

“(2) The introduction of United States armed forces, within the meaning of section 5(b) of the War Powers Resolution, into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

“(3) The provision of support to regular forces, irregular forces, groups, or individuals for the conduct of operations that United States Special Operations Forces are not otherwise legally authorized to conduct themselves.

“(4) The conduct or support of activities, directly or indirectly, that are inconsistent with the laws of armed conflict.”

(b) CONSIDERATION OF HUMAN RIGHTS RECORDS OF RECIPIENTS OF SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.—Section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639) is amended—

(1) in subsection (c)(2), by adding at the end of the following new subparagraph:

“(D) The processes through which the Secretary of Defense shall, in consultation with the Secretary of State, ensure that prior to a decision to provide support to individual members or units of foreign forces, irregular forces, or groups in a foreign country full consideration is given to any credible information available to the Department of State relating to gross violations of human rights by such individuals or units.”;

(2) in subsection (d)(2)—

(A) by redesignating subparagraph (G) as subparagraph (H); and

(B) by inserting after subparagraph (F) the following new subparagraph (G):

“(G) A description of the human rights record of the recipient, including for purposes of section 362 of title 10, United States Code, and any relevant attempts by such recipient to remedy such record.”;

(3) in subsection (h)(3), by adding at the end the following new subparagraph:

“(I) An assessment of how support provided under this section advances United States national security priorities and aligns with other United States Government interests in countries in which activities under the authority in this section are ongoing.”;

(4) by redesignating subsection (i) as subsection (j); and

(5) by inserting after subsection (h) the following new subsection (i):

“(i) PROHIBITION ON USE OF FUNDS.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), no funds may be used to provide support to any individual member or unit of a foreign force, irregular force, or group in a foreign country if the Secretary of Defense has credible information that such individual or unit has committed a gross violation of human rights.

“(2) WAIVER AUTHORITY.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition under paragraph (1) if the Secretary determines that the waiver is required by extraordinary circumstances.

“(3) EXCEPTION.—The prohibition under paragraph (1) shall not apply with respect to individual members or units of such foreign forces, irregular forces, or groups if the Secretary of Defense, after consultation with the Secretary of State, determines that—

“(A) the government of such country has taken all necessary corrective steps; or

“(B) the support is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.”.

SA 6345. Mr. VAN HOLLEN submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize

appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1276. LIMITATION ON TRANSFER OF F-16 AIRCRAFT.

(a) IN GENERAL.—The President may not sell or authorize a license for the export of new F-16 aircraft or F-16 upgrade technology or modernization kits pursuant to any authority provided by the Arms Export Control Act (22 U.S.C. 2751 et seq.) to the Government of Turkey, or to any agency or instrumentality of Turkey, unless the President provides to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the congressional defense committees a certification that—

(1) such transfer is in the national interest of the United States; and

(2) includes a detailed description of concrete steps taken to ensure that such F-16s are not used by Turkey for repeated unauthorized territorial overflights of Greece or military operations against United States allies, including the Syrian Democratic Forces, in the fight against ISIS.

(b) ADDITIONAL LIMITATION.—Notwithstanding a certification described in subsection (a), a transfer of new F-16 aircraft or F-16 upgrade technology or modernization kits described in that subsection may not be carried out before the date on which Turkey ratifies the accession of Sweden and Finland to the North Atlantic Treaty Organization.

SA 6346. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COLLECTION OF DEMOGRAPHIC INFORMATION FOR PATENT INVENTORS.

(a) AMENDMENT.—Chapter 11 of title 35, United States Code, is amended by adding at the end the following:

“§ 124. Collection of demographic information for patent inventors

“(a) VOLUNTARY COLLECTION.—The Director shall provide for the collection of demographic information, including gender, race, military or veteran status, and any other demographic category that the Director determines appropriate, related to each inventor listed with an application for patent, that may be submitted voluntarily by that inventor.

“(b) PROTECTION OF INFORMATION.—The Director shall—

“(1) keep any information submitted under subsection (a) confidential and separate from the application for patent; and

“(2) establish appropriate procedures to ensure—

“(A) the confidentiality of any information submitted under subsection (a); and

“(B) that demographic information is not made available to examiners or considered in the examination of any application for patent.

“(c) RELATION TO OTHER LAWS.—

“(1) FREEDOM OF INFORMATION ACT.—Any demographic information submitted under subsection (a) shall be exempt from disclosure under section 552(b)(3) of title 5.

“(2) FEDERAL INFORMATION POLICY LAW.—Subchapter I of chapter 35 of title 44 shall not apply to the collection of demographic information under subsection (a).

“(d) PUBLICATION OF DEMOGRAPHIC INFORMATION.—

“(1) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this section, and not later than January 31 of each year thereafter, the Director shall make publicly available a report that, except as provided in paragraph (3)—

“(A) includes the total number of patent applications filed during the previous year disaggregated—

“(i) by demographic information described in subsection (a); and

“(ii) by technology class number, technology class title, country of residence of the inventor, and State of residence of the inventor in the United States;

“(B) includes the total number of patents issued during the previous year disaggregated—

“(i) by demographic information described in subsection (a); and

“(ii) by technology class number, technology class title, country of residence of the inventor, and State of residence of the inventor in the United States; and

“(C) includes a discussion of the data collection methodology and summaries of the aggregate responses.

“(2) DATA AVAILABILITY.—In conjunction with issuance of the report under paragraph (1), the Director shall make publicly available data based on the demographic information collected under subsection (a) that, except as provided in paragraph (3), allows the information to be cross-tabulated to review subgroups.

“(3) PRIVACY.—The Director—

“(A) may not include personally identifying information in—

“(i) the report made publicly available under paragraph (1); or

“(ii) the data made publicly available under paragraph (2); and

“(B) in making publicly available the report under paragraph (1) and the data under paragraph (2), shall anonymize any personally identifying information related to the demographic information collected under subsection (a).

“(e) BIENNIAL REPORT.—Not later than 2 years after the date of enactment of this section, and every 2 years thereafter, the Director shall submit to Congress a biennial report that evaluates the data collection process under this section, ease of access to the information by the public, and recommendations on how to improve data collection.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 11 of title 35, United States Code, is amended by adding at the end the following:

“124. Collection of demographic information for patent inventors.”.

SA 6347. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities