

harasses its own citizens who attempt to discuss or commemorate Tiananmen Square protests and their violent suppression;

Whereas the Tiananmen Mothers—a group in China composed of parents and family members of individuals killed on or around June 4, 1989—have annually called upon the Government of China to reveal the truth of the events;

Whereas people of mainland China and Macau are again barred this year from commemorating the lives lost and the legacy of the 1989 massacre;

Whereas the Government of China continues to view the demands of the Tiananmen protesters, including democracy, transparency, rights protections, and freedom of speech, as threats to the legitimacy of the Chinese Communist Party's hold on political power;

Whereas the people of Hong Kong have commemorated the Tiananmen massacre each year faithfully in large numbers;

Whereas the Hong Kong Police Force has blocked the annual candlelight vigil to commemorate Tiananmen this year;

Whereas Hong Kong's guaranteed freedoms and the rule of law have allowed it to be a prosperous bridge between mainland China and the world;

Whereas Hong Kong's autonomy and freedoms have been eroded by the actions of the Government of Hong Kong and the Government of China, particularly over the past several years, with disqualifications of elected members of Hong Kong's Legislative Council, blocking citizens from running for office, failing to address the petitions of the Hong Kong people, banning a political party advocating Hong Kong independence, and failing to address police excessive use of force;

Whereas the political turmoil in Hong Kong is primarily the result of actions of the Government of Hong Kong and the Government of China, including the arbitrary arrests of peaceful protesters, including well-known democracy advocates such as Martin Lee, Jimmy Lai, Lee Cheuk Yan, Margaret Ng, Albert Ho, Leung Kwok-hung, Au Nok-hin, Figo Chan, and others;

Whereas China's National People's Congress has decided to impose national security legislation with respect to Hong Kong;

Whereas the implementation of that legislation signals a severe blow to Hong Kong's autonomy and would violate the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing on December 19, 1984;

Whereas Secretary of State Mike Pompeo, pursuant to the United States-Hong Kong Policy Act of 1992 (Public Law 102-383), has determined that Hong Kong no longer manifests a "high degree of autonomy" distinct from mainland China;

Whereas vague national security laws are used widely in mainland China to imprison or arbitrarily detain dissidents, rights defenders, civil society advocates, religious leaders and adherents, and persons from ethnic minorities;

Whereas human rights, democracy, and religious freedom advocates have been imprisoned or arbitrarily detained under vague national security laws in mainland China, including Wu Gan, Qin Yongmin, Zhou Shifeng, Yu Wensheng, Wang Yi, and Nobel laureate Liu Xiaobo, who died in state custody nearly three years ago;

Whereas the United States Congress, particularly in recent years, has passed numerous measures articulating the longstanding and bipartisan commitment to human rights in China, including—

(1) the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114-328; 22 U.S.C. 2656 note);

(2) the North Korean Human Rights Reauthorization Act of 2017 (Public Law 115-198);

(3) the Reciprocal Access to Tibet Act of 2018 (Public Law 115-330);

(4) the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116-76); and

(5) the Uyghur Human Rights Policy Act (S. 3744, 116th Congress);

Whereas, on this day, we stand in solidarity with human rights lawyers, labor and free speech advocates, religious groups, and ethnic minorities in China, such as Tibetans, and also Uyghurs and other predominately Muslim ethnic minorities who face mass internment and surveillance, forced labor and family separations, and who are often forced to renounce their faith; and

Whereas, on this day, we remember the words of the late Nobel Laureate Liu Xiaobo, who said there is "no force that can put an end to the human quest for freedom, and China will in the end become a nation ruled by law, where human rights reign supreme": Now, therefore, be it

*Resolved*, That the Senate—

(1) will commemorate the Tiananmen protests and their violent repression at least until such time as Chinese citizens are able to do so freely and publicly everywhere across their country;

(2) expresses sympathy to the families of those killed, tortured, imprisoned, or exiled for their participation in the pro-democracy demonstrations during the spring of 1989;

(3) calls on the Government of China to allow those Tiananmen demonstration participants currently living in exile in the United States and other countries to return to China without risk of repercussions or retribution;

(4) condemns the use of violence, torture, and arbitrary detention as a means to repress the legitimate aspirations of the people of China to speak and associate freely, including to petition the government and challenge the policies and ideology of the Chinese Communist Party;

(5) calls on the Government of China to release all prisoners of conscience, including prisoners detained because of their participation in Tiananmen Square commemorations or actions calling for the type of political reforms and rights protections pursued by those who gathered in Tiananmen Square in 1989 and including over one million Uyghurs and other predominately Muslim ethnic minorities in the Xinjiang Uyghur Autonomous Region;

(6) condemns any forced imposition of national security legislation with respect to Hong Kong;

(7) calls upon the United States Government to use all available authorities to protect United States interests in Hong Kong and the freedoms of the Hong Kong people, including—

(A) encouraging the Standing Committee of the National People's Congress of China "to work with the Hong Kong [Special Administrative Region] Government and the people of Hong Kong to find a mutually acceptable accommodation that will honor China's international obligations under the UN-filed Sino-British Joint Declaration," as called for by the Joint Statement of the Governments of the United States, Australia, Canada and the United Kingdom; and

(B) using all available diplomatic means and targeted sanctions to encourage the repeal of the national security legislation adopted by the Standing Committee of the National People's Congress of China on May 28, 2020;

(8) calls upon the President to encourage an international coalition to demand that

China adhere to its international agreements and human rights obligations; and

(9) calls upon Hong Kong Chief Executive Carrie Lam to allow the Hong Kong people to exercise their "freedoms of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration," as guaranteed in Article 27 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China.

SENATE CONCURRENT RESOLUTION 39—EXPRESSING THE SENSE OF CONGRESS THAT THE CONSTITUTIONAL RIGHTS OF AMERICANS TO PEACEABLY ASSEMBLE, EXERCISE FREEDOM OF SPEECH, AND PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES MUST BE RESPECTED; THAT VIOLENCE AND LOOTING ARE UNLAWFUL, UNACCEPTABLE AND CONTRARY TO THE PURPOSE OF PEACEFUL PROTESTS; AND THAT CONGRESS CONDEMNS THE PRESIDENT OF THE UNITED STATES FOR ORDERING FEDERAL OFFICERS TO USE GAS AND RUBBER BULLETS AGAINST THE AMERICANS WHO WERE PEACEABLY PROTESTING IN LAFAYETTE SQUARE IN WASHINGTON, DC ON THE NIGHT OF JUNE 1, 2020, THEREBY VIOLATING THE CONSTITUTIONAL RIGHTS OF THOSE PEACEFUL PROTESTORS

Mr. SCHUMER (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. JONES, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MANCHIN, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 39

*Resolved by the Senate (the House of Representatives concurring)*, That it is the Sense of Congress that the constitutional rights of Americans to peaceably assemble, exercise freedom of speech, and petition the government for redress of grievances must be respected; that violence and looting are unlawful, unacceptable and contrary to the purpose of peaceful protests; and that Congress condemns the President of the United States for ordering Federal officers to use gas and rubber bullets against the Americans who were peaceably protesting in Lafayette Square in Washington, DC on the night of June 1, 2020, thereby violating the constitutional rights of those peaceful protestors.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1591. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 35, to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes; which was ordered to lie on the table.

SA 1592. Mr. MCCONNELL (for Mr. UDALL (for himself, Mr. MORAN, and Mr. ROMNEY)) proposed an amendment to the bill S. 886, to amend the Omnibus Public Land Management Act of 2009 to make the Reclamation Water Settlements Fund permanent.

## TEXT OF AMENDMENTS

**SA 1591.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 35, to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes; which was ordered to lie on the table; as follows:

(a) OFFENSE.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

**“§ 250. Lynching**

“(a) IN GENERAL.—

“(1) OFFENSES INVOLVING ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, OR NATIONAL ORIGIN.—Whoever, whether or not acting under color of law, willfully conspires with another person to cause serious bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempt to cause serious bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person—

“(A) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

“(B) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

“(i) death results from the offense; or

“(ii) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

“(2) OFFENSES INVOLVING ACTUAL OR PERCEIVED RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.—

“(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully conspires with another person to cause serious bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempt to cause serious bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person—

“(i) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

“(ii) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

“(I) death results from the offense; or

“(II) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

“(B) CIRCUMSTANCES DESCRIBED.—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

“(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

“(I) across a State line or national border; or

“(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

“(iii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

“(iv) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

“(v) the conduct described in subparagraph (A)—

“(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(II) otherwise affects interstate or foreign commerce.

“(3) OFFENSES OCCURRING IN THE SPECIAL MARITIME OR TERRITORIAL JURISDICTION OF THE UNITED STATES.—Whoever, within the special maritime or territorial jurisdiction of the United States, engages in conduct described in paragraph (1) or in paragraph (2)(A) (without regard to whether that conduct occurred in a circumstance described in paragraph (2)(B)) shall be subject to the same penalties as prescribed in those paragraphs.

“(4) GUIDELINES.—All prosecutions conducted by the United States under this section shall be undertaken pursuant to guidelines issued by the Attorney General, or the designee of the Attorney General, to be included in the United States Attorneys' Manual that shall establish neutral and objective criteria for determining whether a crime was committed because of the actual or perceived status of any person.

“(b) CERTIFICATION REQUIREMENT.—

“(1) IN GENERAL.—No prosecution of any offense described in this subsection may be undertaken by the United States, except under the certification in writing of the Attorney General, or a designee, that—

“(A) the State does not have jurisdiction;

“(B) the State has requested that the Federal Government assume jurisdiction;

“(C) the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in eradicating bias-motivated violence; or

“(D) a prosecution by the United States is in the public interest and necessary to secure substantial justice.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

“(c) DEFINITIONS.—In this section—

“(1) the term ‘explosive or incendiary device’ has the meaning given such term in section 232 of this title;

“(2) the term ‘firearm’ has the meaning given such term in section 921(a) of this title;

“(3) the term ‘gender identity’ means actual or perceived gender-related characteristics;

“(4) the term ‘serious bodily injury’ has the meaning given such term in section 1365(h)(3) of this title; and

“(5) the term ‘State’ includes the District of Columbia, Puerto Rico, and any other territory or possession of the United States.

“(d) STATUTE OF LIMITATIONS.—

“(1) OFFENSES NOT RESULTING IN DEATH.—Except as provided in paragraph (2), no person shall be prosecuted, tried, or punished for any offense under this section unless the indictment for such offense is found, or the information for such offense is instituted, not later than 7 years after the date on which the offense was committed.

“(2) DEATH RESULTING OFFENSES.—An indictment or information alleging that an of-

fense under this section resulted in death may be found or instituted at any time without limitation.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by inserting after the item relating to section 249 the following:

“250. Lynching.”.

**SA 1592.** Mr. MCCONNELL (for Mr. UDALL (for himself, Mr. MORAN, and Mr. ROMNEY)) proposed an amendment to the bill S. 886, to amend the Omnibus Public Land Management Act of 2009 to make the Reclamation Water Settlements Fund permanent; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Indian Water Rights Settlement Extension Act”.

**SEC. 2. TRIBAL WATER RIGHTS.**

(a) DEFINITION OF 611(g) AGREEMENT.—Section 602 of the Aamodt Litigation Settlement Act (Public Law 111–291; 124 Stat. 3134) is amended—

(1) by redesignating paragraphs (1) through (23) as paragraphs (2) through (24), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following:

“(1) 611(g) AGREEMENT.—The term ‘611(g) Agreement’ means the agreement dated July 2, 2019, to be executed by the United States, the State, the Pueblos, the County, and the City pursuant to section 611(g).”.

(b) FINAL PROJECT DESIGN.—Section 611(b) of the Aamodt Litigation Settlement Act (Public Law 111–291; 124 Stat. 3137) is amended, in the matter preceding paragraph (1), by striking “within 90 days of” and inserting “as soon as feasible after”.

(c) CONSTRUCTION COSTS FOR PUEBLO WATER FACILITIES.—Section 611(f) of the Aamodt Litigation Settlement Act (Public Law 111–291; 124 Stat. 3138) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “\$106,400,000” and inserting “\$243,400,000”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) EXCEPTION.—Of the amount described in subparagraph (A)—

“(i) the initial \$106,400,000 shall be increased or decreased, as appropriate, based on ordinary fluctuations in construction costs since October 1, 2006, as determined using applicable engineering cost indices; and

“(ii) any amounts made available in excess of the amount described in clause (i) shall be increased or decreased, as appropriate, based on ordinary fluctuations in construction costs since October 1, 2018, as determined using applicable engineering cost indices.”; and

(2) in paragraph (3), by inserting “and the 611(g) Agreement” after “the Cost-Sharing and System Integration Agreement”.

(d) FUNDING FOR REGIONAL WATER SYSTEM.—Section 617(a)(1) of the Aamodt Litigation Settlement Act (Public Law 111–291; 124 Stat. 3147) is amended—

(1) in subparagraph (B)—

(A) by striking the period at the end and inserting “; and”;

(B) by striking “section 616 \$50,000,000” and inserting the following: “section 616—

“(i) \$50,000,000”; and

(C) by adding at the end the following:

“(ii) subject to the availability of appropriations and in addition to the amounts