

1 (B) CONSIDERATION.—The Secretary shall
2 appropriately consider, relative to other prior-
3 ities of the Department of Health and Human
4 Services for high-risk and high-need popu-
5 lations, the distribution of infectious disease
6 personal protective equipment and COVID–19
7 test kits to the Bureau for use by inmates and
8 personnel of the Bureau.

9 (2) HOME CONFINEMENT AUTHORITY.—During
10 the covered emergency period, if the Attorney Gen-
11 eral finds that emergency conditions will materially
12 affect the functioning of the Bureau, the Director of
13 the Bureau may lengthen the maximum amount of
14 time for which the Director is authorized to place a
15 prisoner in home confinement under the first sen-
16 tence of section 3624(c)(2) of title 18, United States
17 Code, as the Director determines appropriate.

18 (c) VIDEO VISITATION.—

19 (1) IN GENERAL.—During the covered emer-
20 gency period, if the Attorney General finds that
21 emergency conditions will materially affect the func-
22 tioning of the Bureau, the Director of the Bureau
23 shall promulgate rules regarding the ability of in-
24 mates to conduct visitation through video teleconfer-

1 encing and telephonically, free of charge to inmates,
2 during the covered emergency period.

3 (2) EXEMPTION FROM NOTICE-AND-COMMENT
4 RULEMAKING REQUIREMENTS.—Section 553 of title
5 5, United States Code, shall not apply to the pro-
6 mulgation of rules under paragraph (1) of this sub-
7 section.

8 (d) EMERGENCY REQUIREMENT.—The amount pro-
9 vided by this section is designated by the Congress as
10 being for an emergency requirement pursuant to section
11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 TEMPORARY AUTHORITY OF DIRECTOR OF THE USPTO
14 DURING THE COVID–19 EMERGENCY.

15 SEC. 12004. (a) IN GENERAL.—During the emer-
16 gency period described in subsection (e), the Director may
17 toll, waive, adjust, or modify, any timing deadline estab-
18 lished by title 35, United States Code, the Trademark Act,
19 section 18 of the Leahy-Smith America Invents Act (35
20 U.S.C. 321 note), or regulations promulgated thereunder,
21 in effect during such period, if the Director determines
22 that the emergency related to such period—

23 (1) materially affects the functioning of the
24 Patent and Trademark Office;