than 90 days after the date on which the State received the amounts from the Secretary under clause (i) or (ii) of paragraph (1)(A).

(D) RECOVERY OF UNOBLIGATED FUNDS.—If a State, entitlement community, other unit of general local government, entity designated by a unit of general local government, or small business emergency fund fails to obligate amounts by the applicable deadline under subparagraph (C), the Secretary shall recover the amount of those amounts that remain unobligated, as of that deadline.

(E) COLLABORATION.—It is the sense of Congress that—

(i) an entitlement community that receives amounts allocated under paragraph (1)(B)(i)(I) should collaborate with the applicable local entity responsible for economic development and small business development in establishing and administering a small business emergency fund; and

(ii) States, units of general local government (including units of general local government located inside and outside nonentitlement areas), and Indian Tribes that receive amounts under paragraph (1) and are located in the same region should collaborate in establishing and administering small business emergency funds.

(d) SMALL BUSINESS EMERGENCY FUNDS.—With respect to a small business emergency fund that receives funds from an allocation made under subsection (c)—

(1) the small business emergency fund shall establish, and make publicly available, guidelines with respect to the receipt of assistance from the fund, including—

(A) eligibility to receive that assistance; and

(B) financing terms and document retention requirements with respect to a recipient of that assistance;

(2) if the small business emergency fund makes a loan to an eligible entity with those funds, the small business emergency fund may use amounts returned to the small business emergency fund from the repayment of the loan to provide further assistance to eligible entities, without regard to the termination date described in subsection (j); and

(3) the small business emergency fund—

(A) shall conduct outreach to eligible entities that are less likely to participate in programs established under the CARES Act (Public Law 116–136; 134 Stat. 281) and the amendments made by that Act, including minority-owned entities, businesses in low-income communities, businesses in rural and Tribal areas, and other businesses that are underserved by the traditional banking system;

(B) in providing financing to eligible entities with those funds, shall, to the maximum extent practicable, give preference to eligible entities that have not received a loan under section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)), which shall have no effect on the ability of the eligible entity to receive a loan under such section 7(a)(36) if the eligible entity is otherwise eligible to receive such a loan; and

(C) shall adopt standards that—

(i) encourage participation by the greatest number of eligible entities possible; and

(ii) establish a reasonable expectation of payment with respect to financing provided to eligible entities with those funds.

(e) INFORMATION GATHERING.—

(1) IN GENERAL.—When providing assistance to an eligible entity with funds received from an allocation made under subsection (c), the entity providing assistance shall—

(A) inquire whether the eligible entity is—

(i) in the case of an eligible entity that is a business entity or a nonprofit organization, a women-owned entity or a minority-owned entity; and

(ii) in the case of an eligible entity who is an individual, a woman or a minority; and

(B) maintain a record of the responses to each inquiry conducted under subparagraph (A), which the entity shall promptly submit to the applicable State, unit of general local government, or Indian Tribe.

(2) RIGHT TO REFUSE.—An eligible entity may refuse to provide any information requested under paragraph (1)(A).

(f) REPORTING.—

(1) IN GENERAL.—Not later than 30 days after the date on which a State, unit of general local government, or Indian Tribe initially receives an allocation made under subsection (c), and not later than 14 days after the date on which that State, unit of local government, or Indian Tribe completes the full expenditure of that allocation, that State, unit of general local government, or Indian Tribe shall submit to the Secretary a report that includes—

(A) the number of recipients of assistance made available from the allocation;

(B) the total amount, and type, of assistance made available from the allocation;

(C) to the extent applicable, with respect to each recipient described in subparagraph (A), information regarding the industry of the recipient, the amount of assistance received by the recipient, the annual sales of the recipient, and the number of employees of the recipient;

(D) to the extent available from information collected under subsection (e), information regarding the number of recipients described in subparagraph (A) that are minority-owned entities, minorities, women, and women-owned entities;

(E) the zip code of each recipient described in subparagraph (A); and

(F) any other information that the Secretary, in the sole discretion of the Secretary, determines to be necessary to carry out the Program.

(2) PUBLIC AVAILABILITY.—As soon as is practicable after receiving each report submitted under paragraph (1), the Secretary shall make the information contained in the report, including all of the information described in subparagraphs (A) through (F) of that paragraph, publicly available.

(g) RULES AND GUIDANCE.—The Secretary, in consultation with the Administrator, shall issue any rules and guidance that are necessary to carry out the Program, including by—

(1) establishing appropriate compliance and reporting requirements, in addition to the reporting requirements under subsection (f);

(2) as soon as practicable after the date of enactment of this Act, issuing guidance with respect to the collection, maintenance, and reporting of information under subsections (e) and (f) (and any requirements established under paragraph (1)), including—

(A) the means by which an entity to which those subsections and other requirements apply shall collect and maintain that information; and

(B) with respect to a report required under subsection (f), or under a requirement established under paragraph (1), the format that an entity to which any such requirement applies shall use to submit such a report; and

(3) defining terms, other than those terms that are defined in subsection (a).

(h) OVERSIGHT.—

(1) INSPECTOR GENERAL.—

(A) IN GENERAL.—The Inspector General of the Department of the Treasury shall conduct monitoring and oversight of the receipt, disbursement, and use of funds under the Program.

(B) RECOUPMENT.—If the Inspector General of the Department of the Treasury determines that an entity that receives amounts made available under the Program has failed to comply with a requirement of this section, the amount equal to the amount of funds used in violation of this section shall be booked as a debt of that entity owed to the Federal Government and, when recouped, shall be deposited in the General Fund of the Treasury.

(2) GAO.—Not later than 1 year after the date on which the Program terminates under subsection (j), the Comptroller General of the United States shall conduct a review of the Program and submit to the appropriate committees of Congress a report that contains the results of that review.

(i) APPROPRIATION.—

(1) IN GENERAL.—There are appropriated to the Secretary for fiscal year 2020, out of amounts in the Treasury not otherwise appropriated, $50,500,000,000 to carry out the Program, which shall remain available until the termination date described in subsection (j).

(2) APPLICATION OF PROVISIONS.—Amounts appropriated under paragraph (1) shall be subject to the requirements contained in the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) for funds for programs authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 254b through 256).

(j) TERMINATION.—The Program, and any rules and guidance issued under subsection (g) with respect to the Program, shall terminate on the date that is 1 year after the date of enactment of this Act.

SA 2538. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

Strike section 2 and insert the following:

SEC. 2. IMPROVEMENTS TO FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION TO BETTER MATCH LOST WAGES.

(a) EXTENSION.—Section 2104(e)(2) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended by striking ''July 31, 2020'' and inserting ''December 31, 2020''.

(b) IMPROVEMENTS TO ACCURACY OF PAYMENTS.—

(1) FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.—

(A) IN GENERAL.—Section 2104(b) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended—

(i) in paragraph (1)(B), by striking ''of $600'' and inserting ''equal to the amount specified in paragraph (3)''; and

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

''(3) AMOUNT OF FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.—

''(A) IN GENERAL.—The amount specified in this paragraph is the following amount with respect to an individual:

''(i) For weeks of unemployment beginning after the date on which an agreement is entered into under this section and ending on or before July 31, 2020, $600.

''(ii) For weeks of unemployment beginning after the last week under clause (i) and ending on or before September 28, 2020. $500.

''(iii) For weeks of unemployment beginning after the last week under clause (ii) and

ending on or before December 31, 2020, an amount (not to exceed $500) equal to one of the following, as determined by the State for all individuals:

''(I) Subject to subclause (II), an amount equal to—

''(aa) 100 percent of the individual's average weekly wages; minus

''(bb) the individual's base amount (determined prior to any reductions or offsets).

''(II) If proposed by the State as an alternative to subclause (I) and approved by the Secretary, an amount that results in the sum of the base amount and the amount of Federal Pandemic Unemployment Compensation under this section being on average equal to 100 percent of lost wages.

''(B) BASE AMOUNT.—For purposes of this paragraph, the term 'base amount' means, with respect to an individual, an amount equal to—

''(i) for weeks of unemployment under the pandemic unemployment assistance program under section 2102, the amount determined under subsection (d)(1)(A)(i) or (d)(2) of such section 2102, as applicable; or

''(ii) for all other weeks of unemployment, the amount determined under paragraph (1)(A) of this subsection.

''(C) AVERAGE WEEKLY WAGES.—

''(i) IN GENERAL.—Subject to clause (ii), for purposes of this paragraph, the term 'average weekly wages' means, with respect to an individual, the following:

''(I) If the State computes the individual weekly unemployment compensation benefit amount based on an individual's average weekly wages in a base period, an amount equal to the individual's average weekly wages used in such computation.

''(II) If the State computes the individual weekly unemployment compensation benefit amount based on high quarter wages or a formula using wages across some but not all quarters in a base period, an amount equal to 1/13 of such high quarter wages or average wages of the applicable quarters used in the computation for the individual.

''(III) If the State uses computations other than the computations under subclause (I) or (II) for the individual weekly unemployment compensation benefit amount, or for computations of the weekly benefit amount under the pandemic unemployment assistance program under section 2102, as described in subsection (d)(1)(A)(i) or (d)(2) of such section 2102, for which subclause (I) or (II) do not apply, an amount equal to 1/52 of the sum of all base period wages.

''(ii) SPECIAL RULE.—If more than one of the methods of computation under subclauses (I), (II), and (III) of clause (i) are applicable to a State, then such term shall mean the amount determined under the applicable subclause of clause (i) that results in the highest amount of average weekly wages.''.

(B) TECHNICAL AMENDMENT REGARDING APPLICATION TO SHORT-TIME COMPENSATION PROGRAMS AND AGREEMENTS.—Section 2104(i)(2) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended—

(i) in subparagraph (C), by striking ''and'' at the end;

(ii) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(E) short-time compensation under section 2108 or 2109.''.

(2) CONFORMING AMENDMENTS.—

(A) PANDEMIC UNEMPLOYMENT ASSISTANCE.—Section 2102(d) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended by inserting ''with respect to the individual'' after ''section 2104'' in each of paragraphs (1)(A)(ii) and (2).

(B) PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION.—Section 2107 of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended—

(i) in subsection (a)(4)(A)(ii), by inserting ''with respect to the individual'' after ''section 2104''; and

(ii) in subsection (b)(2), by inserting ''with respect to the individual'' after ''section 2104''.

(c) CONSISTENT TREATMENT OF EARNINGS AND UNEMPLOYMENT COMPENSATION.—Section 2104(h) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to any Federal Pandemic Unemployment Compensation paid to an individual with respect to a week of unemployment ending on or after October 5, 2020.''.

(d) REQUIREMENT FOR RETURN TO WORK NOTIFICATION AND REPORTING.—Section 2104(b) of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)) is amended by adding at the end the following new paragraph:

''(3) Beginning 30 days after the date of enactment of this paragraph, any agreement under this section shall require that the State has in place a process to address refusal to return to work or refusal of suitable work that includes the following:

''(A) Providing a plain-language notice to individuals at the time of applying for benefits regarding State law provisions relating to each of the following:

''(i) Return to work requirements.

''(ii) Rights to refuse to return to work or to refuse suitable work.

''(iii) How to contest the denial of a claim that has been denied due to a claim by an employer that the individual refused to return to work or refused suitable work.

''(B) Providing a plain-language notice to employers through any system used by employers or any regular correspondence sent to employers regarding how to notify the State if an individual refuses to return to work.

''(C) Other items determined appropriate by the Secretary of Labor.''.

(e) EFFECTIVE DATE.—The amendments made by this section (other than the amendment made by subsection (d)) shall take effect as if included in the enactment of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)).

SEC. 3. SUPPLEMENTAL EMERGENCY UNEMPLOYMENT RELIEF FOR GOVERNMENTAL ENTITIES AND NONPROFIT ORGANIZATIONS.

(a) IN GENERAL.—Section 903(i)(1)(B) of the Social Security Act (42 U.S.C. 1103(i)(1)(B)) is amended by striking ''one-half'' and inserting ''75 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Relief for Workers Affected by Coronavirus Act (contained in subtitle A of title II of division A of the CARES Act (Public Law 116–136)).

SEC. 4. IMPROVEMENTS TO STATE UNEMPLOYMENT SYSTEMS AND STRENGTHENING PROGRAM INTEGRITY.

(a) UNEMPLOYMENT COMPENSATION SYSTEMS.—

(1) IN GENERAL.—Section 303(a) of the Social Security Act (42 U.S.C. 503(a)) is amended—

(A) in the matter preceding paragraph (1), by striking ''provision for—'' and inserting ''provision for each of the following:'';

(B) at the end of each of paragraphs (1) through (10) and paragraph (11)(B), by striking ''; and'' and inserting a period; and

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

''(13) The State system shall, in addition to meeting the requirements under section 1137, meet the following requirements:

''(A) The system shall be capable of handling a surge of claims that would represent a twentyfold increase in claims from January 2020 levels, occurring over a one-month period.

''(B) The system shall be capable of—

''(i) adjusting wage replacement levels for individuals receiving unemployment compensation;

''(ii) adjusting weekly earnings disregards, including the ability to adjust such disregards in relation to an individual's earnings or weekly benefit amount; and

''(iii) providing for wage replacement levels that vary based on the duration of benefit receipt.

''(C) The system shall have in place an automated process for receiving and processing claims for disaster unemployment assistance under section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177(a)), with flexibility to adapt rules regarding individuals eligible for assistance and the amount payable.

''(D) In the case of a State that makes payments of short-time compensation under a short-time compensation program (as defined in section 3306(v) of the Internal Revenue Code of 1986), the system shall have in place an automated process of receiving and processing claims for short-time compensation.

''(E) The system shall have in place an automated process for receiving and processing claims for—

''(i) unemployment compensation for Federal civilian employees under subchapter I of chapter 85 of title 5, United States Code;

''(ii) unemployment compensation for ex-servicemembers under subchapter II of chapter 85 of title 5, United States Code; and

''(iii) trade readjustment allowances under sections 231 through 233 of the Trade Act of 1974 (19 U.S.C. 2291–2293).''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to weeks of unemployment beginning on or after the earlier of—

(A) the date the State changes its statutes, regulations, or policies in order to comply with such amendment; or

(B) October 1, 2023.

(b) ELECTRONIC TRANSMISSION OF UNEMPLOYMENT COMPENSATION INFORMATION.—Section 303 of the Social Security Act (42 U.S.C. 503) is amended by adding at the end the following new subsection:

''(n) ELECTRONIC TRANSMISSION OF UNEMPLOYMENT COMPENSATION INFORMATION.—

''(1) IN GENERAL.—Not later than October 1, 2022, the State agency charged with administration of the State law shall use a system developed (in consultation with stakeholders) and designated by the Secretary of Labor for automated electronic transmission of requests for information relating to unemployment compensation and the provision of such information between such agency and employers or their agents.

''(2) USE OF APPROPRIATED FUNDS.—The Secretary of Labor may use funds appropriated for grants to States under this title to make payments on behalf of States as the Secretary determines is appropriate for the use of the system described in paragraph (1).

''(3) EMPLOYER PARTICIPATION.—- The Secretary of Labor shall work with the State

agency charged with administration of the State law to increase the number of employers using this system and to resolve any technical challenges with the system.

''(4) REPORTS ON USE OF ELECTRONIC SYSTEM.—After the end of each fiscal year, on a date determined by the Secretary, each State shall report to the Secretary information on—

''(A) the proportion of employers using the designated system described in paragraph (1);

''(B) the reasons employers are not using such system; and

''(C) the efforts the State is undertaking to increase employer's use of such system.

''(5) ENFORCEMENT.—Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until the Secretary of Labor is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, such Secretary shall make no future certification to the Secretary of the Treasury with respect to the State.''.

(c) UNEMPLOYMENT COMPENSATION INTEGRITY DATA HUB.—

(1) IN GENERAL.—Section 303(a) of the Social Security Act (42 U.S.C. 503(a)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(14) The State agency charged with administration of the State law shall use the system designated by the Secretary of Labor for cross-matching claimants of unemployment compensation under State law against any databases in the system to prevent and detect fraud and improper payments.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to weeks of unemployment beginning on or after the earlier of—

(A) the date the State changes its statutes, regulations, or policies in order to comply with such amendment; or

(B) October 1, 2022.

(d) REDUCING STATE BURDEN IN PROVIDING DATA TO PREVENT AND DETECT FRAUD.—Section 303 of the Social Security Act (42 U.S.C. 503), as amended by subsection (b), is amended by adding at the end the following new subsection:

''(o) USE OF UNEMPLOYMENT CLAIMS DATA TO PREVENT AND DETECT FRAUD.—The Inspector General of the Department of Labor shall, for the purpose of identifying and investigating fraud in unemployment compensation programs, have direct access to each of the following systems:

''(1) The system designated by the Secretary of Labor for the electronic transmission of requests for information relating to interstate claims for unemployment compensation.

''(2) The system designated by the Secretary of Labor for cross-matching claimants of unemployment compensation under State law against databases to prevent and detect fraud and improper payments (as referred to in subsection (a)(14).''.

(e) USE OF NATIONAL DIRECTORY OF NEW HIRES IN ADMINISTRATION OF UNEMPLOYMENT COMPENSATION PROGRAMS AND PENALTIES ON NONCOMPLYING EMPLOYERS.—

(1) IN GENERAL.—Section 303 of the Social Security Act (42 U.S.C. 503), as amended by subsections (b) and (d), is amended by adding at the end the following new subsection:

''(p) USE OF NATIONAL DIRECTORY OF NEW HIRES.—

''(1) IN GENERAL.—Not later than October 1, 2022, the State agency charged with administration of the State law shall—

''(A) compare information in the National Directory of New Hires established under section 453(i) against information about individuals claiming unemployment compensation to identify any such individuals who may have become employed, in accordance with any regulations or guidance that the Secretary of Health and Human Services may issue and consistent with the computer matching provisions of the Privacy Act of 1974;

''(B) take timely action to verify whether the individuals identified pursuant to subparagraph (A) are employed; and

''(C) upon verification pursuant to subparagraph (B), take appropriate action to suspend or modify unemployment compensation payments, and to initiate recovery of any improper unemployment compensation payments that have been made.

''(2) ENFORCEMENT.—Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until the Secretary of Labor is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, such Secretary shall make no future certification to the Secretary of the Treasury with respect to the State.''.

(2) PENALTIES.—

(A) IN GENERAL.—Section 453A(d) of the Social Security Act (42 U.S.C. 653a(d)), in the matter preceding paragraph (1), is amended by striking ''have the option to set a State civil money penalty which shall not exceed'' and inserting ''set a State civil money penalty which shall be no less than''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall apply to penalties assessed on or after October 1, 2022.

(f) STATE PERFORMANCE.—

(1) IN GENERAL.—Section 303 of the Social Security Act (42 U.S.C. 503), as amended by subsections (b), (d), and (e), is amended by adding at the end the following new subsection:

''(q) STATE PERFORMANCE.—

''(1) IN GENERAL.—For purposes of assisting States in meeting the requirements of this title, title IX, title XII, or chapter 23 of the Internal Revenue Code of 1986 (commonly referred to as 'the Federal Unemployment Tax Act'), the Secretary of Labor may—

''(A) consistent with subsection (a)(1), establish measures of State performance, including criteria for acceptable levels of performance, performance goals, and performance measurement programs;

''(B) consistent with subsection (a)(6), require States to provide to the Secretary of Labor data or other relevant information from time to time concerning the operations of the State or State performance, including the measures, criteria, goals, or programs established under paragraph (1);

''(C) require States with sustained failure to meet acceptable levels of performance or with performance that is substantially below acceptable standards, as determined based on the measures, criteria, goals, or programs established under subparagraph (A), to implement specific corrective actions and use specified amounts of the administrative grants under this title provided to such States to improve performance; and

''(D) based on the data and other information provided under subparagraph (B)—

''(i) to the extent the Secretary of Labor determines funds are available after providing grants to States under this title for the administration of State laws, recognize and make awards to States for performance improvement, or performance exceeding the criteria or meeting the goals established under subparagraph (A); or

''(ii) to the extent the Secretary of Labor determines funds are available after providing grants to States under this title for the administration of State laws, provide incentive funds to high-performing States based on the measures, criteria, goals, or programs established under subparagraph (A).

''(2) ENFORCEMENT.—Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until the Secretary of Labor is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, such Secretary shall make no future certification to the Secretary of the Treasury with respect to the State.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act.

(g) FUNDING.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary of Labor $2,000,000,000 to assist States in carrying out the amendments made by this section, which may include regional or multi-State efforts. Amounts appropriated under the preceding sentence shall remain available until expended.

SEC. 5. FUNDING FOR STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS.

(a) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, in addition to other amounts appropriated, there are appropriated for State unemployment insurance and employment service operations, $1,504,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund (in this section referred to as the ''Trust Fund'').

(b) USE.—Amounts appropriated under subsection (a) shall be available as follows:

(1)(A) Subject to subparagraphs (B) and (C), $1,115,500,000 from the Trust Fund shall be available for providing grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act, including grants to upgrade information technology to improve the administration and processing of unemployment compensation claims. Such amounts shall remain available through December 31, 2021.

(B) The Secretary of Labor may distribute amounts under subparagraph (A), with respect to upgrading information technology, based on the condition and needs of the State information technology systems or other appropriate factors, which may include the ratio described under section 903(a)(2)(B) of the Social Security AcT (42 U.S.C. 1103(a)(2)(B)).

(C) Grant funds provided to States under this paragraph for upgrading information technology shall be available for obligation by the States through September 30, 2027 and available for expenditure by the States through September 30, 2028.

(2) $38,500,000 from the Trust Fund shall be available for national activities necessary to support the administration of the Federal-State unemployment insurance system. Such

amounts shall remain available through September 30, 2021.

(3) $350,000,000 from the Trust Fund shall be available for providing grants to States in accordance with section 6 of the Wagner-Peyser Act. Such amounts shall remain available through June 30, 2021.

SEC. 6. EMERGENCY DESIGNATION.

(a) IN GENERAL.—The amounts provided by this Act and the amendments made by this Act are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this Act and the amendments made by this Act are designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2539. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—RESTORING CRITICAL SUPPLY CHAINS AND INTELLECTUAL PROPERTY

SEC. _01. SHORT TITLE.

This title may be cited as the ''Restoring Critical Supply Chains and Intellectual Property Act''.

Subtitle A—U.S. MADE Act

SEC. _11. SHORT TITLE.

This subtitle may be cited as the ''United States Manufacturing Availability of Domestic Equipment Act'' or the ''U.S. MADE Act of 2020''.

SEC. _12. DOMESTIC PURCHASING REQUIREMENT FOR PERSONAL PROTECTIVE EQUIPMENT ACQUISITIONS FOR THE STRATEGIC NATIONAL STOCKPILE.

Section 319F–2(a) of the Public Health Service Act (42 U.S.C. 247d–6b(a)) is amended by adding at the end the following:

''(6) DOMESTIC PROCUREMENT REQUIREMENT FOR PERSONAL PROTECTIVE EQUIPMENT.—

''(A) REQUIREMENT.—Except as provided in subparagraphs (C) and (D), funds appropriated or otherwise available to the Secretary for the Strategic National Stockpile may not be used for the procurement of an item described in subparagraph (B) unless the item was grown, reprocessed, reused, or produced in the United States.

''(B) COVERED ITEMS.—An item described in this subparagraph is an article or item of—

''(i) personal protective equipment and clothing (and the materials and components thereof), other than sensors, electronics, or other items added to, and not normally associated with, such personal protective equipment;

''(ii) sanitizing supplies and ancillary medical supplies such as disinfecting wipes, privacy curtains, beds and bedding, testing swabs, gauze and bandages, tents, tarpaulins, covers, or bags; or

''(iii) any other textile medical supplies and textile equipment described in paragraph (1).

''(C) AVAILABILITY EXCEPTION.—Subparagraph (A) shall not apply to an item described in subparagraph (B)—

''(i) that is, or that includes, a material listed in section 25.104 of the Federal Acquisition Regulation as one for which a nonavailability determination has been made;

''(ii) as to which the Secretary determines that a sufficient quantity of a satisfactory quality of such item that is grown, reprocessed, reused, or produced in the United States cannot be procured as, and when, needed; or

''(iii) if, after maximizing to the extent feasible sources consistent with subparagraph (A), the Secretary certifies every 90 days that it is necessary to procure products under this paragraph under expedited procedures to respond to the immediate needs of a public health emergency pursuant to section 319.

''(D) EXCEPTION FOR SMALL PROCUREMENTS.—Subparagraph (A) shall not apply to procurements for amounts that do not exceed $150,000. A proposed procurement for an amount in excess of $150,000 may not be divided into several procurements or contracts for lesser amounts in order to qualify for the exception under this subparagraph.

''(E) CONSULTATION.—The Secretary shall consult with the United States Trade Representative on a matter under this subsection that concerns an obligation of the United States under any international trade agreement.

''(F) NOTIFICATION REQUIRED WITHIN 7 DAYS AFTER PROCUREMENT CONTRACT AWARD IF CERTAIN EXCEPTIONS APPLIED.—In the case of any procurement contracts of an item described in subparagraph (B), if the Secretary applies the exception described in subparagraph (C) with respect to that procurement contract, the Secretary shall, not later than 7 days after the awarding of the procurement contract, post a notification that the exception has been applied on the relevant Internet website maintained by the General Services Administration, except for any information that is exempt from mandatory disclosure under section 552 of title 5, United States Code.

''(G) TRAINING DURING FISCAL YEAR 2021.—

''(i) IN GENERAL.—The Secretary shall ensure that each member of the acquisition workforce in the Department of Health and Human Services who participates substantially on a regular basis in procurements related to the maintenance of the Strategic National Stockpile receives training during fiscal year 2021 on the requirements of this paragraph.

''(ii) INCLUSION OF INFORMATION IN NEW TRAINING PROGRAMS.—The Secretary shall ensure that any training program for the acquisition workforce, as described in clause (i), developed or implemented after fiscal year 2021, includes comprehensive information on the requirements described in subparagraph (A).

''(H) EFFECTIVE DATE.—The Secretary shall increase the percentage of contracts by value entered into for products described in subparagraph (B) incrementally to 100 percent as soon as practicable, but in no event later than the end of the 5-year period beginning on the date of enactment of this paragraph. The Secretary shall notify the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives within 60 days of such date of enactment regarding the percentage of products described in subparagraph (B) that meet the requirements of this paragraph.

''(I) REPORT.—Not later than 90 days after the date of enactment of this paragraph, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report assessing the implementation of this paragraph and the feasibility of applying the requirements of this paragraph to—

''(i) not less than 50 percent of contracts by value entered into for products described in subparagraph (B) by September 30, 2021;

''(ii) not less than 75 percent of contracts by value entered into for products described in subparagraph (B) by March 31, 2022; and

''(iii) not less than 100 percent of contracts by value entered into for products described in subparagraph (B) by a date that is not less than 2 years after the date of enactment of this paragraph.''.

SEC. _13. INVESTMENT CREDIT FOR QUALIFYING MEDICAL PERSONAL PROTECTIVE EQUIPMENT MANUFACTURING PROJECTS.

(a) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 48C the following new section:

''SEC. 48D. QUALIFYING MEDICAL PERSONAL PROTECTIVE EQUIPMENT MANUFACTURING PROJECT CREDIT.

''(a) IN GENERAL.—For purposes of section 46, the qualifying medical personal protective equipment manufacturing project credit for any taxable year is an amount equal to 30 percent of the qualified investment for such taxable year with respect to any qualifying medical personal protective equipment manufacturing project of the taxpayer.

''(b) QUALIFIED INVESTMENT.—

''(1) IN GENERAL.—For purposes of subsection (a), the qualified investment for any taxable year is—

''(A) in the case of any eligible property placed in service by the taxpayer during such taxable year, the basis of such property, and

''(B) in the case of any property previously placed in service by the taxpayer during any period before such taxable year which qualifies as eligible property for such taxable year, the adjusted basis of such property (as determined as of the beginning of such taxable year).

''(2) CERTAIN QUALIFIED PROGRESS EXPENDITURES RULES MADE APPLICABLE.—Rules similar to the rules of subsections (c)(4) and (d) of section 46 (as in effect on the day before the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of this section.

''(3) LIMITATION.—The amount which is treated as the qualified investment for all taxable years with respect to any qualifying medical personal protective equipment manufacturing project shall not exceed the amount designated by the Secretary as eligible for the credit under this section.

''(c) DEFINITIONS.—

''(1) QUALIFYING MEDICAL PERSONAL PROTECTIVE EQUIPMENT MANUFACTURING PROJECT.—

''(A) IN GENERAL.—The term 'qualifying medical personal protective equipment manufacturing project' means a project—

''(i) which re-equips, expands, establishes, or continues a manufacturing facility for the production of—

''(I) any item described in paragraph (6)(B) of section 319F–2(a) of the Public Health Service Act (42 U.S.C. 247d–6b(a)), or

''(II) any textile products for medical applications which are not described in subclause (I), as identified by the Secretary, in consultation with the Secretary of Health and Human Services, and

''(ii) any portion of the qualified investment of which is certified by the Secretary under subsection (d) as eligible for a credit under this section.

''(B) EXCEPTION.—Subclause (I) of subparagraph (A)(i) shall not include sensors, electronics, or other items added to, and not normally associated with, equipment or clothing described in such subclause.

''(2) ELIGIBLE PROPERTY.—The term 'eligible property' means any property—

''(A) which is necessary for the production of property described in paragraph (1)(A)(i),