROHIBITIONS.**

6 Section 41102 of title 46, United States Code, is
7 amended by adding by adding at the end the following:

8 “(d) PROHIBITION ON RETALIATION.—A common
9 carrier, marine terminal operator, or ocean transportation
10 intermediary, either alone or in conjunction with any other
11 person, directly or indirectly, may not retaliate against a
12 shipper, a shipper’s agent, or a motor carrier by refusing,
13 or threatening to refuse, cargo space accommodations
14 when available, or resort to other unfair or unjustly dis-
15 criminatory methods because the shipper has patronized
16 another carrier, has filed a complaint, or for any other
17 reason.

18 “(e) CERTIFICATION.—A common carrier or marine
19 terminal operator shall not charge any other person de-
20 murrage or detention charges under a tariff, marine ter-
21 minal schedule, service contract, or any other contractual
22 obligation unless accompanied by an accurate certification
23 that such charges comply with all rules and regulations
24 concerning demurrage or detention issued by the Commis-
25 sion. The certification requirement only applies to the en-

1 tity that establishes the charge, and a common carrier or
2 marine terminal operator that collects a charge on behalf
3 of another common carrier or marine terminal operator
4 is not responsible for providing the certification, except
5 that an invoice from a common carrier or marine terminal
6 operator collecting a charge on behalf of another must in-
7 clude a certification from the party that established the
8 charge.”.

9 **SEC. 180008. PROHIBITION ON UNREASONABLY DECLINING**
10 **CARGO.**

11 (a) UNREASONABLY DECLINING CARGO.—Section
12 41104 of title 46, United States Code, is amended in sub-
13 section (a)—

14 (1) by striking paragraph (3) and inserting the
15 following:

16 “(3) engage in practices that unreasonably re-
17 duce shipper accessibility to equipment necessary for
18 the loading or unloading of cargo;”;

19 (2) in paragraph (12) by striking “; or” and in-
20 serting a semicolon;

21 (3) in paragraph (13) by striking the period
22 and inserting a semicolon; and

23 (4) by adding at the end the following:

24 “(14) fail to furnish or cause a contractor to
25 fail to furnish containers or other facilities and in-

1 instrumentalities needed to perform transportation
2 services, including allocation of vessel space accom-
3 modations, in consideration of reasonably foreseeable
4 import and export demands; or

5 “(15) unreasonably decline export cargo book-
6 ings if such cargo can be loaded safely and timely,
7 as determined by the Commandant of the Coast
8 Guard, and carried on a vessel scheduled for the im-
9 mediate destination of such cargo.”.

10 (b) RULEMAKING ON UNREASONABLY DECLINING
11 CARGO.—

12 (1) IN GENERAL.—Not later than 90 days after
13 the date of enactment of this Act, the Commission
14 shall initiate a rulemaking proceeding to define the
15 term “unreasonably decline” for the purposes of
16 subsection (a)(15) of section 41104 of title 46,
17 United States Code (as added by subsection (a)).

18 (2) CONTENTS.—The rulemaking under para-
19 graph (1) shall address the unreasonableness of
20 ocean common carriers prioritizing the shipment of
21 empty containers while excluding, limiting, or other-
22 wise reducing the shipment of full, loaded containers
23 when such containers are readily available to be
24 shipped and the appurtenant vessel has the weight

1 and space capacity available to carry such containers
2 if loaded in a safe and timely manner.

3 **SEC. 180009. DETENTION AND DEMURRAGE.**

4 (a) IN GENERAL.—Section 41104 of title 46, United
5 States Code, is further amended by adding at the end the
6 following:

7 “(d) CERTIFICATION.—Failure of a common carrier
8 to include a certification under section 41102(e) alongside
9 any demurrage or detention charge shall eliminate any ob-
10 ligation of the charged party to pay the applicable charge.

11 “(e) DEMURRAGE AND DETENTION PRACTICES AND
12 CHARGES.—Notwithstanding any other provision of law
13 and not later than 30 days of the date of enactment of
14 this subsection, a common carrier or marine terminal op-
15 erator, shall—

16 “(1) act in a manner consistent with any rules
17 or regulations concerning demurrage or detention
18 issued by the Commission;

19 “(2) maintain all records supporting the assess-
20 ment of any demurrage or detention charges for a
21 period of 5 years and provide such records to the
22 invoiced party or to the Commission on request; and

23 “(3) bear the burden of establishing the reason-
24 ableness of any demurrage or detention charges
25 which are the subject of any complaint proceeding

1 challenging a common carrier or marine terminal op-
2 erator demurrage or detention charges as unjust and
3 unreasonable.

4 “(f) PENALTIES FOR FALSE OR INACCURATE CER-
5 TIFIED DEMURRAGE OR DETENTION CHARGES.—In the
6 event of a finding that the certification under section
7 41102(e) was inaccurate, or false after submission under
8 section 41301, penalties under section 41107 shall be ap-
9 plied if the Commission determines, in a separate enforce-
10 ment proceeding, such certification was inaccurate or
11 false.”.

12 (b) RULEMAKING ON DETENTION AND DEMUR-
13 RAGE.—

14 (1) IN GENERAL.—Not later than 120 days
15 after the date of enactment of this Act, the Federal
16 Maritime Commission shall initiate a rulemaking
17 proceeding to establish rules prohibiting common
18 carriers and marine terminal operators from adopt-
19 ing and applying unjust and unreasonable demur-
20 rage and detention rules and practices.

21 (2) CONTENTS.—The rulemaking under para-
22 graph (1) shall address the issues identified in the
23 final rule published on May 18, 2020, titled “Inter-
24 pretive Rule on Demurrage and Detention Under

1 the Shipping Act” (85 Fed. Reg. 29638), including
2 the following:

3 (A) Establishing clear and uniform defini-
4 tions for demurrage, detention, cargo avail-
5 ability for retrieval and associated free time,
6 and other terminology used in the rule. The
7 definition for cargo availability for retrieval
8 shall account for government inspections.

9 (B) Establishing that demurrage and de-
10 tention rules are not independent revenue
11 sources but incentivize efficiencies in the ocean
12 transportation network, including the retrieval
13 of cargo and return of equipment.

14 (C) Prohibiting the consumption of free
15 time or collection of demurrage and detention
16 charges when obstacles to the cargo retrieval or
17 return of equipment are within the scope of re-
18 sponsibility of the carrier or their agent and be-
19 yond the control of the invoiced or contracting
20 party.

21 (D) Prohibiting the commencement or con-
22 tinuation of free time unless cargo is available
23 for retrieval and timely notice of cargo avail-
24 ability has been provided.

1 (E) Prohibiting the consumption of free
2 time or collection of demurrage charges when
3 marine terminal appointments are not available
4 during the free time period.

5 (F) Prohibiting the consumption of free
6 time or collection of detention charges on con-
7 tainers when the marine terminal required for
8 return is not open or available.

9 (G) Requiring common carriers to provide
10 timely notice of—

11 (i) cargo availability after vessel dis-
12 charge;

13 (ii) container return locations; and

14 (iii) advance notice for container early
15 return dates.

16 (H) Establishing minimum billing require-
17 ments, including timeliness and supporting in-
18 formation that shall be included in or with in-
19 voices for demurrage and detention charges
20 that will allow the invoiced party to validate the
21 charges.

22 (I) Requiring common carriers and marine
23 terminal operators to establish reasonable dis-
24 pute resolution policies and practices.

1 (J) Establishing the responsibilities of
2 shippers, receivers, and draymen with respect to
3 cargo retrieval and equipment return.

4 (K) Clarifying rules for the invoicing of
5 parties other than the shipper for any demur-
6 rage, detention, or other similar per container
7 charges, including determining whether such
8 parties should be billed at all.

9 (c) RULEMAKING ON MINIMUM SERVICE STAND-
10 ARDS.—Not later than 90 days after the date of enact-
11 ment of this Act, the Commission shall initiate a rule-
12 making proceeding to incorporate subsections (d) through
13 (f) of 41104 of title 46, United States Code, which shall
14 include the following:

15 (1) The obligation to adopt reasonable rules
16 and practices related to or connected with the fur-
17 nishing and allocation of adequate and suitable
18 equipment, vessel space accommodations, containers,
19 and other instrumentalities necessary for the receiv-
20 ing, loading, carriage, unloading and delivery of
21 cargo.

22 (2) The duty to perform the contract of car-
23 riage with reasonable dispatch.

24 (3) The requirement to carry United States ex-
25 port cargo if such cargo can be loaded safely and

1 timely, as determined by the Commandant of the
2 Coast Guard, and carried on a vessel scheduled for
3 such cargo's immediate destination.

4 (4) The requirement of ocean common carriers
5 to establish contingency service plans to address and
6 mitigate service disruptions and inefficiencies during
7 periods of port congestion and other market disrup-
8 tions.

9 **SEC. 180010. ASSESSMENT OF PENALTIES.**

10 (a) ASSESSMENT OF PENALTIES.—Section 41109 of
11 title 46, United States Code, is amended—

12 (1) in subsection (a)—

13 (A) by inserting “or, in addition to or in
14 lieu of a civil penalty, order the refund of
15 money” after “this part”; and

16 (B) by inserting “or refund of money”
17 after “conditions, a civil penalty”;

18 (2) in subsection (c) by inserting “or refund of
19 money” after “civil penalty”;

20 (3) in subsection (e) by inserting “or order a
21 refund of money” after “civil penalty”; and

22 (4) in subsection (f) by inserting “or who is or-
23 dered to refund money” after “civil penalty is as-
24 sessed”.

1 (b) ADDITIONAL PENALTIES.—Section 41108(a) of
2 title 46, United States Code, is amended by striking “sec-
3 tion 41104(1), (2), or (7)” and inserting “subsections (d)
4 or (e) of section 41102 or paragraph (1), (2), (7), (14),
5 or (15) of section 41104(a)”.

6 (c) CONFORMING AMENDMENT.—Section 41309 of
7 title 46, United States Code, is amended—

8 (1) in subsection (a)—

9 (A) by inserting “or refund of money”
10 after “payment of reparation”; and

11 (B) by inserting “or to whom the refund of
12 money was ordered” after “award was made”;
13 and

14 (2) in subsection (b) by inserting “or refund of
15 money” after “award of reparation”.

16 (d) AWARD OF REPARATIONS.—Section 41305(c) of
17 title 46, United States Code, is amended—

18 (1) by inserting “or (c)” after “41102(b)”; and

19 (2) by inserting “, or if the Commission deter-
20 mines that a violation of section 41102(e) was made
21 willfully or knowingly” after “of this title”.

22 **SEC. 180011. INVESTIGATIONS.**

23 Section 41302 of title 46, United States Code, is
24 amended by striking “or agreement” and inserting “,
25 agreement, fee, or charge”.

1 **SEC. 180012. INJUNCTIVE RELIEF.**

2 Section 41307(b) to title 46, United States Code, is
3 amended—

4 (1) in paragraph (3)—

5 (A) in the heading by striking “AND THIRD
6 PARTIES”; and

7 (B) by striking the second sentence; and

8 (2) by adding at the end the following:

9 “(5) THIRD PARTY INTERVENTION.—The court
10 may allow a third party to intervene in a civil action
11 brought under this section.”.

12 **SEC. 180013. TECHNICAL AMENDMENTS.**

13 (a) FEDERAL MARITIME COMMISSION.—The analysis
14 for chapter 461 of title 46, United States Code, is amend-
15 ed by striking the first item relating to chapter 461.

16 (b) ASSESSMENT OF PENALTIES.—Section 41109(c)
17 of title 46, United States Code, is amended by striking
18 “section 41104(1) or (2)” and inserting “paragraph (1)
19 or (2) of section 41104(a)”.

20 (c) NATIONAL SHIPPER ADVISORY COMMITTEE.—
21 Section 42502(c)(3) of title 46, United States Code is
22 amended by striking “REPRESENTATION” and all that fol-
23 lows through “Members” and inserting “REPRESENTA-
24 TION.—Members”.

1 **SEC. 180014. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 46108 of title 46, United States Code, is
3 amended by striking “\$29,086,888 for fiscal year 2020
4 and \$29,639,538 for fiscal year 2021” and inserting
5 “\$32,603,492 for fiscal year 2022 and \$35,863,842 for
6 fiscal year 2023”.

7 **SEC. 180015. NAS STUDY ON SUPPLY CHAIN INDUSTRY.**

8 (a) IN GENERAL.—Not later than 60 days after the
9 date of enactment of this Act, the Secretary of Transpor-
10 tation shall seek to enter into an agreement with the Na-
11 tional Academy of Sciences under which the National
12 Academy shall conduct a study on the United States sup-
13 ply chain that examines data constraints that impede the
14 flow of maritime cargo and add to supply chain inefficien-
15 cies and that identifies data sharing systems that can be
16 employed to improve the functioning of the United States
17 supply chain.

18 (b) CONTENTS.—The study required under sub-
19 section (a) shall include—

20 (1) the identification of where bottlenecks or
21 chokepoints are most prominent within the United
22 States supply chain;

23 (2) the identification of what common shipping
24 data is created with each hand-off of a container
25 through the United States supply chain and how
26 such data is stored and shared;

1 (3) the identification of critical data elements
2 used by any entity covered by subsection (c), includ-
3 ing the key elements used for various supply chain
4 business processes;

5 (4) a review of the methodology used to store,
6 access, and disseminate shipping data across the
7 United States supply chain and evaluation of the in-
8 efficiencies in such methodology;

9 (5) an analysis of existing and potential impedi-
10 ments to the free flow of information among entities
11 covered by subsection (c), including—

12 (A) identification of barriers that prevent
13 carriers, terminals, and shippers from having
14 access to commercial data; and

15 (B) any inconsistencies in—

16 (i) terminology used across data ele-
17 ments connected to the shipment, arrival,
18 and unloading of a shipping container; and

19 (ii) the classification systems used
20 across the United States supply chain, in-
21 cluding inconsistencies in the names of en-
22 tities covered by subsection (c), geo-
23 graphical names, and terminology;

24 (6) the identification of information to be in-
25 cluded in an improved data sharing system designed

1 to plan, execute, and monitor the optimal loading
2 and unloading of maritime cargo; and

3 (7) the identification of existing software and
4 data sharing platforms available to facilitate propa-
5 gation of information to all agents involved in the
6 loading and unloading of maritime cargo and evalu-
7 ate the effectiveness of such software and platforms
8 if implemented.

9 (c) COLLECTION OF INFORMATION.—In conducting
10 the study required under subsection (a), the National
11 Academy of Sciences shall collect information from—

12 (1) vessel operating common carriers and non-
13 vessel operating common carriers;

14 (2) marine terminal operators;

15 (3) commercial motor vehicle operators;

16 (4) railroad carriers;

17 (5) chassis providers;

18 (6) ocean transportation intermediaries;

19 (7) custom brokers;

20 (8) freight forwarders;

21 (9) shippers and cargo owners;

22 (10) the National Shipper Advisory Committee;

23 (11) relevant government agencies, such as the
24 Federal Maritime Commission, the Surface Trans-

1 portation Board, and the United States Customs
2 and Border Protection;

3 (12) to the extent practicable, representatives of
4 foreign countries and maritime jurisdictions outside
5 of the United States; and

6 (13) any other entity involved in the transpor-
7 tation of ocean cargo and the unloading of cargo
8 upon arrival at a port.

9 (d) FACILITATION OF DATA SHARING.—In carrying
10 out the study under subsection (a), the National Academy
11 of Sciences may solicit information from any relevant
12 agency relating to the United States supply chain.

13 (e) REPORT.—Not later than 18 months after enter-
14 ing into an arrangement with the Secretary under sub-
15 section (a), the National Academy of Sciences shall submit
16 to the Committee on Transportation and Infrastructure
17 of the House of Representatives and the Committee on
18 Commerce, Science, and Transportation of the Senate,
19 and make available on a publicly accessible website, a re-
20 port containing—

21 (1) the study required under subsection (a);

22 (2) the information collected under subsections
23 (b) and (c), excluding any personally identifiable in-
24 formation or sensitive business information; and

25 (3) any recommendations for—

1 (A) common data standards to be used in
2 the United States supply chain; and

3 (B) policies and protocols that would
4 streamline information sharing across the
5 United States supply chain.

6 **SEC. 180016. TEMPORARY EMERGENCY AUTHORITY.**

7 (a) PUBLIC INPUT ON INFORMATION SHARING.—

8 (1) IN GENERAL.—Not later than 30 days after
9 the date of enactment of this Act, the Federal Mari-
10 time Commission shall issue a request for informa-
11 tion seeking public comment regarding—

12 (A) whether congestion of the common car-
13 riage of goods has created an emergency situa-
14 tion of a magnitude such that there exists a
15 substantial adverse effect on the competitive-
16 ness and reliability of the international ocean
17 transportation supply system;

18 (B) whether an emergency order described
19 in subsection (b) would alleviate such an emer-
20 gency situation; and

21 (C) the appropriate scope of such an emer-
22 gency order, if applicable.

23 (2) CONSULTATION.—During the public com-
24 ment period under paragraph (1), the Commission

1 may consult, as the Commission determines to be
2 appropriate, with—

3 (A) other Federal departments and agen-
4 cies; and

5 (B) persons with expertise relating to mar-
6 itime and freight operations.

7 (b) **AUTHORITY TO ISSUE EMERGENCY ORDER RE-**
8 **QUIRING INFORMATION SHARING.**—On making a unani-
9 mous determination described in subsection (c), the Com-
10 mission may issue an emergency order requiring any com-
11 mon carrier or marine terminal operator to share directly
12 with relevant shippers, rail carriers, or motor carriers in-
13 formation relating to cargo throughput and availability, in
14 order to ensure the efficient transportation, loading, and
15 unloading of cargo to or from—

16 (1) any inland destination or point of origin;

17 (2) any vessel; or

18 (3) any point on a wharf or terminal.

19 (c) **DESCRIPTION OF DETERMINATION.**—

20 (1) **IN GENERAL.**—A determination referred to
21 in subsection (b) is a unanimous determination by
22 the Commission that congestion of common carriage
23 of goods has created an emergency situation of a
24 magnitude such that there exists a substantial ad-
25 verse effect on the competitiveness and reliability of

1 the international ocean transportation supply sys-
2 tem.

3 (2) FACTORS FOR CONSIDERATION.—In issuing
4 an emergency order under subsection (b), the Com-
5 mission shall ensure that such order includes param-
6 eters relating to temporal and geographic scope, tak-
7 ing into consideration the likely burdens on ocean
8 carriers and marine terminal operators and the like-
9 ly benefits on congestion relating to the purposes de-
10 scribed in section 40101 of title 46, United States
11 Code.

12 (d) PETITIONS FOR EXCEPTION.—

13 (1) IN GENERAL.—A common carrier or marine
14 terminal operator subject to an emergency order
15 issued under this section may submit to the Com-
16 mission a petition for exception from 1 or more re-
17 quirements of the emergency order, based on a
18 showing of undue hardship or other condition ren-
19 dering compliance with such a requirement imprac-
20 tical.

21 (2) DETERMINATION.—Not later than 21 days
22 after the date on which a petition for exception
23 under paragraph (1) is submitted, the Commission
24 shall determine whether to approve or deny such pe-
25 tition by majority vote.

1 (3) INAPPLICABILITY PENDING REVIEW.—The
2 requirements of an emergency order that is the sub-
3 ject of a petition for exception under this subsection
4 shall not apply to a petitioner during the period for
5 which the petition is pending.

6 (e) LIMITATIONS.—

7 (1) TERM.—An emergency order issued under
8 this section shall remain in effect for a period of not
9 longer than 60 days.

10 (2) RENEWAL.—The Commission may renew an
11 emergency order issued under this section for an ad-
12 ditional term by a unanimous determination by the
13 Commission.

14 (f) SUNSET.—The authority provided by this section
15 shall terminate on the date that is 2 years after the date
16 of enactment of this Act.

17 (g) DEFINITIONS.—In this section:

18 (1) COMMON CARRIER.—The term “common
19 carrier” has the meaning given such term in section
20 40102 of title 46, United States Code.

21 (2) MOTOR CARRIER.—The term “motor car-
22 rier” has the meaning given such term in section
23 13102 of title 49, United States Code.

1 (3) RAIL CARRIER.—The term “rail carrier”
2 has the meaning given such term in section 10102
3 of title 49, United States Code.

4 (4) SHIPPER.—The term “shipper” has the
5 meaning given such term in section 40102 of title
6 46, United States Code.

 Passed the House of Representatives February 4,
2022.

Attest:

Clerk.

117TH CONGRESS
2^D SESSION

H. R. 4521

AN ACT

To provide for a coordinated Federal research initiative to ensure continued United States leadership in engineering biology.