

**MANAGER'S PACKAGE**  
COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES, 2020

**REPORT AMENDMENTS**

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**BILL AMENDMENTS**

1. Amendment by Senators Shaheen and Shelby regarding a program name technical correction

## REPORT AMENDMENTS

### 1. Amendment by Senator Baldwin (New Forest Products):

On page 13 of the report, after “epidemic,” strike the remainder of the sentence and insert “inequities in broadband access, and the need for innovation in legacy industries, including in the use and value-added manufacturing of forest products.”

On page 14, in the paragraph concerning “New Forest Products”, after “work,” insert “including through RIP,”. In the same paragraph, after “timber”, strike the following word and insert “and pulp marketplaces”.

### 2. Amendment by Senator Manchin (Spatial Analysis and Planning):

On page 15, after the paragraph concerning “Aeronautics”, insert the following:

*“Spatial Analysis and Planning.—*In areas with aging infrastructure built prior to accurate records, it is often difficult and expensive to map out and assess the existing infrastructure and identify where EDA Public Works and Economic Adjustment Assistance is most needed. Geographic Information Systems [GIS] can provide spatial analysis, maps, reports, and other data to support economic development and planning activities. Many regional planning and development organizations are heavily reliant on EDA assistance to help fund these activities, but EDA Partnership Planning grants are often not enough to both hire full-time GIS staff and purchase necessary software. Within funds provided for the Partnership Planning and Technical Assistance programs, the Committee encourages EDA to consider assistance to rural and underserved planning and development organizations to support GIS efforts to identify projects that attract jobs and private investment.”

### 3. Amendment by Senator Coons (Census Partnership Activities):

On page 19 of the report, at the end of the final sentence in the paragraph titled “Partnership and Communications Activities” strike the period and insert the following: “, and to ensure that its partnership and communications activities in support of the 2020 Decennial Census are conducted at no less than the level of effort and staffing that was utilized in preparation for the 2010 Decennial Census when accounting for inflation.”

### 4. Amendment by Senator Collins (North Atlantic Right Whales):

On page 34 and 35 of the report strike the paragraphs concerning “North Atlantic Right Whales”, and replace with the following paragraphs:

*North Atlantic Right Whale.—*The Committee remains concerned that North Atlantic right whale populations remain critically low, especially given the number of whale mortalities this

summer. Therefore, the Committee rejects the proposed reduction and provides an additional \$2,000,000 above the fiscal year 2019 enacted level within Marine Mammals, Sea Turtles, and Other Species for North Atlantic right whales-related research, development, and conservation efforts. Within funding provided, not less than \$1,000,000 shall be for a pilot program to develop, refine, and field test innovative fishing gear technologies designed to reduce North Atlantic right whale entanglements in partnership with relevant stakeholders, including, but not limited to: states, commercial fishermen, gear manufacturers, research institutions, and nongovernmental organizations. NMFS shall provide the Committee with an implementation plan for the pilot program, including metrics, within 60 days of enactment of this act. Improving NOAA's understanding of right whale distribution and habitat is necessary to better inform management actions. As such, NOAA is encouraged to prioritize development of a habitat suitability index and long-term tagging methods. NOAA shall also continue to support disentanglement, stranding response, necropsy activities, aerial surveys, and passive acoustic monitoring in the waters of the Atlantic Ocean. NOAA is also directed to fully evaluate the feasibility and economic implications of any management actions relating to the North Atlantic right whale.

Further, the Committee recognizes the transboundary nature of the North Atlantic right whale and directs NMFS to continue to work in coordination with counterparts in the Canadian government to reduce risks throughout its range. Examples of ongoing opportunities for U.S.-Canada collaboration on North Atlantic right whale conservation include, but are not limited to, continued collaboration on surveillance in the Gulf of St. Lawrence, cooperative research on the distribution of the whales and their food sources, support for disentanglement and necropsy work including cross-training between U.S. and Canadian response teams, coordinated gear marking efforts across jurisdictions, and collaborative work on innovative, real-time solutions to reduce risks from fishing gear entanglement and ship strikes.

The Committee recognizes that the Northeast lobster fishery has made significant changes to harvesting practices to protect North Atlantic right whales, including reducing vertical lines, marking gear, requiring the use of weaker rope, and implementing sinking ground lines, which precipitated the North Atlantic right whale's population growth from roughly 258 in the 1990s to more than 450 in 2015. The Committee also understands that sightings of North Atlantic right whales have declined in the Gulf of Maine over the past decade, as has the species' primary food source, *Calanus finmarchicus*, in the eastern Gulf of Maine. In any rulemaking regarding the North Atlantic right whale, NMFS shall consider recent research on *Calanus* that indicates these zooplankton have been steadily decreasing in abundance in the Gulf of Maine since 2010. The North Atlantic right whale risk reduction target proposed by NMFS depends heavily on how unknown cases are assigned by fishery and country, and the Committee believes that any misattributions of whale entanglements that NMFS has acknowledged must be considered by NMFS and incorporated in relevant rulemaking.

5. Amendment by Senators Murkowski, Murray, and Merkley (Fisheries Surveys):

On page 37 of the report in the first paragraph after the first period (.) insert the following:

“At this funding level the Committee expects NMFS to contract no less than five vessels for Alaskan bottom trawl surveys and cooperative research, and no less than four vessels for west coast groundfish surveys.”

6. Amendment by Senator Collins (Lobster Fishing Gear):

On page 38 of the report, strike the paragraph on “Lobster Fishing Gear” and replace with the following paragraph:

*“Lobster Fishing Gear.—The Committee encourages further collaboration among states, the fishing industry, academic institutions, and nongovernmental organizations in the development of innovative gear through field trials and preliminary implementation.”*

7. Amendment by Senator Collins (Electronic Monitoring and Reporting):

On page 40 of the report, in the second paragraph under the heading “*Electronic Monitoring and Reporting*”, insert the following after the second semicolon (;):

“the Maine lobster fleet;”

8. Amendment by Senator Van Hollen (Satellite Instrumentation and Data)

On page 54 of the report insert the following after the paragraph concerning “Office of Space Commerce”:

*Study on Satellite Instrumentation and Data.—The Committee directs NOAA to submit a study, within 120 days of enactment of this act, which assesses the impacts to the agency’s weather satellites with instruments operating within the 23.6-24 GHz band under an out-of-band emissions limit of -28 decibel watts. The study should consider: (1) the performance impacts to on-orbit and planned NOAA scientific instrumentation, including passive microwave sensors on environmental satellite systems; (2) any expected effects on NOAA weather forecasting skill due to data degradation; and (3) the estimated costs to procure supplementary observations or to modify affected instrumentation on planned polar orbiting satellites.*

9. Amendment by Senator Van Hollen (Timely Responses to Congressional Inquiries)

On page 100 of the report, insert at the appropriate place:

*“Timely Responses to Congressional Inquiries.—The Committee has heard from other Member offices regarding difficulties receiving fulsome and timely responses to Congressional inquiries. As a result, the FBI’s Office of Congressional Affairs is directed to provide timely, substantive responses to Congressional requests for information.”*

10. Amendment by Senators Shaheen and Shelby (program name technical correction)

On page 122 of the report in the chart, strike “Bulletproof Vests Partnerships” and insert “Patrick Leahy Bulletproof Vest Partnership Grant Program”.

On page 128 of the report, strike “*Bulletproof Vests.*” and insert “*Patrick Leahy Bulletproof Vest Partnership Grant Program.*” and strike “Bulletproof Vest Partnership program” and insert “Patrick Leahy Bulletproof Vest Partnership Grant Program”.

11. Amendment by Senator Moran (OSTP Semiconductor briefing):

On page 143 of the report, insert at the appropriate place:

“*American Leadership in Semiconductor Technology.*--Preserving American leadership in semiconductor technology is important for American innovation, scientific discovery, and national security, as well as the advancement of critical technologies. The Committee encourages OSTP, in coordination with NSF, NIST, and other federal research agencies and relevant industries, to assess the utilization of semiconductor-specific and semiconductor-related fields in both basic and applied research. The Committee requests a briefing from OSTP within 180 days after enactment of this act on their findings.”

12. Amendment by Senators Manchin and Capito (NASA Independent Verification and Validation):

On page 160 of the report, at the end of the matter regarding Independent Verification and Validation [IV&V] Program, insert: “If necessary, NASA shall fund additional IV&V activities from within the mission directorates that make use of IV&V services.”

## **BILL AMENDMENT**

1. Amendment by Senators Shaheen and Shelby (program name technical correction)

On page 52 of the bill, lines 13-14 strike “matching grant program for law enforcement armor vests” and insert “Patrick Leahy Bulletproof Vest Partnership Grant Program”.