

in writing, continue to perform all obligations under, and comply with the terms of, such contract, provided that the Government of Puerto Rico is not in default under such contract other than as a result of a condition specified in paragraph (3).

(k) **EFFECT.**—This section does not discharge an obligation of the Government of Puerto Rico or release, invalidate, or impair any security interest or lien securing such obligation. This section does not impair or affect the implementation of any restructuring support agreement executed by the Government of Puerto Rico to be implemented pursuant to Puerto Rico law specifically enacted for that purpose prior to the enactment of this Act or the obligation of the Government of Puerto Rico to proceed in good faith as set forth in any such agreement.

(l) **PAYMENTS ON LIABILITIES.**—Nothing in this section shall be construed to prohibit the Government of Puerto Rico from making any payment on any Liability when such payment becomes due during the term of the stay, and to the extent the Oversight Board, in its sole discretion, determines it is feasible, the Government of Puerto Rico shall make interest payments on outstanding indebtedness when such payments become due during the length of the stay.

(m) **FINDINGS.**—Congress finds the following:

(1) A combination of severe economic decline, and, at times, accumulated operating deficits, lack of financial transparency, management inefficiencies, and excessive borrowing has created a fiscal emergency in Puerto Rico.

(2) As a result of its fiscal emergency, the Government of Puerto Rico has been unable to provide its citizens with effective services.

(3) The current fiscal emergency has also affected the long-term economic stability of Puerto Rico by contributing to the accelerated outmigration of residents and businesses.

(4) A comprehensive approach to fiscal, management, and structural problems and adjustments that exempts no part of the Government of Puerto Rico is necessary, involving independent oversight and a Federal statutory authority for the Government of Puerto Rico to restructure debts in a fair and orderly process.

(5) **ADDITIONALLY, AN IMMEDIATE.**—but temporary—stay is essential to stabilize the region for the purposes of resolving this territorial crisis.

(A) The stay advances the best interests common to all stakeholders, including but not limited to a functioning independent Oversight Board created pursuant to this Act to determine whether to appear or intervene on behalf of the Government of Puerto Rico in any litigation that may have been commenced prior to the effectiveness or upon expiration of the stay.

(B) The stay is limited in nature and narrowly tailored to achieve the purposes of this Act, including to ensure all creditors have a fair opportunity to consensually renegotiate terms of repayment based on accurate financial information that is reviewed by an independent authority or, at a minimum, receive a recovery from the Government of Puerto Rico equal to their best possible outcome absent the provisions of this Act.

(6) Finally, the ability of the Government of Puerto Rico to obtain funds from capital markets in the future will be severely diminished without congressional action to restore its financial accountability and stability.

(n) **PURPOSES.**—The purposes of this section are to—

(1) provide the Government of Puerto Rico with the resources and the tools it needs to address an immediate existing and imminent crisis;

(2) allow the Government of Puerto Rico a limited period of time during which it can focus its resources on negotiating a voluntary resolution with its creditors instead of defending numerous, costly creditor lawsuits;

(3) provide an oversight mechanism to assist the Government of Puerto Rico in reforming its fiscal governance and support the implementation of potential debt restructuring;

(4) make available a Federal restructuring authority, if necessary, to allow for an orderly adjustment of all of the Government of Puerto Rico's liabilities; and

(5) benefit the lives of 3.5 million American citizens living in Puerto Rico by encouraging the Government of Puerto Rico to resolve its longstanding fiscal governance issues and return to economic growth.

(o) **VOTING ON VOLUNTARY AGREEMENTS NOT STAYED.**—Notwithstanding any provision in this section to the contrary, nothing in this section shall prevent the holder of a Liability Claim from voting on or consenting to a proposed modification of such Liability Claim under title VI of this Act.

**SA 4933.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 405 and insert the following:

**SEC. 405. FINDINGS AND PURPOSES.**

(a) **FINDINGS.**—Congress finds the following:

(1) A combination of severe economic decline, and, at times, accumulated operating deficits, lack of financial transparency, management inefficiencies, and excessive borrowing has created a fiscal emergency in Puerto Rico.

(2) As a result of its fiscal emergency, the Government of Puerto Rico has been unable to provide its citizens with effective services.

(3) The current fiscal emergency has also affected the long-term economic stability of Puerto Rico by contributing to the accelerated outmigration of residents and businesses.

(4) A comprehensive approach to fiscal, management, and structural problems and adjustments that exempts no part of the Government of Puerto Rico is necessary, involving independent oversight and a Federal statutory authority for the Government of Puerto Rico to restructure debts in a fair and orderly process.

(5) Finally, the ability of the Government of Puerto Rico to obtain funds from capital markets in the future will be severely diminished without congressional action to restore its financial accountability and stability.

(b) **PURPOSES.**—The purposes of this Act are to—

(1) provide the Government of Puerto Rico with the resources and the tools it needs to address an immediate existing and imminent crisis;

(2) incentivize the Government of Puerto Rico to focus its resources on negotiating a voluntary resolution with its creditors;

(3) provide an oversight mechanism to assist the Government of Puerto Rico in reforming its fiscal governance and support the implementation of potential debt restructuring;

(4) make available a Federal restructuring authority, if necessary, to allow for an orderly adjustment of all of the Government of Puerto Rico's liabilities; and

(5) benefit the lives of 3.5 million American citizens living in Puerto Rico by encouraging

the Government of Puerto Rico to resolve its longstanding fiscal governance issues and return to economic growth.

**SA 4934.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

In section 104(e), add at the end the following: “Nothing in this Act provides immunity to the Oversight Board, members of the Oversight Board, or employees of the Oversight Board from any anti-corruption laws.”.

**SA 4935.** Mr. McCONNELL (for Mr. ROBERTS) proposed an amendment to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD.**

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

**“Subtitle E—National Bioengineered Food Disclosure Standard**

**“SEC. 291. DEFINITIONS.**

“In this subtitle:

“(1) **BIOENGINEERING.**—The term ‘bioengineering’, and any similar term, as determined by the Secretary, with respect to a food, refers to a food—

“(A) that contains genetic material that has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques; and

“(B) for which the modification could not otherwise be obtained through conventional breeding or found in nature.

“(2) **FOOD.**—The term ‘food’ means a food (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that is intended for human consumption.

“(3) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Agriculture.

**“SEC. 292. APPLICABILITY.**

“(a) **IN GENERAL.**—This subtitle shall apply to any claim in a disclosure that a food bears that indicates that the food is a bioengineered food.

“(b) **APPLICATION OF DEFINITION.**—The definition of the term ‘bioengineering’ under section 291 shall not affect any other definition, program, rule, or regulation of the Federal Government.

“(c) **APPLICATION TO FOODS.**—This subtitle shall apply only to a food subject to—

“(1) the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

“(2) the labeling requirements under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.) only if—

“(A) the most predominant ingredient of the food would independently be subject to the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

“(B)(i) the most predominant ingredient of the food is broth, stock, water, or a similar solution; and

“(ii) the second-most predominant ingredient of the food would independently be subject to the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

**“SEC. 293. ESTABLISHMENT OF NATIONAL BIO-ENGINEERED FOOD DISCLOSURE STANDARD.**

“(a) ESTABLISHMENT OF MANDATORY STANDARD.—Not later than 2 years after the date of enactment of this subtitle, the Secretary shall—

“(1) establish a national mandatory bioengineered food disclosure standard with respect to any bioengineered food and any food that may be bioengineered; and

“(2) establish such requirements and procedures as the Secretary determines necessary to carry out the standard.

**“(b) REGULATIONS.—**

“(1) IN GENERAL.—A food may bear a disclosure that the food is bioengineered only in accordance with regulations promulgated by the Secretary in accordance with this subtitle.

“(2) REQUIREMENTS.—A regulation promulgated by the Secretary in carrying out this subtitle shall—

“(A) prohibit a food derived from an animal to be considered a bioengineered food solely because the animal consumed feed produced from, containing, or consisting of a bioengineered substance;

“(B) determine the amounts of a bioengineered substance that may be present in food, as appropriate, in order for the food to be a bioengineered food;

“(C) establish a process for requesting and granting a determination by the Secretary regarding other factors and conditions under which a food is considered a bioengineered food;

“(D) in accordance with subsection (d), require that the form of a food disclosure under this section be a text, symbol, or electronic or digital link, but excluding Internet website Uniform Resource Locators not embedded in the link, with the disclosure option to be selected by the food manufacturer;

“(E) provide alternative reasonable disclosure options for food contained in small or very small packages;

“(F) in the case of small food manufacturers, provide—

“(i) an implementation date that is not earlier than 1 year after the implementation date for regulations promulgated in accordance with this section; and

“(ii) on-package disclosure options, in addition to those available under subparagraph (D), to be selected by the small food manufacturer, that consist of—

“(I) a telephone number accompanied by appropriate language to indicate that the phone number provides access to additional information; and

“(II) an Internet website maintained by the small food manufacturer in a manner consistent with subsection (d), as appropriate; and

**“(G) exclude—**

“(i) food served in a restaurant or similar retail food establishment; and

“(ii) very small food manufacturers.

“(3) SAFETY.—For the purpose of regulations promulgated and food disclosures made pursuant to paragraph (2), a bioengineered food that has successfully completed the premarket Federal regulatory review process shall not be treated as safer than, or not as safe as, a non-bioengineered counterpart of the food solely because the food is bioengineered or produced or developed with the use of bioengineering.

“(c) STUDY OF ELECTRONIC OR DIGITAL LINK DISCLOSURE.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subtitle, the Secretary shall conduct a study to identify potential technological challenges that may impact whether consumers would have access to the bioengineering disclosure

through electronic or digital disclosure methods.

“(2) PUBLIC COMMENTS.—In conducting the study under paragraph (1), the Secretary shall solicit and consider comments from the public.

“(3) FACTORS.—The study conducted under paragraph (1) shall consider whether consumer access to the bioengineering disclosure through electronic or digital disclosure methods under this subtitle would be affected by the following factors:

“(A) The availability of wireless Internet or cellular networks.

“(B) The availability of landline telephones in stores.

“(C) Challenges facing small retailers and rural retailers.

“(D) The efforts that retailers and other entities have taken to address potential technology and infrastructure challenges.

“(E) The costs and benefits of installing in retail stores electronic or digital link scanners or other evolving technology that provide bioengineering disclosure information.

“(4) ADDITIONAL DISCLOSURE OPTIONS.—If the Secretary determines in the study conducted under paragraph (1) that consumers, while shopping, would not have sufficient access to the bioengineering disclosure through electronic or digital disclosure methods, the Secretary, after consultation with food retailers and manufacturers, shall provide additional and comparable options to access the bioengineering disclosure.

“(d) DISCLOSURE.—In promulgating regulations under this section, the Secretary shall ensure that—

“(1) on-package language accompanies—

“(A) the electronic or digital link disclosure, indicating that the electronic or digital link will provide access to an Internet website or other landing page by stating only ‘Scan here for more food information’, or equivalent language that only reflects technological changes; or

“(B) any telephone number disclosure, indicating that the telephone number will provide access to additional information by stating only ‘Call for more food information.’;

“(2) the electronic or digital link will provide access to the bioengineering disclosure located, in a consistent and conspicuous manner, on the first product information page that appears for the product on a mobile device, Internet website, or other landing page, which shall exclude marketing and promotional information;

“(3)(A) the electronic or digital link disclosure may not collect, analyze, or sell any personally identifiable information about consumers or the devices of consumers; but

“(B) if information described in subparagraph (A) must be collected to carry out the purposes of this subtitle, that information shall be deleted immediately and not used for any other purpose;

“(4) the electronic or digital link disclosure also includes a telephone number that provides access to the bioengineering disclosure; and

“(5) the electronic or digital link disclosure is of sufficient size to be easily and effectively scanned or read by a digital device.

“(e) STATE FOOD LABELING STANDARDS.—Notwithstanding section 295, no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement relating to the labeling or disclosure of whether a food is bioengineered or was developed or produced using bioengineering for a food that is the subject of the national bioengineered food disclosure standard under this section that is not identical to the mandatory disclosure requirement under that standard.

“(f) CONSISTENCY WITH CERTAIN LAWS.—The Secretary shall consider establishing consistency between—

“(1) the national bioengineered food disclosure standard established under this section; and

“(2) the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) and any rules or regulations implementing that Act.

**“(g) ENFORCEMENT.—**

“(1) PROHIBITED ACT.—It shall be a prohibited act for a person to knowingly fail to make a disclosure as required under this section.

“(2) RECORDKEEPING.—Each person subject to the mandatory disclosure requirement under this section shall maintain, and make available to the Secretary, on request, such records as the Secretary determines to be customary or reasonable in the food industry, by regulation, to establish compliance with this section.

**“(3) EXAMINATION AND AUDIT.—**

“(A) IN GENERAL.—The Secretary may conduct an examination, audit, or similar activity with respect to any records required under paragraph (2).

“(B) NOTICE AND HEARING.—A person subject to an examination, audit, or similar activity under subparagraph (A) shall be provided notice and opportunity for a hearing on the results of any examination, audit, or similar activity.

“(C) AUDIT RESULTS.—After the notice and opportunity for a hearing under subparagraph (B), the Secretary shall make public the summary of any examination, audit, or similar activity under subparagraph (A).

“(4) RECALL AUTHORITY.—The Secretary shall have no authority to recall any food subject to this subtitle on the basis of whether the food bears a disclosure that the food is bioengineered.

**“SEC. 294. SAVINGS PROVISIONS.**

“(a) TRADE.—This subtitle shall be applied in a manner consistent with United States obligations under international agreements.

“(b) OTHER AUTHORITIES.—Nothing in this subtitle—

“(1) affects the authority of the Secretary of Health and Human Services or creates any rights or obligations for any person under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

“(2) affects the authority of the Secretary of the Treasury or creates any rights or obligations for any person under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

“(c) OTHER.—A food may not be considered to be ‘not bioengineered’, ‘non-GMO’, or any other similar claim describing the absence of bioengineering in the food solely because the food is not required to bear a disclosure that the food is bioengineered under this subtitle.

**“Subtitle F—Labeling of Certain Food****“SEC. 295. FEDERAL PREEMPTION.**

“(a) DEFINITION OF FOOD.—In this subtitle, the term ‘food’ has the meaning given the term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

“(b) FEDERAL PREEMPTION.—No State or a political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food or seed in interstate commerce any requirement relating to the labeling of whether a food (including food served in a restaurant or similar establishment) or seed is genetically engineered (which shall include such other similar terms as determined by the Secretary of Agriculture) or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed or produced using genetic engineering.

**“SEC. 296. EXCLUSION FROM FEDERAL PREEMPTION.**

“Nothing in this subtitle, subtitle E, or any regulation, rule, or requirement promulgated in accordance with this subtitle or subtitle E shall be construed to preempt any remedy created by a State or Federal statutory or common law right.”.

**SEC. 2. ORGANICALLY PRODUCED FOOD.**

In the case of a food certified under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), the certification shall be considered sufficient to make a claim regarding the absence of bioengineering in the food, such as “not bioengineered”, “non-GMO”, or another similar claim.

**SA 4936.** Mr. MCCONNELL proposed an amendment to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

At the end, add the following:

This Act shall take effect 1 day after the date of enactment.

**SA 4937.** Mr. MCCONNELL proposed an amendment to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD.**

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

**“Subtitle E—National Bioengineered Food Disclosure Standard****“SEC. 291. DEFINITIONS.**

“In this subtitle:

“(1) **BIOENGINEERING.**—The term ‘bioengineering’, and any similar term, as determined by the Secretary, with respect to a food, refers to a food—

“(A) that contains genetic material that has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques; and

“(B) for which the modification could not otherwise be obtained through conventional breeding or found in nature.

“(2) **FOOD.**—The term ‘food’ means a food (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that is intended for human consumption.

“(3) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Agriculture.

**“SEC. 292. APPLICABILITY.**

“(a) **IN GENERAL.**—This subtitle shall apply to any claim in a disclosure that a food bears that indicates that the food is a bioengineered food.

“(b) **APPLICATION OF DEFINITION.**—The definition of the term ‘bioengineering’ under section 291 shall not affect any other definition, program, rule, or regulation of the Federal Government.

“(c) **APPLICATION TO FOODS.**—This subtitle shall apply only to a food subject to—

“(1) the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

“(2) the labeling requirements under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.) only if—

“(A) the most predominant ingredient of the food would independently be subject to

the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

“(B)(i) the most predominant ingredient of the food is broth, stock, water, or a similar solution; and

“(ii) the second-most predominant ingredient of the food would independently be subject to the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

**“SEC. 293. ESTABLISHMENT OF NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD.**

“(a) **ESTABLISHMENT OF MANDATORY STANDARD.**—Not later than 2 years after the date of enactment of this subtitle, the Secretary shall—

“(1) establish a national mandatory bioengineered food disclosure standard with respect to any bioengineered food and any food that may be bioengineered; and

“(2) establish such requirements and procedures as the Secretary determines necessary to carry out the standard.

“(b) **REGULATIONS.**—

“(1) **IN GENERAL.**—A food may bear a disclosure that the food is bioengineered only in accordance with regulations promulgated by the Secretary in accordance with this subtitle.

“(2) **REQUIREMENTS.**—A regulation promulgated by the Secretary in carrying out this subtitle shall—

“(A) prohibit a food derived from an animal to be considered a bioengineered food solely because the animal consumed feed produced from, containing, or consisting of a bioengineered substance;

“(B) determine the amounts of a bioengineered substance that may be present in food, as appropriate, in order for the food to be a bioengineered food;

“(C) establish a process for requesting and granting a determination by the Secretary regarding other factors and conditions under which a food is considered a bioengineered food;

“(D) in accordance with subsection (d), require that the form of a food disclosure under this section be a text, symbol, or electronic or digital link, but excluding Internet website Uniform Resource Locators not embedded in the link, with the disclosure option to be selected by the food manufacturer;

“(E) provide alternative reasonable disclosure options for food contained in small or very small packages;

“(F) in the case of small food manufacturers, provide—

“(i) an implementation date that is not earlier than 1 year after the implementation date for regulations promulgated in accordance with this section; and

“(ii) on-package disclosure options, in addition to those available under subparagraph (D), to be selected by the small food manufacturer, that consist of—

“(I) a telephone number accompanied by appropriate language to indicate that the phone number provides access to additional information; and

“(II) an Internet website maintained by the small food manufacturer in a manner consistent with subsection (d), as appropriate; and

“(G) exclude—

“(i) food served in a restaurant or similar retail food establishment; and

“(ii) very small food manufacturers.

“(3) **SAFETY.**—For the purpose of regulations promulgated and food disclosures made pursuant to paragraph (2), a bioengineered food that has successfully completed the pre-market Federal regulatory review process shall not be treated as safer than, or not as safe as, a non-bioengineered counterpart of the food solely because the food is bioengi-

neered or produced or developed with the use of bioengineering.

“(c) **STUDY OF ELECTRONIC OR DIGITAL LINK DISCLOSURE.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this subtitle, the Secretary shall conduct a study to identify potential technological challenges that may impact whether consumers would have access to the bioengineering disclosure through electronic or digital disclosure methods.

“(2) **PUBLIC COMMENTS.**—In conducting the study under paragraph (1), the Secretary shall solicit and consider comments from the public.

“(3) **FACTORS.**—The study conducted under paragraph (1) shall consider whether consumer access to the bioengineering disclosure through electronic or digital disclosure methods under this subtitle would be affected by the following factors:

“(A) The availability of wireless Internet or cellular networks.

“(B) The availability of landline telephones in stores.

“(C) Challenges facing small retailers and rural retailers.

“(D) The efforts that retailers and other entities have taken to address potential technology and infrastructure challenges.

“(E) The costs and benefits of installing in retail stores electronic or digital link scanners or other evolving technology that provide bioengineering disclosure information.

“(4) **ADDITIONAL DISCLOSURE OPTIONS.**—If the Secretary determines in the study conducted under paragraph (1) that consumers, while shopping, would not have sufficient access to the bioengineering disclosure through electronic or digital disclosure methods, the Secretary, after consultation with food retailers and manufacturers, shall provide additional and comparable options to access the bioengineering disclosure.

“(d) **DISCLOSURE.**—In promulgating regulations under this section, the Secretary shall ensure that—

“(1) on-package language accompanies—

“(A) the electronic or digital link disclosure, indicating that the electronic or digital link will provide access to an Internet website or other landing page by stating only ‘Scan here for more food information’, or equivalent language that only reflects technological changes; or

“(B) any telephone number disclosure, indicating that the telephone number will provide access to additional information by stating only ‘Call for more food information.’;

“(2) the electronic or digital link will provide access to the bioengineering disclosure located, in a consistent and conspicuous manner, on the first product information page that appears for the product on a mobile device, Internet website, or other landing page, which shall exclude marketing and promotional information;

“(3)(A) the electronic or digital link disclosure may not collect, analyze, or sell any personally identifiable information about consumers or the devices of consumers; but

“(B) if information described in subparagraph (A) must be collected to carry out the purposes of this subtitle, that information shall be deleted immediately and not used for any other purpose;

“(4) the electronic or digital link disclosure also includes a telephone number that provides access to the bioengineering disclosure; and

“(5) the electronic or digital link disclosure is of sufficient size to be easily and effectively scanned or read by a digital device.

“(e) **STATE FOOD LABELING STANDARDS.**—Notwithstanding section 295, no State or political subdivision of a State may directly or

indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement relating to the labeling or disclosure of whether a food is bioengineered or was developed or produced using bioengineering for a food that is the subject of the national bioengineered food disclosure standard under this section that is not identical to the mandatory disclosure requirement under that standard.

“(f) **CONSISTENCY WITH CERTAIN LAWS.**—The Secretary shall consider establishing consistency between—

“(1) the national bioengineered food disclosure standard established under this section; and

“(2) the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) and any rules or regulations implementing that Act.

“(g) **ENFORCEMENT.**—

“(1) **PROHIBITED ACT.**—It shall be a prohibited act for a person to knowingly fail to make a disclosure as required under this section.

“(2) **RECORDKEEPING.**—Each person subject to the mandatory disclosure requirement under this section shall maintain, and make available to the Secretary, on request, such records as the Secretary determines to be customary or reasonable in the food industry, by regulation, to establish compliance with this section.

“(3) **EXAMINATION AND AUDIT.**—

“(A) **IN GENERAL.**—The Secretary may conduct an examination, audit, or similar activity with respect to any records required under paragraph (2).

“(B) **NOTICE AND HEARING.**—A person subject to an examination, audit, or similar activity under subparagraph (A) shall be provided notice and opportunity for a hearing on the results of any examination, audit, or similar activity.

“(C) **AUDIT RESULTS.**—After the notice and opportunity for a hearing under subparagraph (B), the Secretary shall make public the summary of any examination, audit, or similar activity under subparagraph (A).

“(4) **RECALL AUTHORITY.**—The Secretary shall have no authority to recall any food subject to this subtitle on the basis of whether the food bears a disclosure that the food is bioengineered.

“**SEC. 294. SAVINGS PROVISIONS.**

“(a) **TRADE.**—This subtitle shall be applied in a manner consistent with United States obligations under international agreements.

“(b) **OTHER AUTHORITIES.**—Nothing in this subtitle—

“(1) affects the authority of the Secretary of Health and Human Services or creates any rights or obligations for any person under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

“(2) affects the authority of the Secretary of the Treasury or creates any rights or obligations for any person under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

“(c) **OTHER.**—A food may not be considered to be ‘not bioengineered’, ‘non-GMO’, or any other similar claim describing the absence of bioengineering in the food solely because the food is not required to bear a disclosure that the food is bioengineered under this subtitle.

“**Subtitle F—Labeling of Certain Food**

“**SEC. 295. FEDERAL PREEMPTION.**

“(a) **DEFINITION OF FOOD.**—In this subtitle, the term ‘food’ has the meaning given the term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

“(b) **FEDERAL PREEMPTION.**—No State or a political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food or seed in interstate commerce any requirement relating to the labeling of whether a food (in-

cluding food served in a restaurant or similar establishment) or seed is genetically engineered (which shall include such other similar terms as determined by the Secretary of Agriculture) or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed or produced using genetic engineering.

“**SEC. 296. EXCLUSION FROM FEDERAL PREEMPTION.**

“Nothing in this subtitle, subtitle E, or any regulation, rule, or requirement promulgated in accordance with this subtitle or subtitle E shall be construed to preempt any remedy created by a State or Federal statutory or common law right.”.

**SEC. 2. ORGANICALLY PRODUCED FOOD.**

In the case of a food certified under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), the certification shall be considered sufficient to make a claim regarding the absence of bioengineering in the food, such as “not bioengineered”, “non-GMO”, or another similar claim.

This Act shall take effect 2 days after the date of enactment.

**SA 4938.** Mr. MCCONNELL proposed an amendment to amendment SA 4937 proposed by Mr. MCCONNELL to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

At the end, add the following:

This Act shall take effect 3 days after the date of enactment.

**SA 4939.** Mr. MCCONNELL proposed an amendment to amendment SA 4938 proposed by Mr. MCCONNELL to the amendment SA 4937 proposed by Mr. MCCONNELL to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

Strike “3 days” and insert “4 days”.

**SA 4940.** Mrs. FISCHER (for herself, Mr. BOOKER, Mr. NELSON, Mr. THUNE, Mr. SULLIVAN, Ms. CANTWELL, Mr. WICKER, and Mr. SCHATZ) proposed an amendment to the bill S. 2829, to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Maritime Administration Authorization and Enhancement Act for Fiscal Year 2017”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—MARITIME ADMINISTRATION AUTHORIZATION**

Sec. 101. Authorization of the Maritime Administration.

Sec. 102. Maritime Administration authorization request.

**TITLE II—PREVENTION OF SEXUAL HARASSMENT AND ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY**

Sec. 201. Actions to address sexual harassment and sexual assault at the United States Merchant Marine Academy.

Sec. 202. Sexual assault response coordinators and sexual assault victim advocates.

Sec. 203. Report from the Department of Transportation Inspector General.

Sec. 204. Sexual assault prevention and response working group.

**TITLE III—MARITIME ADMINISTRATION ENHANCEMENT**

Sec. 301. Status of National Defense Reserve Fleet vessels.

Sec. 302. Port infrastructure development.

Sec. 303. State maritime academy physical standards and reporting.

Sec. 304. Authority to extend certain age restrictions relating to vessels participating in the maritime security fleet.

Sec. 305. Appointments.

Sec. 306. High-speed craft classification services.

Sec. 307. Maritime workforce working group.

Sec. 308. Vessel disposal program.

Sec. 309. Maritime extreme weather task force.

**TITLE IV—IMPLEMENTATION OF WORKFORCE MANAGEMENT IMPROVEMENTS**

Sec. 401. Workforce plans and onboarding policies.

Sec. 402. Drug and alcohol policy.

Sec. 403. Vessel transfers.

**TITLE V—TECHNICAL AMENDMENTS**

Sec. 501. Clarifying amendment; continuation boards.

Sec. 502. Prospective payment of funds necessary to provide medical care.

Sec. 503. Technical corrections to title 46, United States Code.

Sec. 504. Coast Guard use of the Pribilof Islands.

**TITLE VI—POLAR ICEBREAKER FLEET RECAPITALIZATION TRANSPARENCY ACT**

Sec. 601. Short title.

Sec. 602. Definitions.

Sec. 603. Polar icebreaker recapitalization plan.

Sec. 604. GAO report icebreaking capability in the United States.

**TITLE VII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SEXUAL HARASSMENT AND ASSAULT PREVENTION ACT**

Subtitle A—Sexual Harassment and Assault Prevention at the National Oceanic and Atmospheric Administration

Sec. 711. Actions to address sexual harassment at National Oceanic and Atmospheric Administration.

Sec. 712. Actions to address sexual assault at National Oceanic and Atmospheric Administration.

Sec. 713. Rights of the victim of a sexual assault.

Sec. 714. Change of station.

Sec. 715. Applicability of policies to crews of vessels secured by National Oceanic and Atmospheric Administration under contract.

Sec. 716. Annual report on sexual assaults in the National Oceanic and Atmospheric Administration.

Sec. 717. Definition.

Subtitle B—Commissioned Officer Corps of the National Oceanic and Atmospheric Administration

Sec. 721. References to National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002.

**PART I—GENERAL PROVISIONS**

Sec. 722. Strength and distribution in grade.