SA 2535. Mr. LANKFORD (for himself, Mrs. SHAHEEN, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2536. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2537. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2538. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2539. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2540. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2541. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2542. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2543. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2544. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2545. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2546. Mr. WARNER (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2547. Mr. BROWN submitted an amendment intended to be proposed to amendment

TEXT OF AMENDMENTS

SA 2371. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize the appropriation for fiscal year 2019 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.

At the appropriate place, insert the following:

SEC. 47. BROADBAND AND EMERGING INFORMATION TECHNOLOGY COORDINATOR.

(a) Definitions.—In this section—

(1) the term ‘‘technological advancement’’ means the Associate Administrator for the Office of Investment and Innovation; and

(b) Broadband and Emerging Information Technology Coordinator.—The Small Business Administration (in this section referred to as ‘‘the SBA’’) shall—

(1) establish the novel position of Broadband and Emerging Information Technology Coordinator (in this section referred to as the ‘‘Coordinator’’); and

(2) use such list to develop a plan to foster the proposing and implementation of innovative and emerging information and communications technologies, including but not limited to the following:

(1) promote small businesses to take advantage of broadband and emerging information technologies, and

(2) ensure that the SBA provides support to small businesses in order to foster innovation and technology development.
“(2) the term ‘broadband and emerging information technology coordinator’ means the employee designated to carry out the broadband and emerging information technology coordination responsibilities of the Administration under subsection (b)(1).

“(b) ASSIGNMENT OF COORDINATOR.—

“(1) IN GENERAL.—The Associate Administrator shall designate a senior employee of the Office of Investment and Innovation to serve as the broadband and emerging information technology coordinator, who—

“(A) shall report to the Associate Administrator;

“(B) shall work in coordination with—

“(i) the chief information officer, the chief technology officer, and the head of the Office of Technology of the Administration; and

“(ii) the Associate Administrator of the Administration determined appropriate by the Associate Administrator;

“(C) has experience developing and implementing telecommunications policy in the private sector or government; and

“(D) has demonstrated significant experience in the area of broadband or emerging information technology.

“(2) RESPONSIBILITIES OF COORDINATOR.—

“The broadband and emerging information technology coordinator shall—

“(A) coordinate programs of the Administration that assist small business concerns in adopting, making innovations in, and using broadband and other emerging information technologies;

“(B) serve as the primary liaison of the Administration to other Federal agencies involved in broadband and emerging information technology policy, including the Department of Commerce, the Department of Agriculture, and the Federal Communications Commission;

“(C) identify best practices relating to broadband and emerging information technology that may benefit small business concerns; and

“(D) identify and catalog tools and training available through the resource partners of the Administration that assist small business concerns in adopting, making innovations in, and using broadband and emerging technologies.

“(3) TRAVEL.—Not more than 20 percent of the hours of service by the broadband and emerging information technology coordinator during any fiscal year shall consist of travel outside the United States to perform official duties.

“(4) BROADBAND AND新兴技术 TRAINING.—

“(1) TRAINING.—The Associate Administrator shall provide to employees of the Administration training that—

“(A) familiarizes employees of the Administration with broadband and other emerging information technologies;

“(B) includes—

“(i) instruction on counseling small business concerns in adopting, making innovations in, and using broadband and other emerging information technologies; and

“(ii) information on programs of the Federal Government that provide assistance to small business concerns relating to broadband and emerging information technology;

“(C) to maximum extent practicable, uses the tools and training cataloged and identified under subsection (b)(2)(D).

“(A) in subsection (b)(3)—

“(i) by striking clause (i);

“(ii) by redesignating clause (i) as clause (ii); and

“(iii) by inserting before clause (ii), as so redesignated, the following:

“(i) the term ‘active service’ has the meaning given in title 10, United States Code;”;

“(iv) any policy recommendations that may improve the access of small business concerns to broadband services at comparable rates in all regions of the United States;”;

“(c) ENTREPRENEURIAL DEVELOPMENT.—Section 21(c)(3)(B) of the Small Business Act (15 U.S.C. 648(c)(3)(B)) is amended—

“(1) in the matter preceding clause (i), by inserting ‘accessing broadband and other emerging information technology,’ after ‘technology transfer,’;”;

“(2) in clause (ii), by striking ‘and’ at the end;

“(3) in clause (iii), by adding ‘and’ at the end; and

“(4) by adding at the end the following:

“(iii) a survey of the type of broadband technology used by small business concerns; and

“(iv) any policy recommendations that may improve the access of small business concerns to broadband services at comparable rates in all regions of the United States.”;

“(d) REPORTS.—

“(1) T RAINING.—The Associate Administrator shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Energy and Commerce and the Committee on Small Business of the House of Representatives a report on the results of the study under subparagraph (A), including—

“(I) a survey of broadband speeds available to small business concerns;

“(II) a survey of the cost of broadband speeds available to small business concerns;

“(III) a survey of the type of broadband technology used by small business concerns; and

“(IV) any policy recommendations that may improve the access of small business concerns to broadband services at comparable rates in all regions of the United States.”;

“(2) IMPACT OF BROADBAND SPEED AND PRICE ON SMALL BUSINESSES.—

“(A) IN GENERAL.—Subject to appropriation, the Chief Counsel for Advocacy shall conduct a study to determine the impact of broadband speed and price on small business concerns.

“(B) REPORT.—Not later than 3 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2019, the Chief Counsel for Advocacy shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Energy and Commerce and the Committee on Small Business of the House of Representatives a report on the results of the study under subparagraph (A), including—

“(I) a survey of broadband speeds available to small business concerns;

“(II) a survey of the cost of broadband speeds available to small business concerns;

“(III) a survey of the type of broadband technology used by small business concerns; and

“(IV) any policy recommendations that may improve the access of small business concerns to broadband services at comparable rates in all regions of the United States.”;

“(3) TRAVEL.—Not more than 20 percent of the hours of service by the broadband and emerging information technology coordinator during any fiscal year shall consist of travel outside the United States to perform official duties.

“(4) TECHNICAL AND CONFORMING AMENDMENTS.—

“(A)Short Title.—This section may be cited as the ‘National Guard and Reserve Entrepreneurship Supports’.

“(B) Extent of Loan Assistance and Deferred Eligibility to Reservists Beyond Periods of Military Conflict.—

“(1) Small Business Act Amendments.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—

“(A) in subsection (b)(3)—

“(i) by striking paragraph (A)—

“(II) by redesigning clause (i) as clause (ii); and

“(III) by inserting before clause (ii), as so redesignated, the following:

“(I) the term ‘active service’ has the meaning given in title 10, United States Code;”;

“(iv) in subparagraph (C), by striking ‘active duty’ and inserting ‘active service’; and

“(B) in subsection (n)—

“(i) in the subsection heading, by striking ‘ACTIVE DUTY’ and inserting ‘ACTIVE SERVICE’;

“(ii) in paragraph (1)—

“(I) by striking subparagraph (C);

“(II) by redesigning subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

“(III) by inserting before subparagraph (B), as so redesignated, the following:

“(1) APPLICABILITY.—The amendments made by paragraph (1)(A) shall apply to an economic injury suffered or likely to be suffered as the result of an essential employee being ordered to perform active service as defined in section 7(n)(1) of the Small Business Act (15 U.S.C. 637(l)) is amended—

“(I) in subparagraph (A)—

“(1) by striking ‘The Administration’; and

“(2) by adding ‘as defined in section”;

“(II) in subsection (b)(3)—

“(A) by striking ‘The Administration’; and

“(B) by adding at the end the following:

“(1) IN GENERAL.—The Administration;
‘‘(2) DEFINITION OF PERIOD OF MILITARY CONFLICT.—In this subsection, the term ‘period of military conflict’ means—

(A) a period of war declared by the Congress;

(B) a period of national emergency declared by the Congress or by the President; or

(C) a period of contingency operations, as defined in section 101(a) of title 10, United States Code.’’.

(c) NATIONAL GUARD AND RESERVE DEPLOYMENT SUPPORT AND BUSINESS TRAINING PROGRAM.—

(1) EXPANSION OF SMALL BUSINESS ADMINISTRATION OUTREACH PROGRAMS.—Section 8(b)(17) of the Small Business Act (15 U.S.C. 637(b)(17)) is amended by striking ‘‘and members of a reserve component of the Armed Forces’’ and inserting ‘‘and members of a reserve component of the Armed Forces, and the spouses of veterans and members of a reserve component of the Armed Forces’’.

(2) ESTABLISHMENT OF PROGRAM.—Section 32 of the Small Business Act (15 U.S.C. 657) is amended by adding at the end the following:

(‘‘g) NATIONAL GUARD AND RESERVE DEPLOYMENT SUPPORT AND BUSINESS TRAINING.—

(1) IN GENERAL.—In making grants carried out under section 8(b)(17), the Associate Administrator shall establish a program, to be known as the ‘National Guard and Reserve Deployment Support and Business Training Program’, to provide training, counseling and other support to support members of a reserve component of the Armed Forces and their spouses.

(2) AUTHORITIES.—In carrying out this subsection, the Associate Administrator may—

(A) modify programs and resources made available under section 8(b)(17) to provide pre-deployment information specific to members of a reserve component of the Armed Forces and their spouses;

(B) collaborate with the Chief of the National Guard Bureau or the Chief’s designee, State Adjunct Generals or their designees, and other public and private partners; and

(C) provide training, information and other resources to the Chief of the National Guard Bureau or the Chief’s designee and State Adjunct Generals or their designees for the purpose of supporting members of a reserve component of the Armed Forces and their spouses.

SA 2374. Mr. BLUMENTHAL (for himself, Mr. SANDERS, Mr. MERKLEY, Mr. BOOKER, Mr. MARKEY, Ms. WARREN, and Mr. VAN HOLLLEN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title XVI, in subsection (a), before the remainder of the subsection, insert the following:

(‘‘s) UNITED STATES CYBER STRATEGY.—

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than January 1, 2019, the President shall submit to the appropriate congressional committees a comprehensive, interagency national strategy for cyberspace.

(2) ELEMENTS.—The comprehensive, interagency national strategy required by paragraph (1) shall include the following elements:

(A) A Government-wide and accepted glossary of definitions and terms for cyberspace and cyber-related activities.

(B) Criteria for the types of malicious cyber activities that the United States Government will seek to deter and will respond to.

(C) Processes, mechanisms, and authorities for attribution of malicious cyber activities.

(D) Menu of options for deterrence denial and response to malicious cyber activities using the range of national power to deter.

(E) Tasks, roles, and responsibilities of the following entities in regards to cyberspace:


(ii) Department of Defense for military cyber activities and offensive cyber operations.

(iii) Department of State for cyber diplomacy and promotion of United States values on fair use of cyberspace and related activities.

(iv) Any other agency deemed appropriate by the President to be a primary stakeholder for a cyber activity or related policy.

(F) Specific tasks, roles, and responsibilities of the above entities.

(b) UNITED STATES CYBER STRATEGY IMPLEMENTATION.—The implementation of the strategy required by paragraph (1) shall include—

(I) The establishment of a permanent interagency commission to continually implement, study, and revise the strategy for the whole of Government to meet emerging threats and trends.

(J) The appointment of an individual from within the body established in subsection (I) as the leader for interagency cyber strategy and execution of said strategy.
(K) The development of a semiannual or biennial war game involving all Federal agencies to determine best practices for domestic and global responses to cyber events.
(L) The planning for possible cyber events to supplement current operation plans of the unified combatant command.
(M) Mechanisms for continuous information sharing among Government agencies relating to the range of cyber operations.
(N) Such other matters as the President considers appropriate.
(b) ASSESSMENT.—Not later than one year after the date of the submission of the strategy required by paragraph (a), and annually thereafter, the President shall submit to the Congress an assessment of the strategy, including—
(1) the status of implementation of the strategy;
(2) notes and minutes from any meeting of the permanent interagency commission; and
(3) any changes to the strategy since such submission.
(c) FORM.—The strategy and assessment required by this section shall each be submitted in classified form, but may include a classified annex.

SEC. 12.

UNITED STATES ALLIES.

Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title XII, add the following:

SEC. 12b. PROHIBITION OF SANCTIONS WITH RESPECT TO CERTAIN MILITIAS IN IRAQ THAT ARE BACKED BY THE GOVERNMENT OF SYRIA.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Beginning on the date that is 90 days after the date of the enactment of this Act, the President shall block and prohibit, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), all transactions in all property and interests in property of As-Saib Ahl al-Haq, Khoras and Harvey Habbal al-Dajja, and any foreign person that the President determines is an official, agent, or affiliate of, or owned or controlled by, As-Saib Ahl al-Haq or Harvey Habbal al-Dajja, if such property and interests in property are in the United States, or are or come within the possession or control of a United States person.

(2) EXCEPTION.—The requirement to impose sanctions under paragraph (1) shall not include the requirement or the authority to impose sanctions on the importation of goods (as that term is defined in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4621) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.))).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall report to the Congress on whether the criteria for the designation of As-Saib Ahl al-Haq, Khoras, Harvey Habbal al-Dajja, and As-Saib Ahl al-Haq are satisfied.

SEC. 13.

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other purposes; which was ordered to lie on the table; as follows:

SEC. 1126. IMPROVED AUTHORITIES OF SECRETARIES OF MILITARY DEPARTMENTS TO IMPROVE ACCOUNTABILITY OF SENIOR EXECUTIVES.

(a) AUTHORITY.—(1) The Secretary of a military department may, as provided in this section, reprimand or suspend, involuntarily reassign, demote, or remove a covered individual from a senior executive position at the military department if the Secretary determines that the misconduct or performance of the covered individual warrants such action.

(2) If the Secretary so removes such an individual, the Secretary may remove the individual from the civil service (as defined in section 2101 of title 5, United States Code).

(b) Rights and Procedures.—(1) A covered individual who is the subject of an action under subsection (a) is entitled to—

(A) advance notice of the action and a file containing all evidence in support of the proposed action;

(B) be represented by an attorney or other representative of the covered individual’s choice; and

(C) grieve the action in accordance with an internal grievance process that the Secretary of the applicable military department shall establish for purposes of this subsection.

(2) (A) The aggregate period for notice, response, and determination of an action under subsection (a) may not exceed 15 business days.

(B) The period for the response of a covered individual to a notice under paragraph (1)(A) of an action under subsection (a) shall be 7 business days.

(3) A decision under this paragraph on an action under subsection (a) shall be 7 business days.

(4) A covered individual adversely affected by a decision under paragraph (2) that is not grieved, and by a grievance decision under paragraph (3), shall be final and conclusive.

(5) A covered individual to a notice of a proposed removal, demotion, or suspension under subsection (a) may not be placed on administrative leave during the period during which an appeal (if any) under this section is pending, and may only receive pay if the covered individual received pay applicable to such grade.

(c) (A) A covered individual so demoted may not be placed on administrative leave during the period during which an appeal (if any) under this section is pending, and may only receive pay if the covered individual received pay applicable to such grade.

(B) If a covered individual so demoted does not report for duty or receive approval to use accrued unused leave, such covered individual shall not receive pay or other benefits pursuant to subsection (d)(5).

(d) PROCEDURE.—(1) The aggregate period for notice, response, and final decision in a removal, demotion, or suspension under this section may not exceed 15 business days.

(B) The period for the response of a covered individual to a proposed removal, demotion, or suspension under this section shall be 7 business days.

(C) Paragraph (3) of subsection (b) of section 7533 of title 5, United States Code, shall apply with respect to a removal, demotion, or suspension under this section.

(D) The procedures in this subsection shall supersede any collective bargaining agreement to the extent that such agreement is inconsistent with such procedures.

(2) The Secretary of the applicable military department shall issue a final decision with respect to a removal, demotion, or suspension under this section.

(c) EXPEDITED REVIEW.—(1) Upon receipt of an appeal under subsection (c)(4)(A), the administrative judge shall expedite any such appeal under section 7701(b)(1) of title 5, United States Code, and, in any such case, shall issue a final and complete decision not later than 180 days after the date of the appeal.

(2)(A) Notwithstanding section 7701(c)(1)(B) of title 5, United States Code, the administrative judge shall—

(B) The period for the response of a covered individual to a notification of a proposed removal, demotion, or suspension under this section shall be 7 business days.

(C) Paragraph (3) of subsection (b) of section 7533 of title 5, United States Code, shall apply with respect to a removal, demotion, or suspension under this section.

(D) The procedures in this subsection shall supersede any collective bargaining agreement to the extent that such agreement is inconsistent with such procedures.

(2) (A) A covered individual who is an employee of a military department if the Secretary determines that the misconduct or performance of the covered individual warrants such action.

(B) If the Secretary so removes, demotes, or suspends such a covered individual, the Secretary may—

(A) remove the covered individual from the civil service (as defined in section 2101 of title 5, United States Code);

(B) demote the covered individual by means of a reduction in grade for which the covered individual is qualified, that the Secretary determines is appropriate, and that reduces the annual rate of pay of the covered individual; or

(C) suspend the covered individual.

(3) In general.—(1) The Secretary of a military department may remove, demote, or suspend a covered individual who is an employee of a military department if the Secretary determines that the misconduct or performance of the covered individual warrants such action.

(2) If the Secretary so removes, demotes, or suspends such a covered individual, the Secretary may—

(A) remove the covered individual from the civil service (as defined in section 2101 of title 5, United States Code);

(B) demote the covered individual by means of a reduction in grade for which the covered individual is qualified, that the Secretary determines is appropriate, and that reduces the annual rate of pay of the covered individual; or

(C) suspend the covered individual.

(4) PAY OF CERTAIN DEMOTED INDIVIDUALS.—(1) Any covered individual subject to removal, demotion, or suspension under this section (a) may not receive pay if the covered individual is supported by substantial evidence, the administrative judge shall not mitigate the penalty prescribed by the Secretary.

(2) The decision of the administrative judge under paragraph (1) may be appealed to the Merit Systems Protection Board.

(3) Notwithstanding section 7701(c)(1)(B) of title 5, United States Code, the Merit Systems Protection Board shall uphold the decision of the Secretary to remove, demote, or suspend an employee under subsection (a) if the decision is supported by substantial evidence.

(4) Notwithstanding title 5, United States Code, or any other provision of law, if the decision of the Secretary of the applicable military department is supported by substantial evidence, the Merit Systems Protection Board shall not mitigate the penalty prescribed by the Secretary.

(5) In any case in which the administrative judge cannot issue a decision in accordance with the 180-day requirement under paragraph (1), the Merit Systems Protection Board shall, not later than 14 business days after the expiration of the 180-day period, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that explains the reasons why a decision was not issued in accordance with such requirement.

(6) A decision of the Merit Systems Protection Board under paragraph (5) may be appealed to the United States Court of Federal Claims pursuant to section 7703 of title 5, United States Code, or to any court of appeals of competent jurisdiction pursuant to subsection (b)(1)(B) of such section.

(7) The Merit Systems Protection Board may not stay any removal or demotion under this section.

(c) RELATION TO OTHER PROVISIONS OF LAW.—Section 3322(b)(1) of title 5, United States Code, determines, applying the procedures under section 7541(b) of title 5, United States Code, whether the Merit Systems Protection Board shall provide to the Merit Systems Protection Board such information and assistance as may be necessary to ensure an appeal under subsection (b)(1) of such section.

(8) To the maximum extent practicable, the Merit Systems Protection Board shall provide to the Merit Systems Protection Board such information and assistance as may be necessary to ensure an appeal under subsection (b)(1) of such section.

(9) In any case where a covered individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits related to the employment of the individual by the military department.

(10) To the maximum extent practicable, the Merit Systems Protection Board shall provide to the Merit Systems Protection Board such information and assistance as may be necessary to ensure an appeal under subsection (b)(1) of such section.

(11) In any case where a covered individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits related to the employment of the individual by the military department.
to backpay (as provided in section 5596 of title 5, United States Code).

(10) If an employee who is subject to a collective bargaining agreement chooses to grieve an action taken under this section through a grievance procedure provided under the collective bargaining agreement, the procedures set forth in subsection (c) and this subsection shall apply.

(e) WHISTLEBLOWER PROTECTION.—(1) In the case of an individual seeking corrective action (or on behalf of whom corrective action is sought) from the Office of Special Counsel under section 1211 of title 5, United States Code (based on an alleged prohibited personnel practice described in section 2302(b) of title 5, United States Code, the Secretary of the applicable military department may not remove, demote, or suspend such covered individual under subsection (a) until—

(A) in the case in which the Inspector General of the Department of Defense determines not to refer the whistleblower disclosure to an office or other investigative entity, a final decision with respect to the whistleblower disclosure has been made by such office or investigative entity; or

(B) in the case in which the Inspector General of the Department of Defense determines to refer the whistleblower disclosure to the Special Counsel under section 1214(f) of title 5, United States Code.

(2) In the case of a covered individual who has made a whistleblower disclosure to the Inspector General of the Department of Defense, the Secretary of the applicable military department may not remove, demote, or suspend such covered individual under subsection (a) until—

(A) the Special Counsel (established by section 1211 of title 5) may terminate an investigation of a prohibited personnel practice alleged by an employee or former employee of a military department after the Special Counsel provides to the employee or former employee a written statement of the reasons for the termination of the investigation.

(2) Such statement may not be admissible as evidence in any judicial or administrative proceeding without the consent of such employee or former employee.

(g) VACANCIES.—In the case of a covered individual who has completed a probationary or trial period or term of employment under subsection (a), to the maximum extent feasible, the Secretary of the applicable military department shall fill the vacancy arising as a result of such removal or demotion.

(h) DEFINITIONS.—In this section—

(1) The term "covered individual" means an individual occupying a position at a military department, but does not include—

(A) a career appointee (as that term is defined in section 3132(a)(4) of title 5, United States Code);

(B) a Senior Executive Service position (as that term is defined in section 3132(a)(2) of title 5, United States Code);

(C) an individual who has not completed a probationary or trial period; or

(D) a political appointee.

(2) The term "military department" has the meaning given such term in section 101 of title 10, United States Code.

(3) The term "suspend" means the placing of an employee, for disciplinary reasons, in a temporary inactive status without pay for a period in excess of 14 days.

(4) The term "grade" has the meaning given such term in section 5511(a) of title 5, United States Code.

(5) The term "misconduct" includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

(b) Joint use of instructors and of facilities is authorized for fiscal year 2019 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 in title XVI, insert the following:

(2) Existing curriculum relating to cyber training focused solely on tactics, techniques, and procedures that hackers have used in the past may be inadequate for the challenges facing the cyber workforce of the Department of Defense because they fail to focus on future threats;

(3) Joint development of curriculum, and instruction delivery that should be based on "should";

(4) Universities and private industry are, and will continue to be, critical partners in the education and training of our future cyber force, and developing partnerships with such an industry will be crucial in staying informed of the latest best practices in the cyber domain.

(c) ELEMENTS.—The briefings required by subsection (b) shall include discussion of the following:

(1) Development and training and reclassification actions for changes to ensure relevance of such education and training to future threats.

(Sec. 1066. CONGRESSIONAL APPROVAL BEFORE ADJUSTMENT BY PRESIDENT OF IMPORTS DETERMINED TO THREATEN TO IMPAIR NATIONAL SECURITY.)

(a) In General.—Section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862) is amended—

(1) in subsection (c)—

(A) by striking subparagraph (B);

(B) by redesignating the second subsection (e) as subsection (f) and inserting at the end of such subsection the following:

(ii) in the matter preceding clause (i), by striking "shall" and inserting "should";

(ii) by redesigning the second subsection (d) as subsection (e); and

(iii) by redesigning subsection (f) and inserting the following:

(1) IN GENERAL.—An action to adjust imports proposed by the President and submitted to Congress under subsection (c)(2) shall have force and effect only upon the enactment of a joint resolution of approval, provided for in paragraph (3), relating to that action.

(2) PERIOD FOR REVIEW BY CONGRESS.—The period during which a congressional review of a report required to be submitted under subsection (c)(2) shall be 60 calendar days.

(3) JOINT RESOLUTIONS OF APPROVAL.—

(A) JOINT RESOLUTION OF APPROVAL DEFINED.—In this subsection, the term ‘joint resolution of approval’ means only a joint resolution of either House of Congress—

(B) A joint resolution approving the proposal of the President to take an action relating to the adjustment of imports entering into the United States in such circumstances or under such circumstances as to threaten or impair the national security; and
“(ii) the sole matter after the resolving clause of which is the following: ‘Congress approves of the recommendation of the President to Congress relating to the adjusting of the rate of duty on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

“(IV) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration—

1. previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided by the proponents of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

“(ii) TREATMENT OF HOUSE JOINT RESOLUTION IN SENATE.—

(I) If, before the passage by the Senate of a joint resolution of approval, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(a) That joint resolution shall not be referred to a committee.

(bb) With respect to that joint resolution:

(1) the procedure in the Senate shall be the same as if no joint resolution had been received from the House of Representatives; but

(2) the vote on passage shall be on the joint resolution from the House of Representatives.

(ii) If, following passage of a joint resolution of approval in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate calendar.

(iii) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Finance reports a joint resolution of approval or has been discharged from consideration of such a joint resolution to move to proceed to the consideration of the joint resolution. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(iv) RULES OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedures relating to joint resolutions of approval shall be decided by the Senate without debate.

(v) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—This paragraph is enacted by procedures shall apply:

(A) IN GENERAL.—Any rate of duty modified by this Act of 1962 (19 U.S.C. 1862) during the period at the end the following: '', that is specifically designed for the professional military education of commissioned officers’

(B) RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS.—

(i) IN GENERAL.—Subject to clause (i), any entry of an article that—

(aa) on or after the date that is two years before the date of the enactment of this Act, and

(bb) before such date of enactment, and

(ii) to which a lower rate of duty would be applicable due to the application of subparagraph (A), shall be liquidated or reliquidated as though such entry occurred on such date of enactment.

(iii) REQUESTS.—A liquidation or reliquidation may be made under clause (i) with respect to an entry only if a request therefor is filed with U.S. Customs and Border Protection not later than 180 days after the date of the enactment of this Act that contains sufficient information to enable U.S. Customs and Border Protection—

(a) to locate the entry; or

(b) to reconstruct the entry if it cannot be located.

(iv) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry of an article under clause (i) shall be paid, without interest, not later than 180 days after the date of the liquidation or reliquidation (as the case may be).

SA 2382. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 title II of title XI, add the following:

SEC. 1107. RULE OF CONSTRUCTION ON AUTHORITY TO REDUCE THE SIZE OF THE CIVILIAN WORKFORCE OF THE DEPARTMENT OF DEFENSE.

No provision of this Act or amendment made by this Act may be construed to provide the Secretary of Defense any authority to reduce the size of the civilian workforce of the Department of Defense in a manner not otherwise authorized by section 1097 of title 10, United States Code.

SA 2383. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 2292 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

On page 215, line 17, insert before the period the following: ‘‘that is specifically designed for the professional military education of commissioned officers’’.
SA 2384. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

At the end of subtitle C of title XVI, add the following:

SEC. 1638A. APPOINTMENT OF CYBERSECURITY COORDINATOR.

(a) APPOINTMENT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the President shall appoint a Cybersecurity Coordinator within the Executive Office of the President.

(b) DUTIES.—The Cybersecurity Coordinator appointed under subsection (a) shall be responsible for:

(1) developing and coordinating the cybersecurity strategy and policies of the Federal Government;

(2) providing oversight and assessment of the implementation of such strategy and policies across the Federal Government.

SA 2385. Mr. HEINRICH (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 D of title III, add the following:

SEC. 340. STARBASE PROGRAM.

(a) FINDINGS.—Congress makes the following findings:

(1) The budget of the President for fiscal year 2019 requested no funding for the Department of Defense STARBASE program.

(2) The purpose of the STARBASE program is to improve the knowledge and skills of students in kindergarten through 12th grade in science, technology, engineering, and mathematics (STEM) subjects, to connect them to the military, and to motivate them to explore science, technology, engineering, and mathematics and possible military careers or their education pathways.

(3) The STARBASE program currently operates at 76 locations in 40 States and the District of Columbia and Puerto Rico, primarily on military installations.

(4) To date, nearly 750,000 students have participated in the STARBASE program.

(5) The STARBASE program is a highly effective and dedicated members of the Armed Forces and strengthens the relationships between the military, communities, and local school districts.

(b) PROGRAM OF CONGRESSIONAL INTEREST.—It is the sense of Congress that the STARBASE program should continue to be funded by the Department of Defense.

(c) FUNDING.—(1) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2019 for the Department of Defense by section 301 is hereby increased by $25,000,000, with the amount of the increase to be available for Operation and Maintenance, Defense-wide, for Civil Military Programs for the STARBASE program.

(2) OFFSET.—The amount authorized to be appropriated for fiscal year 2019 for the Defense Nuclear Facilities Complex plutonium conversion activities by section 301 is hereby reduced by $25,000,000, with the amount of the reduction to be taken from amounts available for Operation and Maintenance, Navy, for Operation and Maintenance (Line 300).

SA 2386. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title XXXI, add the following:

SEC. 3119. PLUTONIUM PIT PRODUCTION.

(a) IN GENERAL.—The Administrator for Nuclear Security shall continue the design of the facility described in subsection (b) to 90 percent design completion, with an independent cost estimate described in subsection (c) before approval of a combined critical decision-2 and critical decision-3 under Department of Energy Order 413.3B (relating to program management and project management for the acquisition of capital assets), or a successor order, in order to ensure the suitability of the facility for plutonium pit production.

(b) FACILITY DESCRIBED.—The facility described in this subsection is a plutonium pit production facility:

(1) authorized pursuant to section 3114(c)(2) of the National Defense Authorization Act for Fiscal Year 2013 (50 U.S.C. 2535 note);

(2) described in the document entitled the “Engineering Assessment Report—Pu Pit Production Engineering Assessment”’, dated April 13, 2018; and

(3) capable of introducing an additional 31 to 80 pits annually, as required by section 4219 of the Atomic Energy Act of 1946 (50 U.S.C. 2538a).

(c) INDEPENDENT COST ESTIMATES DESCRIBED.—An independent cost estimate described in this subsection shall include an evaluation of the suitability of the facility described in subsection (b) for plutonium pit production, including an evaluation of the following:

(1) Lifecycle costs.

(2) Program acquisition unit costs for pit production.

(3) Average program unit costs for pit production.

(d) REPORT REQUIRED.—The Administrator of Energy shall prepare a report on the independent cost estimate conducted under subsection (c).

(e) PLAN FOR OVERSIGHT OF PIT PRODUCTION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Nuclear Weapons Complex, under section 191 of title 10, United States Code, shall—

(A) establish a plan for oversight of current and future plutonium pit production facilities that will result in capabilities to meet the requirements of the Department of Defense, including the development of a future plutonium pit production facility.

(B) submit the plan to the congressional defense committees.

(f) SIGNATURES.—The plan required by paragraph (1) shall be signed by all members of the Nuclear Weapons Council.

(g) BRIEFING ON PLUTONIUM STRATEGY.—Not later than March 1, 2019, the Chairman of the Nuclear Weapons Council and the Administrator for Nuclear Security shall jointly provide to the Committees on Armed Services of the Senate and the House of Representatives, and to any other congressional defense committee upon request, a briefing detailing the implementation plan for the plutonium strategy of the National Nuclear Security Administration, including milestones, accountable personnel for such milestones, and mechanisms for ensuring transparency into the progress of the strategy for the Department of Defense and the congressional defense committees.

SA 2387. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title VIII, add the following:

SEC. 2371. TRAINING ON CONTRACTOR WORKPLACE SAFETY AND HEALTH PRACTICES.

The Secretary of Defense shall develop and implement a training program for Department of Defense contracting officers on contractor workplace safety and health practices. The training shall:

(1) how to review publicly available Occupational Safety and Health Administration (OSHA) databases and identify and evaluate prospective contractors’ violations of workplace safety and health regulations during the contract evaluation phase, including whether measures to avoid further violations are warranted;

(2) how to evaluate and understand prospective contractors’ Accident Prevention Programs, as required by section 36.513 of the Federal Acquisition Regulation during the contractor evaluation phase;

(3) how to evaluate workplace safety incidents and violations of workplace safety and health regulations by the contractor during contract performance; and

(4) any other information or processes that the Secretary of Defense determines relevant for inclusion in the contractor workplace safety records, plans, and performance of contractors and prospective contractors.

SA 2388. Ms. WARREN (for herself and Mrs. ERNST) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr.
INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

SEC. 729. DOCUMENTATION OF INFORMATION ON BLAST EXPOSURES IN SERVICE OF MILITARY PERSONNEL.

(a) In general.—In accordance with such guidance as the Secretary of Defense shall issue for purposes of this section, each Secretary of a military department shall include in the information on any blast to which such members are exposed during the Armed Forces (whether in combat or training), the recommendations the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on blast pressure exposure of members of the Armed Forces during—

(1) with respect to the initial report, the one-year period ending on the date of such report; and

(2) with respect to each subsequent report, the two-year period ending on the date of such report.

(b) INFORMATION FROM SERVICE RECORDS.—Each report submitted under paragraph (1) shall include summary descriptions of the information specified in each paragraph of subsection (a) concerning an exposure that came to be included in the records of such members during the period covered by such report.

SA 2389. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title VIII, add the following:

SEC. 823. COMPLIANCE WITH DFARS RESTRICTIONS ON USE OF MANDATORY ARBITRATION AGREEMENTS.

(a) Briefing Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on steps the Department of Defense has taken to ensure compliance with the provisions of subpart 222.74 of the DFAR and the Defense Federal Acquisition Regulation Supplement, which provides restrictions on the use of mandatory arbitration agreements.

(b) Elements.—The briefing required under subsection (a) shall include—

(1) a description of steps taken to ensure that the Department does not award contracts in excess of $1,000,000 to contractors that require as a condition of employment that employees enter an agreement to resolve certain claims and torts through arbitration; and

(2) a description of the extent to which the Secretary of Defense has waived the requirements of subpart 222.74.

SA 2391. Mr. RISCH (for himself and Ms. GILLIBRAND) submitted an amendment intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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. 8. PILOT EXTENSIONS AND REPORTING COMPLIANCE; PILOT PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 636) is amended—

(1) in the matter preceding subparagraph (a) of subsection (c), by striking “2017” and inserting “2019”;

(2) in subsection (gg)(7), by striking “2017” and inserting “2019”;

(3) in subsection (jj)(7), by striking “2017” and inserting “2019”;

(4) in subsection (mm)–

(A) in paragraph (1)–

(i) in the matter preceding subparagraph (A), by striking “2017” and inserting “2019”;

(ii) in subparagraph (I), by striking “and” and inserting “; and”;

(iii) in subparagraph (J), by striking “and” and inserting “; and”;

(B) in paragraph (2), by striking the period at the end and inserting “; and”;

(iv) by adding at the end the following:

“(K) funding for improvements that in- crease commonality across data systems, reduce redundancy, and improve data over- sight and accuracy.”;

and

(B) by adding at the end the following:

“(I) SBIR and STR programs; FART pro- gram—

“(A) Definition.—In this paragraph, the term ‘covered Federal agency’ means a Fed- eral agency that—

(i) is required to conduct an SBIR program; and

(ii) elects to use the funds allocated to the SBIR program of the Federal agency for the purposes described in paragraph (1).

“(B) Requirement.—Each covered Federal agency shall transfer an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—
“(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (tt);  
(ii) for the Federal and State Technology Partnership Program established under section 34;  
(iii) to support the Office of the Administrator that administers the SBIR program and the STTR program, subject to agreement from other agencies about how the funds will be used, in carrying out those programs and the programs described in clauses (i) and (ii) for small business concerns in order to—  
(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the competitiveness of the SBIR program and the STTR program;  
(B) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;  
(C) to increase the participation of cross-State collaboration for the preceding 3 years for which the Administration has applicable data;  
(D) to increase funding for the Federal and State Technology Partnership Program established under section 1988 (42 U.S.C. 1862g);  
(E) to increase competitiveness of the SBIR program and the STTR program;  
(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program;  
(G) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;  
(H) to promote greater participation and increased funding for the FAST program and the FAST program for small businesses, women owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, and historically Black colleges and universities;  
(I) to administer a structured program of training and technical assistance;  
(II) to prepare applicants for an award under the SBIR program or the STTR program;  
(III) to conduct focused and concentrated outreach efforts to increase participation in the FAST program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, and historically Black colleges and universities, rural industry, crowd funding, and special loan programs; and  
(IV) to offer increased one-on-one engagement with companies and entrepreneurs for technology transfer and commercialization through increased awards under those programs;  
(V) to provide an award to each eligible State in the regional collaborative, as designated under paragraph (5)(A); and  
(VI) to serve as the lead eligible entity for the eligible State in the regional collaborative, as designated under paragraph (I).  
(10) TERMINATION.—The pilot program shall terminate on September 30, 2019, except as provided under the pilot program—  
(A) in the same year.  
(B) may be renewed by the Administrator for 1 year; and  
(C) upon providing written notice to—  
(i) the Committee on Appropriations of the Senate; and  
(ii) the Committee on Entrepreneurship and the Committee on Appropriations of the House of Representatives.  
(11) CONSULTATION.—In each year during which the pilot program is in effect, the Administrator shall provide to the Committee on Appropriations of the Senate and the Committee on Entrepreneurship and the Committee on Appropriations of the House of Representatives an evaluation of the activities described in paragraph (7).  
(12) USE OF FUNDS.—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—  
(A) establish an initiative under which first-time applicants for an award under the SBIR program or the STTR program, particularly Phase II, are reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (8) of this section, to assist with the process of preparing and submitting a proposal;  
(B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractor companies, other industry partners, and regional industry cluster organizations;  
(C) conduct focused and concentrated outreach efforts to increase participation in the SBIR program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, and historically Black colleges and universities, rural industry, crowd funding, and special loan programs; and  
(D) conduct focused and concentrated outreach efforts to increase participation in the FAST program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, and historically Black colleges and universities, rural industry, crowd funding, and special loan programs.
under paragraph (9)(B) before that date may continue to use the amounts with respect to that renewal at any time during that 1-year period.

(11) REPORT.—Not later than March 30, 2019, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the pilot program, which shall include—

(A) details regarding the recipient of each award; and under the pilot program, including the amount of each award, the number of small business concerns that received assistance under award amounts, and the manner in which the award was used to meet the goals described in paragraph (3);

(B) to the extent practicable, an assessment of all aspects of the pilot program, including an analysis of how the pilot program compares to the FAST program and a single-State approach; and

(C) recommendations regarding whether any aspect of the pilot program should be extended or made permanent.

(12) OUTSTANDING REPORTS AND EVALUATIONS.—

(1) IN GENERAL.—Not later than March 30, 2019, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the House of Representatives, and the Committee on Science, Space, and Technology of the House of Representatives—

(A) each report, evaluation, or analysis, as applicable, described in subsection (b)(7), (g)(9), (o)(10), (y)(6)(C), (gg)(6), (j)(j), and (mm) of section 4011 of title 38; and

(B) metrics regarding, and an evaluation of, the authority provided to the National Institutes of Health, the Department of Energy, the Department of Education under subsection (cc).

(2) INFORMATION REQUIRED.—Not later than December 31, 2019, the head of each agency that is responsible for carrying out a provision described in subparagraph (A) or (B) of paragraph (1) shall submit to the Administrator any information that is necessary for the Administrator to carry out the responsibilities of the Administrator under that paragraph.

SA 2392. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2392 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and was ordered to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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. 621. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIFIC DISABILITIES AND CONCURRENT RETIRED PAY AND DISABILITY COMPENSATION.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 622(a), is further amended—

(A) by striking ‘‘a member or’’ and all that follows through ‘‘(retiree)’’ and inserting ‘‘a qualified retiree’’; and

(B) by adding at the end the following paragraph:

(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

(A) is entitled to retired pay (other than by reason of section 12731b of this title); and

(B) is also entitled for that month to veterans’ disability compensation.

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

SEC. 623. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL DISABILITIES AND CONCURRENT RETIRED PAY AND DISABILITY COMPENSATION.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES.—

(1) The heading of section 1414 of title 10 is amended to read as follows:

‘‘1414. Members eligible for retired pay who are also eligible for disability compensation: concurrent payment of retired pay and disability compensation.’’.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of title 10, as amended by this section, is further amended—

(A) by striking ‘‘(a)’’ and inserting ‘‘(a)’’; and

(B) by adding the following as a new paragraph:

(1) The first sentence of such paragraph is amended to read as follows:

‘‘1414. Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent payment of retired pay and disability compensation.’’.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2019, and shall apply to payments for months beginning on or after that date.

At the end of the title 10, as amended by this section, the title 10, United States Code, shall be amended as follows:

SEC. 622. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS’ DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) Extension of Concurrent Receipt Authority to Retirees With Service-Connected Disabilities.—

(1) The heading of section 1414 of title 10, United States Code, is amended by striking paragraph (2) of subsection (a).

(2) CLERICAL AMENDMENTS.—

(1) The heading of section 1414 of such title is amended to read as follows:

‘‘1414. Members eligible for retired pay who are also eligible for disability compensation: concurrent payment of retired pay and disability compensation.’’.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

SA 2395. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and was ordered to the bill H.R. 5515, to authorize appropriations...
for fiscal year 2019 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 C of title VII, add the following:

SEC. 7. EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS AS PART OF PERIODIC HEALTH ASSESSMENTS AND OTHER PHYSICAL EXAMINATIONS.—

(a) PERIODIC HEALTH ASSESSMENT.—The Secretary of Defense shall ensure that any periodic health assessment provided to members of the Armed Forces includes an evaluation of whether the member has been—

(1) based or stationed at a location where an open burn pit was used; or

(2) exposed to toxic airborne chemicals, including any information recorded as part of the Airborne Hazards and Open Burn Pit Registry.

(b) SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(C) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

(i) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note), was used; or

(ii) exposed to toxic airborne chemicals, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201."

(C) Section 1074(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(D) An assessment of whether the member was—

(1) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note), was used; or

(2) exposed to toxic airborne chemicals, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201."

(D) IN FORMATION.—

"(1) DOD-VA.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for the sharing by the Department of Defense with the Department of Veterans Affairs of the results of covered evaluations or registries, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201.

(2) INFORMATIONS.—In this section:

(A) The term "Airborne Hazards and Open Burn Pit Registry" means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(B) The term "covered evaluation" means—

(1) a periodic health assessment conducted in accordance with subsection (a); and

(2) a separation history and physical examination conducted under section 1074(b)(2) of title 10, United States Code, as amended by this section; and

(C) a deployment assessment conducted under section 1074(b)(2) of such title, as amended by this section.

(D) The term "open burn pit" has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(E) The term "toxic airborne chemicals" means—

(1) any airborne chemicals that—

(A) cause cancer; or

(B) cause reproductive harm or a healthy manufacturing and defense industrial base and resilient supply chains are essential to the economic strength and national security of the United States, modern supply chains are often long and the ability of the United States to obtain goods critical to the national security of the United States could be hampered by an inability to obtain various essential components that may not be directly related to national security;

(2) In accordance with Executive Order 13806 (82 Fed. Reg. 34597 (July 26, 2017)), while a healthy manufacturing and defense industrial base and resilient supply chains are essential to the economic strength and national security of the United States, modern supply chains are often long and the ability of the United States to obtain goods critical to economic security can be hampered by an inability to obtain essential components that may not be directly related to national security;
(4) Increased private-sector domestic exploitation, production, recycling, and reprocessing of critical minerals and support for efforts to identify more commonly available technologies. Strategic and critical mineral alternatives to critical minerals would—

(A) reduce the dependence of the United States on imports of critical minerals;

(B) preserve the leadership of the United States in technological innovation;

(C) support job creation;

(D) improve the national security and balance of payments of the United States; and

(E) enhance the technological superiority and readiness of the Armed Forces, which are among the largest consumers of critical minerals in the United States;

(5) The industrialization of developing nations has driven demand for nonfuel minerals necessary for national defense, agriculture, housing, telecommunications, and military technologies, healthcare technologies, and conventional and renewable energy technologies;

(6) The availability of minerals and mineral materials is essential for economic growth, national security, technological innovation, and the manufacturing and agricultural supply chain;

(7) Minerals and mineral materials are critical components of every transportation, water, telecommunications, and energy infrastructure project necessary to mitigate the crumbling infrastructure of the United States;

(8) Exploration, production, processing, use, and recycling of minerals contribute significantly to the economic well-being, security, and general welfare of the United States;

(9) The United States has vast mineral resources but is becoming increasingly dependent on foreign sources of mineral resources, as demonstrated by the fact that—

(A) 25 years ago, the United States was dependent on foreign sources for 45 nonfuel mineral materials, of which—

(i) 8 were imported by the United States to fulfill 100 percent of the requirements of the United States for those nonfuel mineral materials; and

(ii) 19 were imported by the United States to fulfill greater than 50 percent of the requirements of the United States for those nonfuel mineral materials;

(B) import dependence of the United States for nonfuel mineral materials increased from dependence on the import of 45 nonfuel mineral materials to dependence on the import of 47 nonfuel mineral materials, of which—

(i) 19 were imported by the United States to fulfill 50 percent of the requirements of the United States for those nonfuel mineral materials; and

(ii) 22 were imported by the United States to fulfill greater than 50 percent of the requirements of the United States for those nonfuel mineral materials;

(C) according to the Department of Energy, the United States must have greater than 50 percent of the 41 metals and minerals key to clean energy applications;

(D) the United States share of worldwide mineral exploration dollars was 7 percent in 2015, down from 19 percent in the early 1990s;

(E) the 2014 Ranking of Countries for Mining Investment, which ranks 25 major mining countries, found that 7 to 10-year permitting delays are the most significant risk to mining projects in the United States; and

(F) in late 2016, the Government Accountability Office found that—

(i) the Government’s approach to addressing critical materials supply issues has not been consistent with selected key practices necessary for policy collaboration, including ensuring that agencies’ roles and responsibilities are clearly defined; and

(ii) “the Federal government’s approach faces other limitations, including data limitations and a focus on only a subset of critical materials, a limited focus on domestic production, an absence of strategic and critical materials necessary for national defense, and limited engagement with industry”.

(b) Definitions.—In this section:

(1) Agency.—The term “agency” means—

(A) any agency, department, or other unit of Federal, State, local, or tribal government; or

(B) an Alaska Native Corporation.

(2) Alaska Native Corporation.—The term “Alaska Native Corporation” has the meaning given in the term “Native Corporation” in section 402 of Reorganization Plan Number 4 of 1972 (43 U.S.C. 1602).

(3) Lead agency.—The term “lead agency” means the agency with primary responsibility for a mineral exploration or mine permit for a project.

(4) Mineral exploration or mine permit.—The term “mineral exploration or mine permit” includes—

(A) an authorization of the Bureau of Land Management or the Forest Service, as applicable, for premining activities that requires an environmental statement or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) a plan of operations issued by—

(i) the Bureau of Land Management under section 3069 of title 43, Code of Federal Regulations (or successor regulations); or

(ii) the Forest Service under subpart A of part 228 of title 36, Code of Federal Regulations (or successor regulations).\n
(ii) the Forest Service under subpart A of part 228 of title 36, Code of Federal Regulations (or successor regulations) and

(C) a permit issued under an authority described in section 3503.13 of title 43, Code of Federal regulations (or successor regulations).

(5) Project.—The term “project” means a project for which the issuance of a permit is required to conduct activities for, relating to, or incidental to mineral exploration, mining, beneficiation, processing, or reclamation activities—

(A) on a mining claim, millsite claim, or tunnel site claim for any locatable mineral; or

(B) in conjunction with any Federal mineral (other than coal and oil shale) that is leased under—

(i) the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.); or

(ii) section 402 of Reorganization Plan Number 4 of 1972 (43 U.S.C. App.).

(6) Improving Development of Strategic and Critical Minerals.—In this subsection, the term “strategic and critical minerals” means minerals that are necessary—

(A) for national defense and national security requirements, including supply chain resiliency;

(B) for the energy infrastructure of the United States, including—

(i) pipelines;

(ii) refining capacity;

(iii) electrical power generation and transmission; and

(iv) renewable energy production;

(C) for community resiliency, coastal restoration, and ecological sustainability for the coastal United States;

(D) to support domestic manufacturing, agriculture, housing, telecommunications, healthcare, and transportation infrastructure; and

(E) for the economic security of, and balance of trade in, the United States.

(2) Consideration of Certain Domestic Minerals.—A domestic mine that, as determined by the lead agency, will provide strategic and critical minerals shall be considered to be an infrastructure project, as described in Executive Order 13807 (82 Fed. Reg. 40663 (August 24, 2017)).

(d) Responsibilities of the Lead Agency.—

(1) In general.—The lead agency shall—

(A) designate a project lead within the lead agency, who shall coordinate and consult with cooperating agencies and other agencies or agencies involved in the permitting process, project proponents, and contractors to ensure that agencies and other agencies involved in the permitting process, project proponents, and contractors—

(i) minimize delays;

(ii) set and adhere to timelines and schedules for completion of the permitting process;

(iii) set clear permitting goals; and

(iv) track progress against those goals.

(2) Determination Under NEPA.—

(A) In General.—To the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of any mineral exploration or mine permit, the requirements of that Act shall be considered to have been procedurally and substantively satisfied if the lead agency determines that any State or Federal agency acting under State or Federal law has addressed or will address the following factors:

(i) The environmental impact of the action to be conducted under the permit.

(ii) Possible adverse environmental effects of actions under the permit.

(iii) Possible alternatives to issuance of the permit.

(iv) The relationship between long- and short-term uses of the local environment and the maintenance and enhancement of long-term productivity.

(v) Any irreversible and irretrievable commitment of resources that would be involved in the proposed action.

(VII) That public participation will occur during the decisionmaking process for authorizing actions under the permit.

(B) Written Requirement.—In making a determination under subparagraph (A), not later than 90 days after receipt of an application for the permit, the lead agency, in a written record of decision, shall—

(i) explain the rationale used in reaching the determination;

(ii) state the facts in the record that are the basis for the determination; and

(iii) show that the facts in the record could allow a reasonable person to reach the same determination as the lead agency did.

(C) Coordination on Permitting Process.—

(A) In General.—The lead agency shall enhance government coordination for the permitting process by—

(i) avoiding duplicative reviews;

(ii) minimizing paperwork; and

(iii) engaging other agencies and stakeholders early in the process.

(B) Written Requirement.—In carrying out subparagraph (A), the lead agency shall consider—

(i) deferring to, and relying on, baseline data, analyses, and reviews performed by State agencies with jurisdiction over the proposed project; and

(ii) to the maximum extent practicable, coordinating any consultations or reviews conducted concurrently rather than sequentially if the concurrent consultation or review would expedite the process.

(D) Memorandum of Agency Agreement.—If requested at any time by a State or local planning agency, the lead agency, in consultation with other Federal agencies with jurisdiction over the proposed project, may establish memoranda of agreement with the project sponsor, State
and local governments, and other appropriate entities to accomplish the coordination activities described in this paragraph.

(4) SCHEDULE FOR PERMITTING PROCESS.—
(A) in general.—For any project for which the lead agency cannot make the determination described in paragraph (2), at the request of a project proponent, the lead agency, or any other agencies involved with the mineral exploration or mine permitting process shall enter into an agreement with the project proponent, the time period for each part of the permitting process, including—
(i) the decision on whether to prepare an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
(ii) the scope of and schedule for, the baseline studies required to prepare an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);
(iii) the documents or meetings are held; or
(iv) publication of any public notices required under applicable law;
(v) any final or interim decisions.
(B) TIME LIMIT FOR PERMITTING PROCESS.—Except if extended by mutual agreement of the project proponent and the lead agency, the time period for the total review process described in subparagraph (A) shall not exceed 30 months.

(5) LIMITATION ON ADDRESSING PUBLIC COMMENTS.—The agency shall not be required to address any agency or public comments that were not submitted—
(A) during a public comment period or consultation provided during the permitting process; or
(B) as otherwise required by law.

(6) FINANCIAL ASSURANCE.—The lead agency shall determine the amount of financial assurance required for reclamation of a mineral exploration or mining site, on the condition that the financial assurance shall cover the estimated cost if the lead agency were to contract with a third party to reclaim the operations according to the reclamation plan, including construction and maintenance of treatment facilities necessary to meet Federal, State, or tribal environmental standards.

(7) PROJECTS WITHIN NATIONAL FOREST LAND.—With respect to projects on National Forest System land, the lead agency shall—
(A) exempt from the requirements of part 294 of title 36, Code of Federal Regulations (or successor regulations) shall not be required to address any agency or public comments that were not submitted—
(i) all areas of identified mineral resources in land use designations, other than non-development land use designations, in existence on the date of enactment of this Act; and
(ii) all additional routes and areas that the lead agency determines necessary to facilitate exploration, development, maintenance, and restoration of an area described in clause (i); and
(B) continue to apply the exemptions described in subparagraph (A) after the date on which approval of the mineral plan of operations described in subsection (b)(4)(B)(ii) for the National Forest System land.

(8) APPLICATION TO EXISTING PERMIT APPLICATIONS.—
(A) IN GENERAL.—This subsection applies to a mineral exploration or mining permit for which an application was submitted before the date of enactment of this Act if the applicant for the permit submits a written request to the lead agency for the permit.
(B) IMPLEMENTATION.—The lead agency shall begin implementing this subsection with respect to an application described in subparagraph (A) not later than 30 days after the date on which the lead agency receives the written request for the permit.

(e) FEDERAL REGISTER PROCESS FOR MINERAL EXPLORATION AND MINING PROJECTS.—
(1) DEPARTMENTAL REVIEW.—Absent any extraordinary circumstances, as determined by the Secretary of the Interior or the Secretary of Agriculture, as applicable, and except as otherwise required by law, the Secretary of the Interior or the Secretary of Agriculture, as applicable, shall ensure that the Mint issues a Minerals Management Permit that is associated with the issuance of a mineral exploration or mine permit and required by law shall—
(A) subject to any reviewed reports within the Department of the Interior or the Department of Agriculture, as applicable; and
(B) published in final form in the Federal Register not later than 45 days after the date of initial preparation of the notice.
(2) P REPARATION.—The preparation of any Federal Register notice described in paragraph (1) shall be delegated to the organizational level within the lead agency.
(3) T RANSMISSION.—All Federal Register notices described in paragraph (1) regarding official document availability, announce- ment of publication of intended to undertake an action shall originate in, and be transmitted to the Federal Register from, the office in which, as applicable—
(A) the documents or meetings are held; or
(B) the activity is initiated.
(4) S ECRETARIAL ORDER NOT APPLICABLE.—The section shall not apply to ongoing or future judgment, or any other entity established in the executive branch of the Federal Government, including the Executive Office of the President, any branch of the Armed Forces, and any independent regulatory agency.

SA 2399. Mr. Heller (for himself, Mrs. Shaheen, and Mr. Cao) submitted an amendment intended to be proposed to amendment SA 2392 sub- missioned by the Senate (Mr. McCain) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of the Armed Forces personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following: TITL XVIII—MISSING ARMED FORCES PERSONNEL RECORDS SEC. 1801. SHORT TITLE. This title may be cited as the “Bring Our Heroes Home Act”.

SEC. 1802. FINDINGS, DECLARATIONS, AND PURSUITS.
(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:
(1) A vast number of records relating to Missing Armed Forces Personnel have not been identified, located, or transferred to the National Archives for review and declassifica- tion. Only in the rarest cases is there any legitimate need for continued protection of records pertaining to Missing Armed Forces Personnel who have been missing for decades.
(2) There has been insufficient priority placed on identifying, locating, transferring, reviewing, or declassifying records relating to Missing Armed Forces Personnel.
(3) Mandates for declassification set forth in multiple Executive orders have been broadly written, loosely interpreted, and often ignored by Federal Government officials in possession and control of records related to Missing Armed Forces Personnel.
(4) No individual or entity has been tasked with the oversight of the collection, review, and declassification of records related to Missing Armed Forces Personnel.
(5) The interest, desire, workforce, and funding of Federal agencies to assemble, review, and declassify records relating to Missing Armed Forces Personnel have been lacking.
(6) All records of the Federal Government relating to Missing Armed Forces Personnel should be preserved for historical and governmental purposes.
(7) Records of the Federal Government relating Missing Armed Forces Personnel should carry a presumption of immediate disclosure, and all such records should be disseminated under this title to enable the fullest possible accounting for Missing Armed Forces Personnel.
(8) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of records relating to Missing Armed Forces Personnel.
(9) Legislation is necessary because section 552(f) of title 5, United States Code (commonly known as the Freedom of Information Act), as implemented by the executive branch of the Federal Government, has prevented the timely and complete disclosure of records relating to Missing Armed Forces Personnel.
(b) PURPOSES.—The purposes of this title are—
(1) to provide for the creation of the Missing Armed Forces Personnel Records Collection at the National Archives; and
(2) to require the expeditious public transmis- sion of the fullest possible accounting for the public disclosure of Missing Armed Forces Personnel records.

SEC. 1803. DEFINITIONS. In this title:
(1) ARCHIVIST.—The term “Archivist” means Archivist of the United States.
(2) COLLECTION.—The term “Collection” means the Missing Armed Forces Personnel Records Collection established under section 1804(a).
(3) EXECUTIVE AGENCY.—The term “Executive agency” means an agency, as defined in section 552(f) of title 5, United States Code; and
(4) GOVERNMENT OFFICE.—The term “Government office” means a department or agency within the executive branch of the

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Federal Government, the Library of Congress, and the National Archives.

(6) IDENTIFICATION AID.—The term “identification aid” means the standard form prepared under section 1806(a)(1).

(7) MISSING ARMED FORCES PERSONNEL.—
The term “Missing Armed Forces Personnel” means one or more “missing persons” as defined in section 1513 of title 10, United States Code.

(8) MISSING ARMED FORCES PERSONNEL RECORD.—The term “Missing Armed Forces Personnel record” means a record that relates, directly or indirectly, to the loss, fate, status of Missing Armed Forces Personnel that was created or made available for use by, obtained by, or otherwise came into the custody, possession, or control of—
(A) any Government office;
(B) any presidential library; or
(C) any of the Armed Forces.

(9) NATIONAL ARCHIVES.—The term “National Archives” means the National Archives and Records Administration; and

(10) NATIONAL INVESTIGATION.—The term “official investigation” means a review, briefing, or hearing relating to Missing Armed Forces Personnel conducted by a Presidential commission, committee of Congress, or agency, regardless of whether it is conducted independently, at the request of any Presidential commission or committee of Congress, or at the request of any official of the Federal Government.

(11) ORIGINATING BODY.—The term “originating body” means the Government office that created a record or particular information within a record.

(12) PUBLIC INTEREST.—The term “public interest” means the compelling interest in the prompt public disclosure of Missing Armed Forces Personnel records for historical and governmental purposes and for the purpose of fully informing the people of the United States, most importantly families of Missing Armed Forces Personnel, about the fate of the Missing Armed Forces Personnel and the process by which the Federal Government accounts for the request of any official of the Federal Government.

(13) RECORD.—The term “record” includes a book, paper, map, photograph, sound or video recording, microfilm or microfiche, electronic or other medium on which it is stored, and other documentary material, regardless of its physical form or characteristics.

(14) REVIEW BOARD.—The term “Review Board” means the Missing Armed Forces Personnel Records Review Board established under section 1807.

(15) THIRD AGENCY.—The term “third agency” means a Government office that originated or created a record that is in the custody, possession, or control of another Government office whose review and authorization is required before a record may be designated for disclosure.

SEC. 1804. MISSING ARMED FORCES PERSONNEL RECORDS COLLECTION AT THE NATIONAL ARCHIVES

(a) ESTABLISHMENT OF COLLECTION.—Not later than 60 days after the date of enactment of this Act, the National Archives shall commence a collection of records to be known as the Missing Armed Forces Personnel Records Collection.

(b) REGULATIONS.—
(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Review Board shall promulgate rules to establish guidelines and processes for the maintenance of the Collection.

(2) REQUIREMENTS.—The rules required to be promulgated under paragraph (1) shall include—
(A) transmission of records for inclusion in the Collection;
(B) disclosure of records contained in the Collection;
(C) fees for copying of records contained in the Collection; and
(D) availability and security of records contained in the Collection.

(b) IDENTIFICATION AID.—The term “identification aid” means the standard form prepared under section 1806(a)(1).

(c) REVIEW.—
(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, each Government office shall, in accordance with this Act—
(A) identify, locate, and organize any Missing Armed Forces Personnel record in the custody, possession, or control of the Government office; and
(B) prepare for transmission to the Archivist any Missing Armed Forces Personnel records that have not previously been transmitted to the Archivist by the Government office.

(2) CERTIFICATION.—Each Government office shall submit to the Archivist, under penalty of perjury, a certification indicating—
(A) whether the Government office has conducted a thorough search for all Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and
(B) whether any Missing Armed Forces Personnel record has been withheld by the Government office, other than in accordance with this title.

(3) PRESERVATION.—No Missing Armed Forces Personnel record shall be destroyed, altered, or mutilated in any way.

(4) EFFECT OF PREVIOUS DISCLOSURE.—A Missing Armed Forces Personnel record made available or disclosed to the public before the date of enactment of this Act may not be withheld, redacted, postponed for public disclosure, or reclassified.

(b) NON-FEDERAL RECORDS.—Except for the exclusion of records in accordance with section 1806, a Missing Armed Forces Personnel record created by an individual or entity that is not part of the Federal Government is withheld, redacted, postponed for public disclosure, or reclassified.

(b) COPY.—For any Missing Armed Forces Personnel record that is withheld by a Government office from the Archivist or another Government office, the Archivist shall provide a copy of the identification aid, unless required by the Archivist.

(c) IDENTIFICATION AID.—A Missing Armed Forces Personnel record that is in the custody, possession, or control of the National Archives on the date of enactment of this Act, and that has been made available in its entirety without redaction—
(A) shall be made available in the Collection without any additional review by the Archivist or any other Government office; and
(B) shall not be required to have an identification aid, unless required by the Archivist.

(d) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each Government office shall—

(b) RECORDS ALREADY PUBLIC.—A Missing Armed Forces Personnel record that is in the custody, possession, or control of the National Archives on the date of enactment of this Act, and that has been made available in its entirety without redaction—
(A) shall be made available in the Collection without any additional review by the Archivist or any other Government office; and
(B) shall not be required to have an identification aid, unless required by the Archivist.

(d) RECORDS ALREADY PUBLIC.—A Missing Armed Forces Personnel record that is in the custody, possession, or control of the National Archives on the date of enactment of this Act, and that has been made available in its entirety without redaction—
(A) shall be made available in the Collection without any additional review by the Archivist or any other Government office; and
(B) shall not be required to have an identification aid, unless required by the Archivist.

(d) RECORDS ALREADY PUBLIC.—A Missing Armed Forces Personnel record that is in the custody, possession, or control of the National Archives on the date of enactment of this Act, and that has been made available in its entirety without redaction—
(A) shall be made available in the Collection without any additional review by the Archivist or any other Government office; and
(B) shall not be required to have an identification aid, unless required by the Archivist.

(d) RECORDS ALREADY PUBLIC.—A Missing Armed Forces Personnel record that is in the custody, possession, or control of the National Archives on the date of enactment of this Act, and that has been made available in its entirety without redaction—
(A) shall be made available in the Collection without any additional review by the Archivist or any other Government office; and
(B) shall not be required to have an identification aid, unless required by the Archivist.

(d) RECORDS ALREADY PUBLIC.—A Missing Armed Forces Personnel record that is in the custody, possession, or control of the National Archives on the date of enactment of this Act, and that has been made available in its entirety without redaction—
(A) shall be made available in the Collection without any additional review by the Archivist or any other Government office; and
(B) shall not be required to have an identification aid, unless required by the Archivist.
(1) shall charge a fee for copying Missing Armed Forces Personnel record; and

(2) may grant a waiver of such a fee in a manner in accordance with the standards established by the Archivist consistent with the recommendations of the Review Board.

SEC. 1807. ESTABLISHMENT AND POWERS OF THE MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established an independent establishment in the executive branch a board to be known as the Missing Armed Forces Personnel Records Review Board.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The President shall appoint, by and with the advice and consent of the Senate, 5 individuals to serve as a member of the Review Board to ensure and facilitate the review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records.

(2) QUALIFICATIONS.—The President shall appoint individuals to serve as members of the Review Board—

(A) without regard to political affiliation;

(B) who are citizens of the United States of integrity and impartiality;

(C) who have professional reputation in their fields who are capable of exercising the independent and objective judgment necessary to the fulfillment of their duties by exercising all available information, including the identification, location, review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records;

(D) shall reflect an appreciation of the value of Missing Armed Forces Personnel records to scholars, the Federal Government, and the public, particularly families of Missing Armed Forces Personnel;

(E) not less than one professional historian; and

(f) not less than one attorney.

(3) DEADLINES.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the President shall submit to the Archivist nominations for all members of the Review Board.

(B) CONFIRMATION.—If the Senate votes not to confirm a nomination to serve as a member of the Review Board, the President shall submit to the Archivist a new nomination for all members of the Review Board not later than 90 days after the date of the vote.

(4) CONSULTATION.—The President shall make nominations to the Review Board after consultation with the American Historical Association, the American Bar Association, veterans' organizations, and organizations representing families of Missing Armed Forces Personnel.

(c) SECURITY CLEARANCES.—The appropriate departments and elements of the executive branch of the Federal Government shall cooperate to ensure that an application for an individual nominated to be a member of the Review Board, seeking security clearances necessary to carry out the duties of the Review Board, is expeditiously reviewed and granted or denied.

(d) CONFIRMATION.—

(1) HEARINGS.—Not later than 30 days on which the Senate is in session after the date on which the Committee on Homeland Security and Governmental Affairs of the Senate shall hold confirmation hearings on the nominations.

(2) COMMITTEE VOTE.—Not later than 14 days on which the Senate is in session after the date on which the Senate shall vote on the confirmation of the nominated vacancy.

(3) SENATE VOTE.—Not later than 14 days on which the Senate is in session after the date on which the Committee on Homeland Security and Governmental Affairs of the Senate shall vote on the confirmation of the nominated vacancy.

(4) REMOVAL OF REVIEW BOARD MEMBER.—

(A) IN GENERAL.—A member of the Review Board shall not be removed from office, other than—

(A) by impeachment by Congress; or

(B) by the action of the President for inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the member's duties.

(2) JUDICIAL REVIEW.—

(A) IN GENERAL.—A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) RELIEF.—The member may be reinstated or granted other appropriate relief by order of the court.

(3) COMPENSATION OF MEMBERS.—

(A) BASIC PAY.—A member of the Review Board shall be compensated at a rate equal to

(1) not later than 180 days after the date of enactment of this Act, transmit to the Archivist, and make available to the public, all Missing Armed Forces Personnel records in the possession or control of the Government office that may be publicly disclosed under the standards under this title, including those that are publicly available on the website of the Department of Defense.

(2) to transmit to the Archivist upon approval for postponement by the Review Board or upon completion of other action authorized by this title, all Missing Armed Forces Personnel records that have been postponed, in whole or in part, under the standards under this title, to become part of the protected collection.

(3) CUSTODY OF POSTPONED MISSING ARMED SERVICES PERSONNEL RECORDS.—A Missing Armed Forces Personnel record the public disclosure of which has been postponed under the standards under this title shall, pending transmission to the Archivist, be held for reasons of security and preservation by the originating body until such time as an information security program has been established at the National Archives.

(g) PERIODIC REVIEW OF POSTPONED MISSING ARMED FORCES PERSONNEL RECORDS.

(1) IN GENERAL.—All Missing Armed Forces Personnel records, or information within a Missing Armed Forces Personnel record, the public disclosure of which has been postponed under the standards under this title shall be reviewed periodically by the originating body and by the Archivist consistent with the recommendations of the Review Board under section 1809(c)(3)(B).

(2) CONTENTS.—

(A) IN GENERAL.—A periodic review of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, by the originating body shall address the public disclosure of the Missing Armed Forces Personnel record under the standards under this title.

(B) CONTINUED POSTPONEMENT.—If an originating body conducting a periodic review of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the public disclosure of which has been postponed under the standards under this title, finds that continued postponement is required, the originating body shall provide to the Archivist and publish in the Federal Register an unclassified written description of the reason for the continued postponement.

(c) SCOPE.—The periodic review of postponed Missing Armed Forces Personnel records, or information within a Missing Armed Forces Personnel record, shall serve the purpose stated in section 1802(b)(2), to provide expeditious public disclosure of Missing Armed Forces Personnel records, to the extent possible, subject only to the grounds for postponement of disclosure under this title.

(D) DISCLOSURE ABSENT CERTIFICATION BY PRESIDENT.—Not later than 5 years after the date of enactment of this Act, all Missing Armed Forces Personnel records, and information within a Missing Armed Forces Personnel record, shall be publicly disclosed in full, and available in the Collection, unless the President submits to the Archivist a certification that—

(i) continued postponement is necessary because of an identifiable harm to the military defense, intelligence operations, or conduct of foreign relations; and

(ii) the identifiable harm is of such gravity that it outweighs the public interest in disclosure.

(e) FEES FOR COPYING.—An Executive agency—
to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board Board and the disposition of postponed records after termination of the Review Board; and

(B) upon request, access to any records held or created by the Review Board.

(2) DUTY OF REVIEW BOARD.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction under paragraph (1).

(m) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(n) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(o) TERMINATION AND WINDING UP.—(1) IN GENERAL.—Two years after the date of enactment of this Act, the Review Board shall, by majority vote, determine whether all Government offices have complied with the obligations, mandates, and directives under this title.

(2) TERMINATION DATE.—The Review Board shall terminate on the date that is 4 years after the date of enactment of this Act.

SEC. 1809. MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—(1) IN GENERAL.—Not later than 45 days after the initial meeting of the Review Board, the Review Board shall appoint an individual to the position of Executive Director, is expeditiously reviewed and granted or denied.

(b) STAFF.—(1) IN GENERAL.—The Review Board may, in accordance with the civil service laws, but without regard to civil service law and regulations, appoint or terminate competitive service as defined in subchapter 1, chapter 33 of title 5, United States Code, appoint and terminate additional employees as are necessary to enable the Review Board to perform its duties under this title.

(2) QUALIFICATIONS.—An individual appointed to a position as an employee of the Review Board shall—

(A) be a citizen of the United States of integrity and impartiality; and

(B) shall not have had any previous involvement with any official investigation or inquiry relating to the loss, fate, or status of Missing Armed Forces Personnel.

(c) SECURITY CLEARANCE.—(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as an employee of the Review Board until after the individual satisfies the qualifications for the necessary security clearance.

(D) ADVISORY COMMITTEES.—(1) IN GENERAL.—The Review Board may create one or more advisory committees to advise on the responsibilities of the Review Board under this title.

(2) APPLICABILITY OF FACA.—Any advisory committee created by the Review Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1809. REVIEW OF RECORDS BY THE MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD.

(a) CUSTODY OF RECORDS REVIEWED BY REVIEW BOARD.—Pending the outcome of the review activity of the Review Board, the Government office shall retain a Missing Armed Forces Personnel record in the custody, possession or control of the Government office for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of records for reasons of conducting an independent and impartial review; or

(2) such transfer is necessary for an administrative hearing or other official functions of the Review Board.

(b) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date on which all members are appointed, publish a schedule for review of all Missing Armed Forces Personnel records in the Federal Register;

(2) not later than 180 days after the date of enactment of this Act, begin reviewing Missing Armed Forces Personnel records under this title.

(c) DETERMINATION OF THE REVIEW BOARD.—(1) IN GENERAL.—The Review Board shall direct that all records that relate, directly or indirectly, to the status of Missing Armed Forces Personnel be transmitted to the Archivist and disclosed to the

SEC. 1808. MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—(1) IN GENERAL.—Not later than 45 days after the initial meeting of the Review Board, the Review Board shall appoint an individual to the position of Executive Director, is expeditiously reviewed and granted or denied.

(b) STAFF.—(1) IN GENERAL.—The Review Board may, in accordance with the civil service laws, but without regard to civil service law and regulations, appoint or terminate competitive service as defined in subchapter 1, chapter 33 of title 5, United States Code, appoint and terminate additional employees as are necessary to enable the Review Board to perform its duties under this title.

(2) QUALIFICATIONS.—An individual appointed to a position as an employee of the Review Board shall—

(A) be a citizen of the United States of integrity and impartiality; and

(B) shall not have had any previous involvement with any official investigation or inquiry relating to the loss, fate, or status of Missing Armed Forces Personnel.

(c) SECURITY CLEARANCE.—(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as an employee of the Review Board until after the individual satisfies the qualifications for the necessary security clearance.

(D) ADVISORY COMMITTEES.—(1) IN GENERAL.—The Review Board may create one or more advisory committees to advise on the responsibilities of the Review Board under this title.

(2) APPLICABILITY OF FACA.—Any advisory committee created by the Review Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1809. REVIEW OF RECORDS BY THE MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD.

(a) CUSTODY OF RECORDS REVIEWED BY REVIEW BOARD.—Pending the outcome of the review activity of the Review Board, the Government office shall retain a Missing Armed Forces Personnel record in the custody, possession or control of the Government office for purposes of preservation, security, and efficiency, unless—

(1) the Review Board requires the physical transfer of records for reasons of conducting an independent and impartial review; or

(2) such transfer is necessary for an administrative hearing or other official functions of the Review Board.

(b) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date on which all members are appointed, publish a schedule for review of all Missing Armed Forces Personnel records in the Federal Register;

(2) not later than 180 days after the date of enactment of this Act, begin reviewing Missing Armed Forces Personnel records under this title.

(c) DETERMINATION OF THE REVIEW BOARD.—(1) IN GENERAL.—The Review Board shall direct that all records that relate, directly or indirectly, to the status of Missing Armed Forces Personnel be transmitted to the Archivist and disclosed to the
public in the Collection in the absence of clear and convincing evidence that—
(A) the record is not a Missing Armed Forces Personnel record; or
(B) the Missing Armed Forces Personnel record, or particular information within the Missing Armed Forces Personnel record, qualifies for postponement of public disclosure under this title.

(2) POSTPONEMENT.—In approving postponement of public disclosure of a Missing Armed Forces Personnel record or information within the Missing Armed Forces Personnel record, the Review Board shall seek to—
(A) provide for the disclosure of segregable parts, summaries, or summaries of the Missing Armed Forces Personnel record; and
(B) determine, in consultation with the originating body and consistent with the standards for postponement under this title, which of the following alternative forms of disclosure shall be made by the originating body:
(i) Any reasonably segregable particular information in a Missing Armed Forces Personnel record.
(ii) A substitute record for that information which is postponed.
(iii) A summary of a Missing Armed Forces Personnel record.

(3) REPORTING.—With respect to a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the public disclosure of which is postponed under this title, or for which only limited summaries have been disclosed to the public, the Review Board shall create and transmit to the Archivist a report containing:
(A) a description of actions by the Review Board, the originating body, or any Government office (including a justification of any such action, or the reasons why disclosure is postponed) (any record or part of any record) and of any official proceedings conducted by the Review Board; and
(B) a statement, based on a review of the proceedings and in conformity with the decisions reflected therein, designating a recommended specified time at which, or a specific occurrence following which, the material may be appropriately disclosed to the public under this title, which the Review Board shall disclose to the public with notice thereof under subsection (b) and in a manner calculated to meet the interests of the members of the public aware of the existence of the statement.

(4) TERMINATION.—
(A) IN GENERAL.—Not later than 14 days after the date of a determination by the Review Board that a Missing Armed Forces Personnel record shall be publicly disclosed in the Collection or postponed for disclosure and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination and publish a copy of the determination in the Federal Register.

(B) OVERSIGHT NOTICE.—Simultaneously with notice under paragraph (A), the Review Board shall provide notice of a determination concerning the public disclosure or postponement of disclosure of a Missing Armed Forces Personnel record, or information contained within a Missing Armed Forces Personnel record, which shall include a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards in section 1806 to the President, to the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives

(5) REFERRAL AFTER TERMINATION.—A Missing Armed Forces Personnel record shall be referred to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives for review, ongoing oversight and, as warranted, referral for possible enforcement action relating to a violation of this title.

(d) NOTICE TO PUBLIC.—Every 30 days, beginning on the date that is 60 days after the date on which the Review Board first approves the postponement of disclosure of a Missing Armed Forces Personnel record, the Review Board shall publish in the Federal Register a notice that summarizes the postponements approved by the Review Board, including a description of the subject, originating body, length or other physical description, and each ground for postponement that is relied upon.

(e) REPORTS BY THE REVIEW BOARD.—
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until the Review Board terminates, the Review Board shall submit a report regarding the activities of the Review Board to—
(A) the Committee on Oversight and Government Reform of the House of Representatives;
(B) the Committee on Homeland Security and Governmental Affairs of the Senate;
(C) the President; and
(D) the Archivist.

(2) CONTENTS.—Each report under paragraph (1) shall include the following information:
(A) A financial report of the expenses for all official activities and requirements of the Review Board and its employees.

(B) The progress made on review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records.

(C) The estimated time and volume of Missing Armed Forces Personnel records involved in the completion of the duties of the Review Board under this title.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to carry out its duties under this title.

(E) A record of review activities, including a record of postponement decisions by the Review Board, decisions related actions authorized under this title, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional review authority or any other need.

(G) An appendix containing copies of reports relating to postponed records submitted to the Archivist under subsection (c)(3) since the end of the period covered by the most recent report under paragraph (1).

(3) TERMINATION NOTICE.—Not later than 90 days before the Review Board expects to terminate the Review Board under this title, the Review Board shall provide written notice to Congress of the intent to terminate operations of the Review Board on or before the date specified in the report submitted under paragraph (1).

SEC. 1810. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) GENERAL.—The Review Board may request the Attorney General to petition any court of the United States or of a foreign country to release any information relevant to the loss, fate, or status of Missing Armed Forces Personnel that is held under seal of the court.

(2) GRAND JURY INFORMATION.—The Review Board may request the Attorney General to petition any court of the United States to release any information relevant to the loss, fate, or status of Missing Armed Forces Personnel that is held under the injunction of secrecy of a grand jury.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(B) the Secretary of State should—

(1) contact the governments of the Russian Federation, the People’s Republic of China, and the Democratic People’s Republic of Korea to seek the disclosure of all records in their respective custody, possession, or control relevant to the loss, fate, or status of Missing Armed Forces Personnel; and

(2) contact any other foreign government that may hold information relevant to the loss, fate, or status of Missing Armed Forces Personnel, and seek disclosure of such information; and

(C) all agencies should cooperate in full with the Review Board to seek the disclosure of all information relevant to the loss, fate, or status of Missing Armed Forces Personnel consistent with the public interest.

SEC. 1811. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When the provisions of this title require transmission of a record to the Archivist or public disclosure, it shall take precedence over any other law (except section 618 of the Internal Revenue Code of 1986, judicial decision construing such law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this title shall be construed to eliminate or limit any right to file requests with any Executive agency or seek judicial review of the decisions under section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this title shall be construed to preclude judicial review under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this title.

(d) EXISTING AUTHORITY.—Nothing in this title revokes or limits the existing authority of the President, any Executive agency, the Senate, or the House of Representatives, or any other entity of the Government to publicly disclose records in its custody, possession, or control.

(e) FACILITIES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this title establishes a procedure to be followed in the Senate or the House of Representatives, such provision shall be read—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, which are applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

CONGRESSIONAL RECORD — SENATE
SEC. 1812. TERMINATION OF EFFECT.  
(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this title that pertain to the appointment and operation of the Review Board shall cease to be in effect when the Review Board and the terms of its members have terminated under section 1807(c).

(b) OTHER PROVISIONS.—The remaining provisions of this title shall continue in effect until such time as the Archivist certifies to the President and Congress that all Missing Armies personnel records have been made available to the public in accordance with this title.

SEC. 1813. AUTHORIZATION OF APPROPRIATIONS.  
(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this title, to remain available until expended.

(b) PERIODIC FUNDING.—Until such time as funds are appropriated pursuant to subsection (a), the President may use such sums as are available for discretionary use to carry out this title.

SEC. 1814. SEVERABILITY.  
If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remainder of this title and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

SA 2400.  
Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 2392 submitted by Mr. INhofe (for himself and Mr. McCain) and attached as amendment to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to be military personnel strengths for such fiscal year, and for other purposes; which was ordered to be printed.

At the end of subpart F of title X, add the following:

SEC. 1086. PRESIDENTIAL ALLOWANCE MODERNIZATION.  
(a) SHORT TITLE.—This section may be cited as the "Presidential Allowance Modernization Act of 2018".

(b) AMENDMENTS.—

(1) FORMER PRESIDENTS.—The first section of the Act entitled "An Act to provide retirement, residence, and related privileges to former Presidents of the United States, and for other purposes", approved August 25, 1958 (commonly known as the "Presidential Act of 1958") (3 U.S.C. 102 note), is amended—

(A) by redesignating subsections (f) and (g) as subsections (h) and (i), respectively;

(B) by inserting following subsection (e) and inserting the following:

"(a) ANNUITIES AND ALLOWANCES.—

(1) ANNUTY.—Each former President shall be entitled to receive from the United States an annuity, subject to subsections (b) and (c)—

(A) at the rate of $200,000 per year; and

(B) which shall commence on the day after the date on which an individual becomes a former President.

(2) ALLOWANCE.—The General Services Administrator is authorized to provide each former President a monetary allowance, subject to appropriations and subsections (b), (c), and (d), at the rate of—

(A) $250,000 per year for 5 years beginning on the day after the last day of the period described in the first sentence of section 5 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note); and

(B) $500,000 per year for 5 years following the 5-year period under subparagraph (A); and

(c) $250,000 per year thereafter.

(3) DURATION; FREQUENCY.—

(I) In General and monetary allowance under subsection (a) shall—

(A) terminate on the date that is 30 days after the date on which the former President dies; and

(B) be payable by the Secretary of the Treasury on a monthly basis.

(4) APPONTIVE OR ELECTIVE POSITIONS.—The annuity and monetary allowance under subsection (a) that commenced before that date shall be increased by the same percentage by which benefit amounts under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased, effective as of that date, as a result of a decrease in the amount of a benefit section 215(i) of that Act (42 U.S.C. 415(i)).

(d) LIMITATION ON MONETARY ALLOWANCE.—

(I) In General.—Notwithstanding any other provision of this section, the monetary allowance payable under subsection (a) to a former President for a 12-month period—

(A) except as provided in subparagraph (B), may not exceed the amount by which—

(i) the monetary allowance that but for this subsection would otherwise be payable for the 12-month period, exceeds (if at all)

(ii) the applicable reduction amount for the 12-month period but for the limitation under paragraph (4).

(B) shall not be less than the amount determined under paragraph (4).

(2) DEFINITION.—

(A) IN GENERAL.—For purposes of paragraph (1), the term 'applicable reduction amount' means, with respect to any former President and in connection with any 12-month period, the amount by which the monetary allowance under subsection (a) shall—

(i) the earned income (as defined in section 32(c)(2) of the Internal Revenue Code of 1986) of the former President for the most recent taxable year for which a tax return is available, exceeds (if at all)

(ii) $400,000, subject to subparagraph (C).

(B) JOINT RETURNS.—In the case of a joint return certified by the Secretary of the Treasury, and in the case of a joint return, and in the case of a return by the spouse of the former President, the amount of the applicable reduction amount shall be applied by taking into account both the amounts properly allocable to the former President and the amounts properly allocable to the spouse of the former President.

(C) CARRY-OUT INCREASES.—The dollar amount specified in subparagraph (A)(i) shall be adjusted at the same time that, and by the same percentage by which, the monetary allowance of the former President is decreased under subsection (c) (disregarding this subsection).

(3) DISCLOSURE REQUIREMENT.—

(A) DEFINITIONS.—In this paragraph—

(i) the terms 'return' and 'return information' have the meanings given those terms in section 6108(b) of the Internal Revenue Code of 1986; and

(ii) the term 'Secretary' means the Secretary of the Treasury or the Secretary of the Treasury's delegate.

(B) REQUIREMENT.—A former President may not receive a monetary allowance under subsection (a) unless the former President discloses all return information of the Secretary, any return or return information of the former President or spouse of the former President that the Secretary determines is necessary for purposes of calculating the applicable reduction amount under paragraph (2) of this subsection.

(4) Increased costs due to Security needs.—With respect to the monetary allowance payable to any former President under subsection (a)(2) for any 12-month period for but for the limitation under paragraph (1) of this subsection, the Administrator of General Services, in coordination with the Director of the United States Secret Service, shall determine the amount of the monetary allowance that is needed to pay increased costs of doing business that is attributable to the security needs of the former President.

(C) In general.—Notwithstanding any other provision of this Act, the monetary allowance that is needed to pay increased costs of doing business that is attributable to the security needs of the former President shall be payable by the Secretary of the Treasury, and the Secretary shall determine the amount of the monetary allowance that is needed to pay increased costs of doing business that is attributable to the security needs of the former President.

(5) OFFICE STAFF.—

(A) In General.—The Administrator of General Services shall, to the extent necessary to meet the civil service and classification laws, provide for each former President an office staff of not more than 13 individuals, at the request of the former President, on a reimbursable basis.

(B) COMPENSATION.—The annual rate of compensation payable to any individual under this paragraph shall not exceed the highest annual rate of basic pay for positions at level II of the Executive Schedule under section 5333 of title 5, United States Code.

(C) SELECTION; RESPONSIBILITY.—An individual employed under this subsection—

(A) shall be selected by the former President; and

(B) shall be responsible only to the former President for the performance of duties.

(6) OFFICE SPACE AND RELATED FURNISHINGS AND EQUIPMENT.—

(A) OFFICE SPACE.—The Administrator of General Services (referred to in this subsection as the 'Administrator') shall, at the request of the former President, and on a reimbursable basis, provide for the former President a suitable office space, and determine the amount of the monetary allowance that is needed to do so.

(B) WITHOUT REIMBURSEMENT.—In the case of any individual who is a former President on the date of enactment of the Presidential Allowance Modernization Act of 2018, the former President may retain without reimbursement any furniture and equipment in the possession of the former President.

(C) PRESIDENTIAL TRANSITION ACT.—A former President may retain without reimbursement any furniture or equipment acquired under section 5 of the Presidential Transition Act of 1963 (42 U.S.C. 9651).

(D) EXCESS FURNITURE AND EQUIPMENT.—The Administrator may provide excess furniture and equipment to the office of a former President at no cost but with more than necessary transportation costs.

(7) EFFECTIVE DATE.—This section shall apply to the fiscal year beginning October 1, 2018.
"(J) APPLICABILITY.—Subsections (f), (g) (other than paragraph (2)(B)(i) of that subsection), and (i) shall apply with respect to a former President on and after the date of enactment of this Act, and the second sentence of the first sentence described in the first sentence of section 5 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note)."

(2) SURVIVING SPOUSES OF FORMER PRESIDENTS.—

(A) INCREASE IN AMOUNT OF MONETARY ALLOWANCE.—Subsection (e) of the first section of the Former Presidents Act of 1958 is amended—

(i) in the first sentence, by striking "$20,000 per annum," and inserting "$100,000 per year (subject to paragraph (i));" and

(ii) in paragraph (b)(1), by striking the date contained in the lease, if the lease was amended—

(1) in paragraph (2), by striking "and" at the end;

(II) in paragraph (3)—

(aa) by striking "or the government of the District of Columbia;" and

(bb) by striking the period and inserting "and";

and

(iii) by inserting after paragraph (3) the following:

"(4) shall, after its commencement date, be increased at the same rate that, and in the same manner as, which, annuities of former Presidents are increased under subsection (c)."

(B) COVERAGE OF WIDOWER OF A FORMER PRESIDENT.—Subsection (e) of the first section of the Former Presidents Act of 1958, as amended by subparagraph (A), is amended—

(i) by striking "widow" each place it appears and inserting "widow or widower";

and

(ii) by striking "she" and inserting "he or she".

(3) SUBSECTION HEADINGS.—The first section of the Former Presidents Act of 1958 is amended—

(A) in subsection (e), by inserting after the subsection enumeration the following: "WIDOWS AND WIDOWERS:";

(B) in subsection (h) (as redesignated by subparagraph (A)), by inserting after the subsection enumerator the following: "DEFINITION:"; and

(C) in subsection (i) (as redesignated by paragraph (1)(A)), by inserting after the subsection enumerator the following: "AUTHORIZATION—".

(4) CONFORMING AMENDMENTS.—

(A) TITLE 5.—Subpart G of part III of title 5, United States Code, is amended—

(i) in section 8101(1)(E), by striking "(b)" and inserting "(1f)";

(ii) in section 8331(1)(f), by striking "(b)" and inserting "(1f)";

(iii) in section 7070(a)(9), by striking "(b)" and inserting "(1f)"; and

(iv) in section 8901(1)(H) by striking "(1b)" and inserting "(1f)".

(B) PRESIDENTIAL TRANSITION ACT OF 1963.—Section 5 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended by striking the last sentence.

(c) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall be construed to—

(1) any provision of law relating to the security or protection of a former President or a member of the family of a former President;

(2) funding, under the Former Presidents Act or any other law, to carry out any provision of law described in paragraph (1); or

(3) funding for any office space lease in effect on the day before the date of enactment of this Act, or any office space lease in effect on the date of enactment of this Act, or any office space lease for which the lease was submitted to the Committee on Oversight and Government Reform of the House of Representatives on April 12, 2017.

(d) TRANSITION RULES.—

(1) FORMER PRESIDENTS.—In the case of any individual who is a former President on the date of enactment of this Act, the amendments made by section 5 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) shall be applied as if the commencement date referred to in subsection (a)(2)(A) of the first section of the Former Presidents Act of 1958, as amended by subsection (b)(2)(A), coincided with the date that is 180 days after the date of enactment of this Act.

(2) WIDOWS.—In the case of any individual who is the widow of a former President on the date of enactment of this Act, the amendments made by subsection (a)(2)(A), coincided with the date that is 180 days after the date of enactment of this Act.

(e) APPLICABILITY.—For a former President receiving a monetary allowance under the Former Presidents Act of 1958 on the day before the date of enactment of this Act, the limitations under subsection (d) of the first section of that Act, as amended by subsection (b)(1), shall apply to the monetary allowance of the former President, except to the extent that the limitations under subsection (d) of the first section of that Act, as amended by subsection (b)(1), shall apply to the monetary allowance of the former President, except to the extent that such limitations would prevent the former President from being able to pay the cost of a lease or other contract that is in effect on the date of enactment of this Act and under which the former President makes payments using the monetary allowance, as determined by the Administrator of General Services.

SA 2401. Mr. GARDNER (for himself and Mr. COX) submitted an amendment intended to be proposed to amendment SA 2238 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 the House of Representatives a report reviewing the efficacy of the provision of the technical or business assistance; and

SA 2402. Mr. INHOFE submitted an amendment intended to be proposed to
amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 X, add the following:

SEC. 1006. COMPTROLLER GENERAL STUDY ON AVAILABILITY OF LONG-TERM CARE OPTIONS FOR VETERANS FROM DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the availability of long-term care options from the Department of Veterans Affairs for veterans with combat-related disabilities, including veterans who served in the Armed Forces after September 11, 2001.

(b) ELEMENTS.—The study required by subsection (a) shall—

(1) determine the potential demand for long-term care services by veterans who served in the Armed Forces after September 11, 2001, and the capacity of the Department to provide these services; and

(2) examine the value of long-term care benefits that are available from the Department, including the cost of providing these benefits to veterans.

(c) REPORT.—Not later than January 1, 2020, the Comptroller General shall submit to the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate, and the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives a report on the study conducted under this section.

SA 2403. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 D of title III, add the following:

SEC. 340. REDESIGNATION OF THE UTAH TEST AND TRAINING RANGE AS THE ORRIN G. HATCH TEST AND TRAINING RANGE.

(a) REDESIGNATION.—The Utah Test and Training Range (UTTR) located in northwestern Utah and eastern Nevada is hereby redesignated as the “Orrin G. Hatch Test and Training Range”, effective as of January 3, 2019.

(b) REFERENCE.—Any reference in any law, regulation, directory, record, map, electronic format, or other paper of the United States to the Utah Test and Training Range shall be deemed to be a reference to the “Orrin G. Hatch Test and Training Range”.

SA 2405. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

In section 981, amend subsection (b) to read as follows:

(b) PROHIBITION ON USE OR PROCUREMENT.—The Secretary of Defense may not—

(1) procure or obtain or extend or renew or continue to participate in a contract to procure or obtain or continue to use any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system; or

(2) enter into a contract (or extend or renew or continue to participate in a contract) with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

SA 2406. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title III, add the following:

SEC. 3. CRITERIA FOR PREPARATION OF ENVIRONMENTAL IMPACT STATEMENTS AND OTHER DOCUMENTS.

Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) is amended—

(1) by indenting subparagraphs (A) through (C) appropriately;

(2) in the matter preceding subparagraph (A) by striking “this Act, and” and inserting the following: “this Act, and (2) all”;

(3) by striking the section designation and all that follows through “(1) the” in the matter preceding paragraph (2) and inserting the following:

“SEC. 102. COOPERATION OF AGENCIES, ENVIRONMENTAL IMPACT STATEMENTS AND OTHER DOCUMENTS.

“(a) IN GENERAL.—Congress authorizes and requires that, to the maximum extent practicable—

(i) the

(4) in paragraph (2) of subsection (a) (as so designated)—

(A) in subparagraph (C)—

(1) in the matter preceding clause (i), by inserting “subject to subsection (b),” before “include”;

(ii) in each of clauses (i) through (iii), by striking the comma at the end and inserting a semicolon;

(b) in clause (iv), by striking “, and” at the end and inserting “,”

(3) in clause (v), by striking the period at the end and inserting a semicolon; and

(C) in the designated matter following subparagraph (C)—

(i) in the second sentence—

(1) by striking “agency review processes;” and

(ii) by striking “agency review processes;” and

(2) by striking “Copies of such state-
“(2) PUBLICATION.—A copy of each statement required under subsection (a)(2)(C); and
(ii) in the first sentence, by striking “Prior to making any detailed statement and inserting—
“(b) REQUIREMENTS FOR ENVIRONMENTAL IMPACT STATEMENTS.—

(1) IN GENERAL.—Before preparing an environmental impact statement required under subsection (a)(2)(C), the head of a Federal agency shall—
(i) complete each draft environmental impact statement appropriate errata sheets, subject to the conditions that the errata sheets shall—
(A) cite the sources, authorities, or reasons that support the position of the agency; and
(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

(2) IN GENERAL.—An environmental impact statement required under subsection (a)(2)(C);”;

(B) in the designated matter following clause (iv) of paragraph (D)(A) (as so redesignated), by striking “The procedures in this subparagraph shall not relieve the Federal official of his responsibilities for the scope, objectivity, and content of the entire statement or of any other responsibility under this Act; and further, this subparagraph does not affect” and inserting the following:

“(3) TREATMENT OF CERTAIN STATEMENTS.—

(A) IN GENERAL.—An environmental impact statement required under subsection (a)(2)(C);”;

(B) in the designated matter following clause (iv) of paragraph (D)(A) (as so redesignated), by striking “The procedures in this subparagraph shall not relieve the Federal official of his responsibilities for the scope, objectivity, and content of the entire statement or of any other responsibility under this Act; and further, this subparagraph does not affect” and inserting the following:

“(B) FAILURE TO MEET DEADLINE.—If the head of a Federal agency fails to meet an applicable deadline after the date on which the head publishes in the Federal Register a notice of intent to prepare the environmental impact statement; and

(ii) by not later than 2 years after the date on which the head publishes in the Federal Register a notice of intent referred to in subparagraph (a)(2)(C);”;

“Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFFE (for himself and Mr. McCAIN) and intended to be proposed to the bill S. 5515, to authorize appropriations for the fiscal year 2019 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 E of title XII, add the following:

SEC. 2. QUADRILATERAL DIALOGUE AND DEFENSE COOPERATION SECURITY.

(a) FINDINGS.—Congress makes the following findings:

(1) The 2017 National Security Strategy of the United States declares the following:

(A) “We welcome India’s emergence as a leading global power and stronger strategic and defense partner.”

(B) “We will seek to increase quadrilateral cooperation with Japan, Australia, and India.”

(C) “We will expand our defense and security cooperation with India, a Major Defense Partner of the United States, and support India’s growing relationships throughout the region.”

(2) At an October 2017 hearing of the Committee on Armed Services of the Senate, under the joint chairmanship of Senator John McCain and Senator Jim Inhofe, the Secretary of Defense James Mattis discussed the role of India and stated the following:

“It’s a strategic convergence, a generational opportunity between the two largest democracies in the world to work together, based on those shared interests of peace, of prosperity, of stability in the region, and India is coming into its own.”

(B) “[India’s] going to be a global player, as Prime Minister Modi takes him forward strategically to a role of living for his people, to a bigger role in the world, and that role, from our perspective, is a wholly positive one right now.”

And I think that our bilateral partners, India and the United States, and we recognize each other’s sovereignty. We have respect for each other. But we also take the opportunity we’re presenting to the right.”

(3) In September 2017, General Joseph Dunford, Chairman of the Joint Chiefs of Staff stated the following:

(A) “[With regard to India, the President called on India to invest more in development projects in Afghanistan, and India appears to do more beyond the roughly $3,000,000,000 in development assistance it has provided since 2001.”

(B) “From the military dimension, I believe India has the capacity to provide additional training and equipment to build capacity of the Afghan National Defense and Security Forces.”

(C) “The U.S.—India military relationship is strong and getting stronger, and our two countries cooperate through complex exercises such as MALABAR in the Bay of Bengal, as well as robust bilateral defense trade and technology cooperation.”

(D) “A long term strategic security relationship with India is crucial to ensuring freedom of navigation in the Indian Ocean, and the United States and India should continue to expand cooperation in areas of mutual interest like maritime security.”

(E) “We should also continue to strengthen our defense relationship by pursuing opportunities to co-develop and co-produce defense technology under the U.S.—India Defense Technology and Trade Initiative.”

(4) In March 2018, Admiral Harry Harris, Commander of United States Pacific Command (USPACOM), stated the following:

(A) “[The U.S.—India strategic partnership continues to advance at a historic pace and has the potential to be the most consequential bilateral relationship of the 21st century.”

(B) “The United States and India maintain a broad-based strategic partnership that is underpinned by shared democratic values, interests, and strong people-to-people ties, and I expect 2018 to be a significant and eventful year in United States-India relations.”

(C) “The United States and India are natural partners on a range of political, economic, and security issues, and with a mutual desire for global leadership on the rules-based international order, the United States and India have an increasing
convergence of interests, including maritime security and domain awareness, counter-piracy, counterterrorism, humanitarian assistance, and coordinated responses to natural disasters and humanitarian crises.

(D) “India will be among the United States’ most significant partners in the years to come due to its growing influence and emerging strategic partnerships.”

(E) “As a new generation of political leaders emerge, India has shown that it is more open to strengthening security ties with the United States and is seeking new ways to cooperate on maritime security, information sharing, and disaster response.”

The United States seeks an enduring, regular, routine, and institutionalized strategic partnership with India, and USPACOM identifies a security relationship with India as a major command line-of-effort.”

(G) “Over the past year, United States and Indian militaries participated together in three major exercises, executed more than 50 other military exchanges, and operationalized the 2016 Logistics Exchange Memorandum of Agreement (LEMO).”

In February 2017, General John Nicholson, Commander of United States Forces in Afghanistan, stated, “With over $2,000,000,000,000 development aid executed since 2012, and another $1,000,000,000 pledged in 2016, the USG has made significant contributions to Aghan infrastructure, engineering, training, and humanitarian issues will help develop Afghan human capital and long-term stability.”

(b) Quadrilateral Dialogue.—

(1) In general.—To enhance defense cooperation among the United States, Australia, India, and Japan, the Secretary of Defense, as part of a larger whole-of-government effort, may initiate a quadrilateral dialogue, expanding on the four-nation dialogue among representatives of the Governments of the United States, Australia, India, and Japan to develop a mission statement that reflects areas of common security interests including—

(A) a values-based and rules-based regional order;

(B) the importance of freedom of navigation and maritime security; and

(C) the acceptance of internationally recognized borders.

(2) DESIGNATION OF OFFICIAL.—To enhance defense cooperation among the United States, Australia, India, and Japan, the Secretary may designate an official of the executive branch—

(i) to identify means of improving the coordination and delivery of humanitarian assistance and disaster relief capabilities to Afghanistan by the militaries of the United States, India, and Japan to improve joint military response to current and anticipated humanitarian needs in Afghanistan;

(ii) to identify gaps in the capabilities of the Afghanistan security forces and determine means of addressing such gaps; and

(B) to advocate for necessary capabilities, especially capabilities and it is critical short-term needs identified by the commander of United States Armed Forces participating in Operation Resolute Support in Afghanistan.

(2) Position of designated official.—The official designated under paragraph (1) shall be an official in a position with responsibility for security assistance and defense cooperation.

SA 2408. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 section 322, add the following:

(6) An analysis of potential partnerships with State, local, tribal, and private entities to maximize training potential and to utilize local expertise.

SA 2409. Mr. SULLIVAN submitted an amendment intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 title XII, insert the following:

SEC. 12. MEASURES TO IMPROVE DEFENSE PARTNERSHIP BETWEEN INDIA AND THE UNITED STATES.

(a) Delay of Imposition of Certain Sanctions Relating to the Russian Federation for Defense Cooperation with United States.—Section 231(c) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9525(c)) is amended—

(1) by striking “The President” and inserting the following:

“(1) in General.—(A) the person;”

(2) by striking “and” and inserting “; and”

(3) by striking “and” and inserting “;”;

and

(4) by adding at the end the following:

“(B) except as provided in paragraph (2), the United States, Afghanistan, and India to improve joint military response to current and anticipated humanitarian needs in Afghanistan.”

(b) Sense of Congress on License Exception Strategic Trade Authorization for India.—It is the sense of Congress that the United States should expeditiously grant India status under the License Exception Strategic Trade Authorization statute that person has been determined by the Secretary of State to be a government that has repeatedly provided support for acts of international terrorism for the following:


“(B) section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));”

“(C) section 466 of the Arms Export Control Act (22 U.S.C. 2780(d)); or”

“(D) any other provision of law.”

(c) Sense of Congress on Strengthening Defense Partnership with India.—It is the sense of Congress that the United States should strengthen and enhance its major defense partnership with India and work toward the mutual security objectives of India and the United States.

SA 2410. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 title VI, add the following:

Subtitle E—Military Lending Act and Related Matters

SEC. 641. SHORT TITLE.

This subtitle may be cited as the “Military Lending Improvement Act of 2018.”
SEC. 642. EXPANSION AND IMPROVEMENT OF CONSUMER CREDIT PROTECTIONS FOR MEMBERS OF THE ARMED FORCES.

(a) Extension of Applicability to Individuals Recently Discharged or Released from the Armed Forces.—Paragraph (1) of section 987 of title 10, United States Code, as amended to read as follows:

"(1) COVERED MEMBER.—The term 'covered member' means the following:

(A) A member of the armed forces who is—

(i) on active duty under a call or order that does not specify a period of 60 days or less; or

(ii) on active Guard and Reserve duty.

(B) An individual who was separated, discharged, or released from duty described in subparagraph (A) only during the 365-day period beginning on the date of separation, discharge, or release.

(b) Decrease in Maximum Authorized Annual Percentage Rate on Credit.—

(1) Decrease in rate.—Subsection (b) of such section is amended by striking "36 percent" and inserting "24 percent".

(2) Effective date.—The amendment made by paragraph (1) shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply with respect to consumer credit extended on or after such effective date.

(c) Prohibition on Creditor Use of Auto Tracking Devices.—Subsection (e) of such section is amended—

(1) by adding at the end the following new paragraph:

"(2) the creditor demands, as a condition for the credit, the application of—

(A) a device that can locate or adjust the operations of the borrower's motor vehicle by a third party; or

(B) any other device or instrument that may pose a safety hazard or compromise the borrower's privacy, as determined by the Secretary of Defense, in consultation with the Federal Trade Commission.

(d) Extension of Coverage to Credit for Cars and Other Personal Property.—

(1) In general.—Subsection (f) of such section is amended by striking "(1) a residential mortgage" and all that follows and inserting "a residential mortgage.

(2) Effective date.—The amendment made by paragraph (1) shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply with respect to consumer credit extended on or after such effective date.

(e) Regulations.—The Secretary of Defense shall modify the regulations prescribed to carry out section 987 of title 10, United States Code, to take into account the amendments made by subsections (a) through (d) by not later than 30 days after the date of the enactment of this Act.

SEC. 643. ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARRASSMENT OF ARMED FORCES PERSONNEL.

(a) Communication in Connection With Debt Collection.—Section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692e) is amended to read as follows:

"(a) DETERMINATION OF VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT.—Section 807 of the Fair Debt Collection Practices Act (15 U.S.C. 1692e) is amended by adding at the end the following:

"(17) The false representation to any covered member, as defined in section 987(i) of title 10, United States Code, that failure to cooperate with a debt collection will result in prosecution under section 1427 of title 10, United States Code (the Uniform Code of Military Justice)."

SEC. 644. DATA PROTECTION STANDARDS FOR CREDIT REPORTING AGENCIES THAT USE DEPARTMENT OF DEFENSE PERSONNEL DATA.

(a) Determination on Adequacy of Data Protection Standards.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Federal Trade Commission, determine whether or not each entity that downloads Military Lender Act bulk data from the Defense Manpower Data Center uses adequate safeguards to protect the downloaded data against breach or other potential misuse. The Secretary shall make the determination using a study of the practices of such entities conducted by the Secretary for purposes of this subsection.

(b) Termination of Access to Bulk Data.—If pursuant to subsection (a), the Secretary determines that the safeguards of an entity described in that subsection are not adequate as described in that subsection, the Secretary shall terminate the access of the entity to bulk data described in that subsection by not later than 30 days after the date of the determination.

(c) Restoration of Access to Bulk Data.—If access to bulk data is terminated pursuant to subsection (b), the Secretary may subsequently restore access of the entity to bulk data if the Secretary determines that the entity has taken remedial measures to ensure that any data downloaded from such bulk data is adequately protected against breach or other potential misuse.

SA 2411. Mr. NELSON submitted an amendment intended to be proposed to the amendment proposed by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VI, add the following:

"(A) In section 1450—

(1) by striking subsection (e); and

(2) by redesigning paragraphs (1) and (ii) as paragraphs (1) and (ii), respectively.

(3) by striking subsection (k); and

(4) by striking subsection (m).

(b) In section 1453(g)(1), by striking paragraph (C).

(C) In section 1452—

(1) in subsection (f)(2), by striking "does not mean in the case of a deduction made through administrative error"; and

(2) by striking subsection (g).

(D) In section 1455(c), by striking ", 1450(k)(2),".

(E) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid by the Secretary for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(F) PROHIBITION ON REDUCTION OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of any amount under section 1450(h)(2) of title 10, United States Code, shall not be required to repay such refund to the United States.

(G) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d) of such title is amended—

(1) in paragraph (1), by striking "except as provided in paragraph (2)(B), the Secretary concerned" and inserting "the Secretary concerned"; and

(2) in paragraph (2)—

(A) by striking "DEPENDENT CHILDREN—", and all that follows through "case of a member described in paragraph (1)"; and

(B) by striking subparagraph (B), as inserted by the amendment made by subsection (a) of this Act, and inserting "RESTITUTION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore eligibility to any eligible surviving spouse who was eligible for an annuity under the Department of Defense Military Family Life Chaplain, who was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose surviving spouse is eligible for any annuity under title 10, United States Code, as in effect on the day before the effective date provided under subsection (f); and

(3) by striking paragraph (1), as inserted by the amendment made by subsection (a) of this Act, and inserting "DEPARTMENT OF JUSTICE.—In the case of a member described in paragraph (1)"; and

(G) by striking paragraph (1).

Mr. NELSON submitted an amendment intended to be proposed to the amendment proposed by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title XI, add the following:

SECTION 1126. CREDITABLE SERVICE FOR FEDERAL RETIREMENT FOR UNITED STATES CITIZENS EMPLOYED BY AIR AMERICA AND ASSOCIATED ENTITIES.

(a) AMENDMENTS.—

(1) IN GENERAL.—Section 8332(b) of title 5, United States Code, is amended—

(A) in paragraph (16), by striking “and” at the end;

(B) in paragraph (17), by striking the period at the end and inserting “; and”;

(C) by inserting after paragraph (17) the following:

“(18) any period of service performed not later than 1977, while a citizen of the United States, in the employ of Air America, Inc., or any entity associated with, predecessor to, or subsidiary to Air America, Inc., including Air Asia Company Limited, CAT Incorporated, Civil Air Transport Company Limited, and the Pacific Division of Southern Air Transport, during the period during which Air America, Inc., or the other entity was owned and controlled by the United States Government.”; and

(2) by adding at the end the following:

“For purposes of this subsection, service of the type described in paragraph (18) of this subsection shall be considered to have been service as an employee.”.

(b) EXEMPTION FROM DEPOSIT REQUIREMENT.—Section 8334(g) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking “or” at the end;

(B) in paragraph (6), by striking the period at the end and inserting “; or”; and

(C) by inserting at the end the following:

“(7) any service for which credit is allowed under section 8332(b)(18) of this title.”.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by subsection (a) shall apply with respect to a computation under subparagraph (A) not later than the later of—

(I) 2 years after the effective date of this section; or

(II) 1 year after the date of the decedent’s death.

(2) FUNDING.—

(a) LUMP-SUM PAYMENTS.—A lump-sum payment under subsection (b) shall be payable out of the Civil Service Retirement and Disability Fund.

(b) UNFUNDED LIABILITY.—Any increase in the unfunded liability of the Civil Service Retirement System attributable to the enactment of this section shall be financed in accordance with section 8346(f) of title 5, United States Code.

(d) REGULATIONS AND SPECIAL RULE.—

(1) IN GENERAL.—The Director of Personnel Management shall prescribe any regulations necessary to carry out this section.

(2) SPECIAL RULE.—For the purpose of an application for any benefit that is computed or recomputed taking into account any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (a) of this section), section 8345(v)(2) of that title shall be applied by deeming the reference to the date of the “other event which gives rise to the benefit to the veteran” to refer to the effective date of this section, if later than the date of the event that would otherwise apply.

(e) DEFINITIONS.—For purposes of this section—

(1) the term “annuity”, as used in paragraphs (2) and (3) of subsection (b), includes a survivor annuity; and

(2) the terms “survivor”, “survivor annuitant”, and “unfunded liability” have the meanings given those terms in section 8331 of title 5, United States Code.

(f) EFFECTIVE DATE.—This section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this section.

SA 2413. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 A of title VII, add the following:

SECV. 706. ELIGIBILITY FOR TRICARE FOR VETERANS ENTITLED TO MEDICARE BENEFITS DUE TO CONDITIONS OR INJURIES INCURRED DURING SERVICE IN THE ARMED FORCES.

(a) TRICARE PROVISIONS.—

(1) IN GENERAL.—Paragraph (2) of section 1060 of title 10, United States Code, is amended—

(A) in subparagraph (A), by striking “is enrolled” and inserting “is enrolled”;

(B) in subparagraph (B) as redesignated by paragraph (2) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) and is entitled to a benefit described in subparagraph (A) of such section; or

(iii) has declined to enroll in the supplemental medical insurance provided under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.).

(2) SPECIAL RULE.—For the purpose of an application for any benefit that is computed or recomputed taking into account any service described in section 8332(b)(18) of title 5, United States Code (as added by subsection (a) of this section), section 8345(v)(2) of that title shall be applied by deeming the reference to the date of the “other event which gives rise to the benefit to the veteran” to refer to the effective date of this section, if later than the date of the event that would otherwise apply.

(3) DEFINITIONS.—For purposes of this section—

(1) the term “annuity”, as used in paragraphs (2) and (3) of subsection (b), includes a survivor annuity; and

(2) the terms “survivor”, “survivor annuitant”, and “unfunded liability” have the meanings given those terms in section 8331 of title 5, United States Code.

(4) EFFECTIVE DATE.—This section shall take effect on the first day of the first fiscal year beginning after the date of enactment of this section.
(2) ALLOWANCE OF ONE CHANGE OF ENROLLMENT.—Such section is further amended by adding at the end the following new paragraph:

"(6) A) Except as provided in subparagraph (B), after the end of the special enrollment period provided under section 706(a)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2019, an individual described in paragraph (2)(B) may switch only once from enrollment under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) to enrollment in a plan contracted for under subsection (a).

"(B) The limitation under subparagraph (A) does not apply to enrollment by an individual in a plan contracted for under subsection (a) that begins on the date of the enactment of this Act and shall end 12 months later.

(3) SPECIAL ENROLLMENT PERIOD.—

(A) IN GENERAL.—The Secretary of Defense shall provide for a special enrollment period during which an individual described in subsection (d)(2)(B) of section 1086 of title 10, United States Code, may enroll in a health care coverage plan under such subsection. Such period shall begin as soon as possible after the date of the enactment of this Act and shall end 12 months later.

(B) COVERAGE PERIOD.—In the case of an individual who enrolls during the special enrollment period provided under subparagraph (A), the coverage period under section 1086 of title 10, United States Code, shall begin on the first day of the month following the month in which the individual enrolls.

(4) CONFORMING AMENDMENTS.—Section 1086(a) of title 10, United States Code, is amended—

(A) in paragraph (4)(A), in the matter preceding clause (i), by striking "paragraph (2)(A)" and inserting "paragraph (2)(A)(ii)"; and

(B) in paragraph (5)—

(i) by striking "paragraph (B)" and inserting "paragraph (A)(ii)"; and

(ii) by striking "paragraph (A)" and inserting "paragraph (A)(i)".

(b) SEC. 1066. WAIVER OF MEDICARE PART B LATE ENROLLMENT PENALTY.—

(A) IN GENERAL.—Section 1395f of title 10, United States Code, is amended by adding at the end the following new section: "No increase in the premium shall be effective for a month in the case of an individual who demonstrates to the Secretary that the individual, with respect to such month, is an individual described in section 1086(d)(2)(B) of title 10, United States Code, and the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)."

(2) SECTION 1066 READJUSTMENT OF INCOME LIMITATION.—

(A) IN GENERAL.—The Secretary of Defense shall provide to individuals described in paragraph (1), educational materials, information, and counseling regarding the effects of not enrolling in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) on individuals in making appropriate health insurance choices.

(B) TIMING.—The Secretary shall provide the educational materials, information, and counseling described in subparagraph (A) to an individual described in paragraph (1) before the individual elects to change enrollment between the TRICARE program, as defined in section 1072 of such title, and the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)."

SA 2414. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of the Treasury, 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 X, add the following:

SEC. 1066. EXCLUSION OF CERTAIN PAYMENTS FROM CALCULATION FOR FISCAL YEAR 2019 PILT PAYMENTS.

(a) DEFINITIONS.—In this section:

(1) COVERED PAYMENT.—The term ‘covered payment’ means a payment to a unit of general local government for fiscal year 2018 from amounts deposited in the Treasury during the period of time beginning on November 18, 1997, and ending on August 7, 2008, from a lease issuance revenue set on June 7, 2018, of title 10, United States Code, and distributed to the unit of general local government in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(2) PILT PAYMENT.—The term ‘PILT payment’ means the amount of a payment to a unit of general local government for fiscal year 2018 from amounts deposited in the Treasury during the period of time beginning on November 18, 1997, and ending on August 7, 2008, from a lease issuance revenue set on June 7, 2018, of title 10, United States Code, and distributed to the unit of general local government in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(b) RULE OF CONSTRUCTION.—In this section, the term ‘general local government’ means the term ‘general local government’ as defined in section 6901(a)(1) of title 31, United States Code.

(c) IRRIGATION PAYMENT.—Notwithstanding any other provision of law, in calculating the amount of a
payment to be made to a unit of general local government for fiscal year 2019 under chapter 69 of title 31, United States Code, the Secretary of the Interior shall not consider a covered payment to be an amount received by the unit of general local government in the prior fiscal year under a payment law for purposes of section 6906(b)(1)(A) of that title.

SA 2416. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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. 1120. MODIFICATION OF VETERANS PRESENCE FOR CERTAIN VETERANS WHO SERVED IN KOREA.

(a) In general.—Not later than the end of the 90-day period beginning on the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a national intelligence estimate on the threat posed to the national security of the United States by trade-based money laundering.

(b) Elements.—The national intelligence estimate required by subsection (a) shall include the following:

(1) An assessment of trade-based money laundering and threat finance at the national and international levels.

(2) An assessment of the financial dimensions of the threat to the national security of the United States posed by trade-based money laundering.

(3) A description of how terrorist financing and drug trafficking organizations are advancing their illicit activities through the use of illicit trade channels.

(4) An assessment of the adequacy of the systems and tools available to the Federal Government for combating trade-based money laundering.

(5) Recommendations for coordination between Federal agencies with respect to combating trade-based money laundering and an identification of Federal agencies which should be the lead agency for purposes of combating trade-based money laundering.

(6) Recommendations for coordination with the governments of foreign countries with respect to combating trade-based money laundering.

(7) The extension of the deadline for submission to Congress for the national intelligence estimate.

(d) Form.—(1) In general.—The national intelligence estimate required by subsection (a) shall—

(A) be submitted in classified form; and

(B) be accompanied by an unclassified summary.

(2) Public availability.—The unclassified summary required by paragraph (1)(B) shall be made available to the public.

SA 2417. Mr. MORAN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 title XI, add the following:

“SEC. 1116A. Presumption of herbicide exposure for certain veterans who served in Korea.

“(a) Presumption of service-connection.—(1) For the purposes of section 1110 of this title, and subject to section 1113 of this title, a disease specified in subsection (b) that becomes manifest as specified in that paragraph in a veteran described in paragraph (2) of that subsection, is presumed to be service-connected by reason of having positive association with exposure to an herbicide agent.

“(2) DISEASES.—A disease specified in this subsection is—

“(1) a disease specified in paragraph (2) of subsection (a) of section 1116 of this title that becomes manifest as specified in that paragraph; or

“(2) any additional disease that—

“(A) the Secretary determines in regulations promulgated by the Secretary by reason of having positive association with exposure to an herbicide agent; and

“(B) becomes manifest within any period prescribed in such regulations.

“(c) HERBICIDE AGENT.—For purposes of this section, the term ‘herbicide agent’ has the meaning given such term in section 1116A of title 38, United States Code.

“(d) An amendment intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 title XI, add the following:

“SEC. 1107. MODIFICATION OF TEMPORARY DIRECT HIRE AUTHORITY FOR MAJOR RANGE AND TEST FACILITIES BASE FACILITIES IN ORDER TO FILL MISSION ESSENTIAL POSITIONS AT SUCH FACILITIES.

Section 1125 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is amended—

“(1) in general.—In fiscal years 2019 through 2021, the authority provided in paragraph (a) with respect to the Major Range and Test Facilities Base shall be delegated to the commander of a facility of the Major Range and Test Facilities Base, or the civilian equivalent of the commander at the facility.

“(2) Position requirements.—An appointment covered by this authority may be made:
SEC. 3328. DETERMINATION OF CERTAIN SERVICE IN THE PHILIPPINES DURING WORLD WAR II ELIGIBLE FOR BENEFITS.

(a) In General.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and such military historians as the Secretary of Defense considers appropriate, shall establish a process to determine whether a covered individual served as described in subsection (a) or (b) of section 3328 of title 38, United States Code, for purposes of determining whether such covered individual is eligible for benefits described in such subsections.

(b) Individuals.—For purposes of this section, a covered individual is any individual—

(1) claims service described in subsection (a) or (b) of section 3328 of title 38, United States Code; and

(2) is not included in the Approved Revised Reconstructed Gaullia Roster of 1948, known as the ‘Missouri List’.

SA 2423. Mrs. ERNST (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 P of title X, add the following:

SEC. 1066. THIRD PARTY REVIEW OF APPOINTEES IN VETERANS HEALTH ADMINISTRATION WHO HAD A LICENSE, REGISTRATION, OR CERTIFICATION FOR THE PROVIDE OF HOSPITAL CARE OR MEDICAL SERVICES REVOKED AND NOTICE TO INDIVIDUALS TREATED BY COVERED APPOINTEES.

(a) Third Party Review.—The Secretary of Veterans Affairs shall enter into a contract or other agreement with an organization that is not part of the Federal Government to conduct a clinical review of the hospital care and medical services furnished by covered individuals.

(b) Notice to Patients Treated by Covered Individuals.—With respect to hospital care or medical services furnished by a covered individual under the laws administered by the Secretary of Veterans Affairs, if a clinical review determines that an experienced, competent practitioner would have managed the care or services differently, the Secretary shall notify the individual who received such care or services from the covered individual.

(c) Covered Individual.—For purposes of this section, a covered individual is an individual who was appointed to a position in the Veterans Health Administration under subsection (b) of section 7402 of title 38, United States Code, by the Secretary of Veterans Affairs, if a clinical review determined that an experienced, competent practitioner would have managed the care or services differently, the Secretary shall notify the individual who received such care or services from the covered individual.

SEC. 1087. HOSPITAL CARE AND MEDICAL SERVICES DEFINED.—In this section, the terms ‘hospital care’ and ‘medical services’ have the meanings given those terms in section 1701 of title 38, United States Code.

SA 2424. Mr. NELSON (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VII, add the following:

SEC. 729. GRANTS TO PROMOTE MILITARY READINESS IN THE PROVISION OF PROSTHETIC AND ORTHOTIC CARE.

(a) Grants Required.—

(1) In General.—The Secretary of Defense shall award grants to institutions determined by the Secretary to be eligible for the award of such grants in order to enable such institutions to establish and expand academic, professional, or research programs in orthotics and prosthetics.

(2) Priority.—The Secretary shall give priority in the award of grants under this section to institutions that enter into a partnership with a public sector or private sector orthotics or prosthetics practice that offers students experience in meeting the unique needs of members of the Armed Forces who have experienced limb loss or limb impairment, including by offering clinical rotations at such orthotics and prosthetics practice.

(b) Applications.—

(1) Request for Proposals.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals from institutions eligible for grants under this section.

(2) Application.—An institution that seeks the award of a grant under this section shall submit to the Secretary an application therefor at such time, in such manner, and accompanied by such information as the Secretary may require.

(A) Demonstration of a willingness and ability to participate in a partnership described in subsection (a)(2); and

(B) Demonstration of the ability to maintain an accredited orthotics and prosthetics education program after the end of the grant period.

(c) Grant Uses.—An institution awarded a grant under this section shall use grant amounts for any purpose as follows:

(1) To establish or expand an accredited orthotics and prosthetics master’s degree program.

(2) To conduct training and retain faculty in orthotics and prosthetics education, or related fields, for the purpose of instruction in orthotics and prosthetics programs.

(3) To fund faculty research projects or faculty time to undertake research in orthotics and prosthetics for the purpose of furthering their teaching abilities.

(4) To conduct minor construction to house orthotics and prosthetics education programs.

(5) To acquire equipment for orthotics and prosthetics education.

(d) Limitation on Grant Amount.—The amount of any grant awarded an institution under this section may not exceed $1,500,000.

(e) Period of Use of Funds.—An institution awarded a grant under this section may use the grant amount for a period of three years after the award of the grant.
SA 2426. Mr. VAN HOLLEN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title III, add the following:

SEC. 316. PRIORITIZATION OF ENVIRONMENTAL IMPACTS FOR FACILITIES MAINTENANCE, SUSTAINMENT, RESTORATION, AND MODERNIZATION.

The Secretary of Defense shall establish prioritization metrics for facilities deemed eligible for demolition within the Facilities Maintenance, Sustainment, Restoration, and Modernization (FSRM) process. Those metrics shall include full spectrum readiness and environmental impacts, including the removal of contamination.

SA 2427. Mr. LANKFORD (for himself, Ms. KLOBUCHAR, Ms. COLLINS, Ms. HARRIS, Mr. BURR, Mr. WARNER, Mr. GRAHAM, and Mr. HINICH) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 title III, add the following:

Subtitle—Election Security

SEC. 1. SHORT TITLE.

This subtitle may be cited as the “Secure Elections Act”.

SEC. 2. DEFINITIONS.

In this subtitle:

(1) WITH RESPECT TO CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Rules and Administration of the House of Representatives, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, the Select Committee on Intelligence, the majority leader of the Senate, and the minority leader of the Senate; and

(B) the Committee on House Administration, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, the Permanent Select Committee on Intelligence, the Speaker, and the minority leader of the House of Representatives.

(2) APPROPRIATE FEDERAL ENTITIES.—The term “appropriate Federal entities” means—

(A) the Department of Commerce, including the National Institute of Standards and Technology;

(B) the Department of Defense;

(C) the Executive Office of the President, including the component of the Department that reports to the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department;

(D) the Department of Justice, including the Federal Bureau of Investigation;

(E) the Committee on Intelligence of the Senate;

(F) the Office of the Director of National Intelligence, the National Security Agency, and such other elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) as the Director of National Intelligence determines are appropriate;

(3) CHAIRMAN.—The term “Chairman” means the Chairman of the Election Assistance Commission.

(4) COMMISSION.—The term “Commission” means the Election Assistance Commission.

(5) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(6) ELECTION AGENCY.—The term “election agency” means any component of a State or any component of a county, municipality, or any other subdivision that is responsible for administering Federal elections.

(7) ELECTION CYBERSECURITY INCIDENT.—The term “election cybersecurity incident” means any incident involving an election system.

(8) ELECTION CYBERSECURITY THREAT.—The term “election cybersecurity threat” means any cybersecurity threat (as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) to an election system.

(9) ELECTION CYBERSECURITY VULNERABILITY.—The term “election cybersecurity vulnerability” means any security vulnerability (as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) that affects an election system.

(10) ELECTION SERVICE PROVIDER.—The term “election service provider” means any person providing, supporting, or maintaining an election system on behalf of an election agency, such as a vendor.

(11) ELECTION SYSTEM.—The term “election system” means a voting system, an election administration system, an election management registration website or database, an electronic pollbook, a system for tabulating or reporting election results, an election agency communications system, or any other system (as defined in section 3502 of title 44, United States Code) that the Secretary identifies as central to the management, support, or administration of the Federal election.

(12) FEDERAL ELECTION.—The term “Federal election” means any election (as defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101)) for Federal office (as defined in section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 20601)).

(13) FEDERAL ENTITY.—The term “Federal entity” means any agency (as defined in section 551 of title 5, United States Code).”

(14) INCIDENT.—The term “incident” has the meaning given the term in section 227(a) of the Homeland Security Act of 2002 (6 U.S.C. 148(a)).

(15) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(16) STATE.—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Commonwealth of the United States Virgin Islands, and the United States Virgin Islands.

(17) STATE ELECTION OFFICIAL.—The term “State election official” means—

(A) the chief State election official of a State designated under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20506); or

(B) in the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, a chief State election official designated by the State for purposes of this Act.

(18) STATE LAW ENFORCEMENT OFFICER.—The term “State law enforcement officer” means the head of a State law enforcement agency, such as an attorney general.

(19) VOTING SYSTEM.—The term “voting system” has the meaning given the term in section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 20601(b)).

SEC. 3. INFORMATION SHARING.

(a) DESIGNATION OF RESPONSIBLE FEDERAL ENTITY.—The Secretary shall have primary responsibility within the Federal Government for sharing information about election cybersecurity incidents, threats, and vulnerabilities with Federal entities and with election agencies.

(b) PRESUMPTION OF FEDERAL INFORMATION SHARING TO THE DEPARTMENT.—If a Federal entity receives information about an election cybersecurity incident, threat, or vulnerability, the Federal entity shall promptly share that information with the Department, unless the head of the entity (or a Senate-confirmed official designated by the head) makes a specific determination in writing that there is good cause to withhold the particular information.

(c) PRESUMPTION OF FEDERAL AND STATE INFORMATION SHARING TO THE DEPARTMENT.—If the Department receives information about an election cybersecurity incident, threat, or vulnerability, the Department shall promptly share that information with—

(1) the appropriate Federal entities;

(2) all State election agencies;

(3) to the maximum extent practicable, all election agencies that have requested ongoing updates on election cybersecurity incidents, threats, or vulnerabilities; and

(4) to the maximum extent practicable, all election agencies that may be affected by the risks associated with the particular election cybersecurity incident, threat, or vulnerability.

(d) TECHNICAL RESOURCES FOR ELECTION AGENCIES.—In sharing information about election cybersecurity incidents, threats, and vulnerabilities with other Federal entities, election agencies under this section, the Department shall, to the maximum extent practicable—

(1) provide cyber threat indicators and defensive measures (as such terms are defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)), such as recommended technical instructions, that assist with preventing, mitigating, and detecting threats or vulnerabilities;

(2) identify resources available for protecting against, detecting, responding to, and recovering from associated risks, including technical capabilities of the Department;

(3) provide guidance about further sharing of such information.

(e) DECLASSIFICATION REVIEW.—If the Department receives classified information about an election cybersecurity incident, threat, or vulnerability—

(1) the Secretary shall promptly submit a request for expedited declassification review to the head of a Federal entity with authorizing the conduct of the review, in accordance with Executive Order 13526 or any successor order, unless the Secretary determines that such a
request would be harmful to national security; and
(2) the head of the Federal entity described in paragraph (1) shall promptly conduct the review.
(f) ROLE OF NON-FEDERAL ENTITIES.—The Department may share information about election cybersecurity incidents, threats, and vulnerabilities through a non-Federal entity.
(g) PROTECTION OF PERSONAL AND CONFIDENTIAL INFORMATION.—(1) IN GENERAL.—If a Federal entity shares information relating to an election cybersecurity incident, threat, or vulnerability, the Federal entity shall, within Federal information systems (as defined in section 3502 of title 44, United States Code) of the entity—
(A) minimize the acquisition, use, and disclosure of personal information of voters, except as necessary to identify, protect against, detect, respond to, or recover from election cybersecurity incidents, threats, and vulnerabilities;
(B) notwithstanding any other provision of law, prohibit the retention of personal information of voters, such as—
(i) registration information, including physical address, email address, and telephone number;
(ii) political party affiliation or registration information;
(iii) voter history, including registration status or election participation; and
(C) protect confidential Federal and State information exempt from disclosure under subparagraph (A).
(2) EXEMPTION FROM DISCLOSURE.—Information relating to an election cybersecurity incident, threat, or vulnerability, such as personally identifiable information of reporting persons or individuals affected by such incident, threat, or vulnerability, shared by or with the Federal Government shall—
(A) be deemed voluntarily shared information and exempt from disclosure under section 552(a)(1)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records; and
(B) withheld, without discretion, from the public under section 552(b)(6) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.
(h) DUTY TO ASSESS POSSIBLE CYBERSECURITY INCIDENTS.—(1) ELECTION AGENCIES.—If an election agency becomes aware of the possibility of an election cybersecurity incident, the election agency shall promptly assess whether an election cybersecurity incident occurred and notify the State election official.
(2) ELECTION SERVICE PROVIDERS.—If an election service provider becomes aware of the possibility of an election cybersecurity incident, the election service provider shall promptly assess whether an election cybersecurity incident occurred and notify the relevant election agencies consistent with subsection (j).
(i) INFORMATION SHARING ABOUT CYBERSECURITY INCIDENTS BY ELECTION AGENCIES.—If an election agency has reason to believe that an election cybersecurity incident has occurred with respect to an election system owned, operated, or maintained by or on behalf of the election agency, the election agency shall, in the most expedient time possible and without unreasonable delay, provide notice of the election cybersecurity incident to the Department.
(j) INFORMATION SHARING ABOUT CYBERSECURITY INCIDENTS BY ELECTION SERVICE PROVIDERS.—If an election service provider has reason to believe that an election cybersecurity incident may have occurred, or that an incident occurred with respect to the use of an election service provider as an election service provider may have occurred, the election service provider shall—
(1) notify the relevant election agencies in the most expedient time possible and without unreasonable delay; and
(2) cooperate with the election agencies in providing the notifications required under subsections (h)(1) and (i).
(k) CONTENT OF NOTIFICATION BY ELECTION AGENCIES.—The notifications required under subsections (h)(1) and (i)—
(1) shall include the following assessment of—
(A) the date, time, and duration of the election cybersecurity incident;
(B) the circumstances of the election cybersecurity incident including the specific election systems believed to have been accessed and information acquired; and
(C) planned and implemented technical measures to respond to and recover from the incident; and
(2) shall be updated with additional material information, including technical data, as it becomes available.
(l) SECURITY CLEARANCE.—Not later than 30 days after the date of enactment of this Act, the Secretary shall establish an expedited process for providing appropriate security clearance to State election officials and designated technical personnel employed by State election agencies.
(m) PROTECTION FROM LIABILITY.—Nothing in this subtitle may be construed to provide a cause of action against a State, unit of local government, or an election service provider.
(n) ASSESSMENT OF INTERSTATE INFORMATION SHARING ABOUT ELECTION CYBERSECURITY.—
(1) IN GENERAL.—The Secretary and the Chairman, in coordination with the heads of the appropriate Federal entities and appropriate officials of State and local governments, shall conduct an assessment of—
(A) the extent to which the Department and the Commission is sharing information with other Federal agencies and other appropriate officials of State and local governments;
(B) the extent to which information is shared with the Multi-State Information Sharing and Analysis Center for purposes of election cybersecurity; and
(C) other mechanisms for inter-state information sharing about election cybersecurity.
(2) COMMENT FROM ELECTION AGENCIES.—In carrying out the assessment required under paragraph (1), the Secretary and the Chairman shall solicit and consider comments from all State election agencies.
(o) DISTRICT.—The Secretary and the Chairman shall jointly issue the assessment required under paragraph (1) to—
(A) all election agencies known to the Department and the Commission; and
(B) the appropriate congressional committees.
(p) CONGRESSIONAL NOTIFICATION.—(1) IN GENERAL.—If an appropriate Federal entity believes that a significant election cybersecurity incident has occurred, the entity shall—
(A) notify the relevant election agencies in the most expedient time possible and without unreasonable delay; and
(B) provide notice to the appropriate congressional committees.
(2) REPORTING THRESHOLD.—The Secretary shall—
(A) promulgate a uniform definition of a ‘significant election cybersecurity incident’; and
(B) submit the definition promulgated under subparagraph (A) to the appropriate congressional committees.

SECTION 4. ELECTION SECURITY AND ELECTORAL AUDIT GUIDELINES.

(a) DEVELOPMENT BY TECHNICAL ADVISORY BOARD.—
(1) IN GENERAL.—(A) ADDITIONAL DUTIES.—Section 221(b)(1) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)(1)) is amended by striking ‘‘in the development of the voluntary voting system guidelines’’ and inserting ‘‘in the development of the voluntary voting system guidelines’’.
(B) CONFIRMING AMENDMENTS.—Sections 206(1) and 209(b)(3) of the Help America Vote Act of 2002 (52 U.S.C. 20962(1) and 20967(3)) are each amended by striking ‘‘voting system’’.
(2) ADDITIONAL MEMBERSHIP AND RENAMING OF TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—
(A) ADDITIONAL MEMBERSHIP.—Section 221(c)(1) of the Help America Vote Act of 2002 (52 U.S.C. 20961(c)(1)) is amended—
(i) by striking ‘‘14’’ and inserting ‘‘18’’; and
(ii) by redesignating subparagraph (E) as subparagraph (B) and by inserting after subparagraph (B) the following new subparagraphs:
‘‘(E) A representative of the Department of Homeland Security;’’
‘‘(F) A representative of the Election Infrastructure Information Sharing and Analysis Center.’’;
‘‘(G) A representative of the National Association of State Chief Information Officers;’’
‘‘(H) A representative of State election information technology directors selected by the National Association of Secretaries of State.’’
(B) RENAMING OF COMMITTEE.—
(I) IN GENERAL.—Section 221(a) of the Help America Vote Act of 2002 (52 U.S.C. 20961(a)) is amended by striking ‘‘Technical Guidelines Development Committee’’ and inserting ‘‘Technical Advisory Board’’.
(II) CONFORMING AMENDMENTS.—
(I) Section 201 of such Act (52 U.S.C. 20921) is amended by striking ‘‘Technical Guidelines Development Committee’’ and inserting ‘‘Technical Advisory Board’’.
(II) Section 221 of such Act (52 U.S.C. 20921) is amended by striking ‘‘Development Committee’’ each place it appears and inserting ‘‘Technical Advisory Board’’.
(III) Section 222(b) of such Act (52 U.S.C. 20962(b)) is amended—
(A) by striking ‘‘Technical Guidelines Development Committee’’ in paragraph (1) and inserting ‘‘Technical Advisory Board’’.
(b) by striking ‘‘Development Committees’’ in the heading and inserting ‘‘Technical Advisory Board’’.
(IV) Section 271(e) of such Act (52 U.S.C. 21041(e)) is amended by striking ‘‘Technical Guidelines Development Committee’’ and inserting ‘‘Technical Advisory Board’’.
(V) Section 281(d) of such Act (52 U.S.C. 21051(d)) is amended by striking ‘‘Technical Guidelines Development Committee’’ and inserting ‘‘Technical Advisory Board’’.
(VI) The heading for section 221 of such Act (52 U.S.C. 20961) is amended by striking ‘‘Technical Guidelines Development Committee’’ and inserting ‘‘TECHNICAL ADVISORY BOARD’’.
(VII) The heading for part 3 of subtitle A of title II of such Act is amended by striking ‘‘TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE’’ and inserting ‘‘TECHNICAL ADVISORY BOARD’’.

(VIII) The items relating to section 221 and part 3 of title II in the table of contents of such Act are each amended by striking ‘‘Technical Guidelines Development Committee’’ and inserting ‘‘Technical Advisory Board’’.

(b) GUIDELINES.—

(1) ELECTION SECURITY GUIDELINES.—Section 221(b) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)) is amended by adding at the end the following new paragraph:

‘‘(v) any other factors that the Technical Advisory Board may establish.’’.

(2) AUDIT GUIDELINES.—

(a) REQUIREMENT.—The Technical Advisory Board shall—

(1) select, on the basis of Federal governmental, local governmental, and private sector advice and guidance, a random sample of the marked ballots and proceed to tabulate such ballots in a manner that allows for confidence in the outcome of the election prior to the swearing-in of a Federal candidate, including variations in the acceptance of postal ballots, time allowed to cure provisional ballots, and election certification deadlines;

(2) provide a reasonable opportunity for public comment, including through Commission publication in the Federal Register, on the guidelines required under subparagraphs (B) and (C) of paragraph (1) and chapter 5, title 5, United States Code (commonly known as the ‘Administrative Procedure Act’).

(b) DISTRIBUTION TO ELECTION AGENCIES.—The Commission shall distribute the guidelines described in subparagraphs (B) and (C) of section 221(b)(1) to all election agencies known to the Commission.

(c) PUBLICATION.—The Commission shall make the guidelines described in subparagraphs (B) and (C) of section 221(b)(1) available on the public website of the Commission.

(3) DEADLINES.—

(a) REQUIREMENT.—The Technical Advisory Board shall—

(1) select, on the basis of Federal governmental, local governmental, and private sector advice and guidance, a random sample of the marked ballots and proceed to tabulate such ballots in a manner that allows for confidence in the outcome of the election prior to the swearing-in of a Federal candidate, including variations in the acceptance of postal ballots, time allowed to cure provisional ballots, and election certification deadlines;

(2) provide a reasonable opportunity for public comment, including through Commission publication in the Federal Register, on the guidelines required under subparagraphs (B) and (C) of paragraph (1) and chapter 5, title 5, United States Code (commonly known as the ‘Administrative Procedure Act’).

(b) DISTRIBUTION TO ELECTION AGENCIES.—The Commission shall distribute the guidelines described in subparagraphs (B) and (C) of section 221(b)(1) to all election agencies known to the Commission.

(c) PUBLICATION.—The Commission shall make the guidelines described in subparagraphs (B) and (C) of section 221(b)(1) available on the public website of the Commission.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Rules and Administration, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, the Select Committee on Intelligence, the majority leader, and the minority leader of the Senate; and

(2) the House Committee on House Administration, the Committee on Armed Services, the Committee on Homeland Security, the Committee on Appropriations, the Permanent Select Committee on Intelligence, the Speaker, and the minority leader of the House of Representatives.

(5) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to subject the process for developing the guidelines described in subparagraphs (B) and (C) of sections 305 and 306, respectively; and

(6) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 222 the following new item:

‘‘Sec. 223. Process for adoption of election security and election audit guidelines.’’.

SECTION 5. REQUIREMENT TO CONDUCT POST-ELECTION AUDITS.

(a) REQUIREMENT.—

(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 20961 et seq.) is amended—

(A) by redesignating sections 304 and 305 as sections 305 and 306, respectively; and

(B) by inserting after section 303 the following new section:

‘‘Sec. 304. POST-ELECTION AUDITS.

(a) IN GENERAL.—Each State and jurisdiction shall adopt and implement a post-election audit of each election for Federal office through the inspection of a random sample of marked ballots of sufficient quantity to establish high statistical confidence in the election result; and

(b) TIME FOR COMPLETING AUDIT.—The audit required by subsection (a) shall be
completed in a timely manner to ensure confidence in the outcome of the election and before the date on which the winning candidate in the election is sworn into office.

SEC. 12. TREATMENT OF RWANDAN PATRIOTIC FRONT AND RWANDAN PATRIOTIC ARMY UNDER IMMIGRATION AND NATIONALITY ACT.

(a) REMOVAL OF TREATMENT AS TERRORIST ORGANIZATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Rwandan Patriotic Front and the Rwandan Patriotic Army shall be excluded from the definition of terrorist organization that is contained in section 212(a)(3)(B)(vii)(II) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vii)(II)) for purposes of such section 212(a)(3)(B) for any period before August 1, 1994.

(b) RELIEF FROM INADMISSIBILITY.—

(1) A CTIVITIES BEFORE AUGUST 1 , 1994.—Secretary of State, in consultation with the Secretary of Homeland Security and the Attorney General, or the Secretary of Homeland Security, in consultation with the Attorney General, as applicable, shall submit to the appropriate committees of Congress a report on the justification for such suspension.

(2) INCLUSION OF AN ALIEN WHOSE ACTIVITIES HAVE BEEN SUFFICIENTLY DETERMINED.—For purposes of section 1182(a)(3)(B) for any period before August 1, 1994, the Secretary of State shall not apply to an alien with respect to any activity undertaken by the alien in association with the Rwandan Patriotic Front or the Rwandan Patriotic Army by August 1, 1994.

(c) EFFECTIVE DATE.—Section 212(a)(3)(B)(vii)(II) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vii)(II)) shall apply to an alien with respect to any activity undertaken by the alien in association with the Rwandan Patriotic Front or the Rwandan Patriotic Army after August 1, 1994.

SEC. 12 . ESTABLISHMENT OF COMBINED MARITIME TASK FORCE PACIFIC.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the President shall establish a task force, to be known as the Combined Maritime Task Force Pacific, to protect a free and open Indo-Pacific region.

(b) CONSULTATION.—In establishing the task force under subsection (a), the President shall seek the participation of partner nations that are interested in goals of the task force.

(c) LEADERSHIP.—The United States Navy shall lead the task force established under subsection (a).

SEC. 12 . REPORT ON THE CAPABILITIES AND ACTIVITIES OF THE ISLAMIC STATE OF IRAQ AND SYRIA AND OTHER VIOLENT EXTREMIST GROUPS IN SOUTHEAST ASIA.

(a) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth an assessment of the current and future capabilities and activities of the Islamic State of Iraq and Syria (ISIS) and other violent extremist groups in Southeast Asia.

(b) ELEMENTS.—The report shall include the following:

(1) The current number of Islamic State of Iraq and Syria fighters in Southeast Asia.

(2) The estimated number of Islamic State of Iraq and Syria fighters expected to return to Afghanistan from fighting in the Middle East.

(3) The current resources available to combat the threat of the Islamic State of Iraq and Syria fighters in Southeast Asia, and the additional resources required to combat that threat.
(4) A detailed assessment of the capabilities of the Islamic State of Iraq and Syria to operate effectively in countries such as the Philippines, Indonesia, and Malaysia.

(5) A list of additional United States resources and capabilities that the Department of Defense recommends providing to governments in Southeast Asia to counter violent extremist groups.

(6) A list of additional United States resources and capabilities that the Department of Defense recommends providing to governments in Southeast Asia to counter violent extremist groups.

(7) The protests that began on December 28, 2017, in Iran (in this subtitle referred to as “the protests”) were instigated and supported by a diverse demographic of Iranian citizens, especially including the poor and economically disenfranchised populations across the country, located in both rural and urban areas.

(2) Rather than invest in the legitimate economy and future of the Iranian people, the Government of Iran budgeted billions of dollars to support its divest in violent extremist groups and terrorists in the region, primarily through its Islamic Revolutionary Guard Corps (IRGC).

(3) The Government of Iran has arrested at least 4,500 individuals for participating in the protests, at least 490 of whom remain in custody, according to news reports.

(4) According to Iran’s Deputy Interior Minister Hossein Zolfaghari stated on January 1, 2018, that “more than 90 percent of the people arrested in these unrests were young people and teenagers under the age of 25 and virtually none of them have any arrest history”.

(5) On January 8, 2018, Hamid Shahriari, deputy head of the Government of Iran’s judiciary, said that “those who organized and led the unrest against the establishment can expect the maximum penalty,” according to the Iranian Students News Agency (ISNA), as reported by Radio Free Europe/Radio Liberty.

(6) Three detained prisoners were reported to have “committed suicide” in Iranian prisons since their incarceration, including Iranian-Canadian academic Kavous Seyed-Emami.

(7) The Iranian Security Forces have killed over 20 individuals during the protests, including 13-year-old Armin Sadeghi.

(8) The Government of Iran has consistently blocked Internet access and use of communications applications like Telegram and Instagram. As of January 31, 2018, protests continue throughout Iran, with demonstrations in the city of Ahvaz on January 23, 2018, and four more cities in the days since.

SEC. 1283. SENSE OF CONGRESS.

(a) STRATEGY.—The Secretary of State, in consultation with the Secretary of Defense, and the Office of the Director of National Intelligence, shall work with relevant social media and telecommunications companies, Internet service providers, and expert groups to develop a strategy consisting of potential government and private sector actions and best practices for preventing the Government of Iran from shutting down access to social media.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(Sec. 1283. SENSE OF CONGRESS. (b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.)

(approved by unanimous consent)
SEC. 1281. SHORT TITLE.
This subtitle may be cited as the “Iranian Revolutionary Guard Corps Economic Exclusion Act”.

SEC. 1282. ADDITIONAL SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT ARE OFFICIALS, AGENTS, OR AFFILIATES OF, OR OWNED OR CONTROLLED BY, IRAN’S REVOLUTIONARY GUARD CORPS.

(a) IN GENERAL.—Section 301(a)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741(a)(1)) is amended—
(1) in the matter preceding paragraph (1), by striking “Not later than 90 days after the date of the enactment of this Act, and as appropriate, thereof.”; and
(2) by inserting “Not later than 180 days after the date of the enactment of the Iranian Revolutionary Guard Corps Economic Exclusion Act, and every 180 days thereafter.”;

(2) in paragraph (1)—
(A) by inserting “, or owned or controlled by,” after “affiliates of”; and
(B) by striking “and” at the end;

(3) in paragraph (2)(B), by striking the period at the end and inserting “; and”;

(4) by striking the following:
“(3) identify foreign persons with respect to which there is a reasonable basis to determine that the foreign persons have, directly or indirectly, one or more sensitive transactions or activities described in subsection (c) for or on behalf of a foreign person described in paragraph (1).”;

(b) AUTHORIZATION; PRIORITY FOR INVESTIGATION; REPORTS.—Section 301(b) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741(b)) is amended—
(1) in the matter preceding clause (i), by striking “have, directly or indirectly,” and inserting “have, directly or indirectly, as officials, agents, or affiliates of, or owned or controlled by,”; and

(2) by redesigning subsection (f) as subsection (h); and

(3) by inserting after subsection (e) the following new subsection:
“(f) DEFINITIONS.—In this section:
“(1) FOREIGN PERSON.—The term ‘foreign person’ means—
“(A) an individual who is not a United States person;
“(B) a corporation, partnership, or other nongovernmental entity that is not a United States person;
“(C) any representative, agent, or instrumentality of, or any individual working on behalf of, a foreign government.
“(2) IRAN’S REVOLUTIONARY GUARD CORPS.—The term ‘Iran’s Revolutionary Guard Corps’ means—
“(A) the Iranian Revolutionary Guard Corps; (B) any senior foreign political figure (as defined in section 1013.605 of title 31, Code of Federal Regulations) of Iran’s Revolutionary Guard Corps.”;

(c) SENSITIVE TRANSACTIONS AND ACTIVITIES.—Section 301 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741(c)) is amended—
(1) by redesigning paragraph (1) as paragraph (a), by striking the period at the end and inserting “; and”;

(2) by inserting at the end the following new paragraph:
“(f) DEFINITIONS.—In this section:
“(A) IN GENERAL.—Not later than 180 days after the date of the enactment of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741(c)) is amended—
“(a) IDENTIFICATION.—In identifying foreign persons pursuant to subsection (a)(1) as officials, agents, or affiliates of, or owned or controlled by Iran’s Revolutionary Guard Corps, the President shall—
“(1) AUTORIZATION.—In identifying foreign persons pursuant to subsection (a)(1) as owned or controlled by Iran’s Revolutionary Guard Corps, the President is authorized to identify foreign persons in which Iran’s Revolutionary Guard Corps has an ownership interest of less than 50 percent.
“(2) AUTHORIZATION; PRIORITY FOR INVESTIGATION; REPORTS.—Section 301(b) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741(b)) is amended—
“(1) by adding at the end the following:
“(f) DEFINITIONS.—In this section:
“(A) IN GENERAL.—The President shall determine—
“(1) whether an individual is an official of Iran’s Revolutionary Guard Corps; or
“(2) whether a corporation, partnership, or other nongovernmental entity that is not a United States person; or
“(B) with respect to a foreign person identified under subsection (a)(3) by reason of having conducted to conduct one or more sensitive transactions or activities described in subsection (c)(5), also determines—
“(vIII) The Iran Mineral Products Company; (IX) ‘Toose Energy Paivaran Company.’ (B) REPORT.—(i) IDENTIFICATION.—Not later than 90 days after the date of the enactment of the Iranian Revolutionary Guard Corps Economic Exclusion Act, the President shall submit to the appropriate congressional committees a report on the determinations made under subparagraph (A) together with the reasons for those determinations.
“(ii) FORWARDING REPORT.—The report submitted under clause (i) shall be submitted in unclassified form but may contain a classified annex.
“(4) ADDITIONAL SANCTIONS.—(A) IN GENERAL.—Not later than 180 days after the date of the enactment of the Iranian Revolutionary Guard Corps Economic Exclusion Act, the President shall submit to the appropriate congressional committees a report that includes a detailed list of foreign persons in which there is a reasonable basis to determine that Iran’s Revolutionary Guard Corps has an ownership interest of not less than 33 percent.
“(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form but may contain a classified annex.”;

(3) by inserting after paragraph (2) the following new paragraphs:
“(3) a transaction to provide material support for an organization designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) or support for an act of international terrorism (as defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note));
“(4) a transaction to provide material support to a foreign person whose property and interests in property have been blocked pursuant to Executive Order 13224 (50 U.S.C. 1701 note) relating to blocking property and prohibiting transactions with blocking persons who commit, threaten to commit, or support terrorism;
“(5) a transaction to provide material support for—
“(A) the Government of Syria or any agency or instrumentality thereof; or
“(B) any entity owned or controlled by the Government of Syria, including for purposes of post-conflict reconstruction;
“(d) WAIVER OF IMPOSITION OF SANCTIONS.—Section 301(e) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741(e)) is amended—
“(1) in paragraph (1)—
“(A) by striking “(A)” determines” and inserting “(A) determines”;
“(B) by striking “(B) submits” and inserting “(B) submits”;
“(C) by striking “(i) identifies” and inserting “(i) identified”;
“(D) by striking “(ii) submits” and inserting “(II) sets”;
“(E) by striking the period at the end and inserting “; and”;
“(F) by adding at the end the following:
“(B) with respect to a foreign person identified under subsection (a)(3) by reason of having conducted to conduct one or more sensitive transactions or activities described in subsection (c)(5), also determines—
“(vIII) The Iran Mineral Products Company; (IX) ‘Toose Energy Paivaran Company.’ (B) REPORT.—(i) IDENTIFICATION.—Not later than 90 days after the date of the enactment of the Iranian Revolutionary Guard Corps Economic Exclusion Act, the President shall submit to the appropriate congressional committees a report on the determinations made under subparagraph (A) together with the reasons for those determinations.
“(ii) FORWARDING REPORT.—The report submitted under clause (i) shall be submitted in unclassified form but may contain a classified annex.
“(4) ADDITIONAL SANCTIONS.—(A) IN GENERAL.—Not later than 180 days after the date of the enactment of the Iranian Revolutionary Guard Corps Economic Exclusion Act, the President shall submit to the appropriate congressional committees a report that includes a detailed list of foreign persons in which there is a reasonable basis to determine that Iran’s Revolutionary Guard Corps has an ownership interest of not less than 33 percent.
“(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form but may contain a classified annex.”;

(3) by inserting after paragraph (2) the following new paragraphs:
“(3) a transaction to provide material support for an organization designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) or support for an act of international terrorism (as defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note));
“(4) a transaction to provide material support to a foreign person whose property and interests in property have been blocked pursuant to Executive Order 13224 (50 U.S.C. 1701 note) relating to blocking property and prohibiting transactions with blocking persons who commit, threaten to commit, or support terrorism;
“(5) a transaction to provide material support for—
“(A) the Government of Syria or any agency or instrumentality thereof; or
“(B) any entity owned or controlled by the Government of Syria, including for purposes of post-conflict reconstruction;
“(d) WAIVER OF IMPOSITION OF SANCTIONS.—Section 301(e) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741(e)) is amended—
“(1) in paragraph (1)—
“(A) by striking “(A)” determines” and inserting “(A) determines”;
“(B) by striking “(B) submits” and inserting “(B) submits”;
“(C) by striking “(i) identifies” and inserting “(i) identified”;
“(D) by striking “(ii) submits” and inserting “(II) sets”;
“(E) by striking the period at the end and inserting “; and”;
“(F) by adding at the end the following:
“(B) with respect to a foreign person identified under subsection (a)(3) by reason of having conducted to conduct one or more sensitive transactions or activities described in subsection (c)(5), also determines—
“(vIII) The Iran Mineral Products Company; (IX) ‘Toose Energy Paivaran Company.’ (B) REPORT.—(i) IDENTIFICATION.—Not later than 90 days after the date of the enactment of the Iranian Revolutionary Guard Corps Economic Exclusion Act, the President shall submit to the appropriate congressional committees a report on the determinations made under subparagraph (A) together with the reasons for those determinations.
“(ii) FORWARDING REPORT.—The report submitted under clause (i) shall be submitted in unclassified form but may contain a classified annex.
“(4) ADDITIONAL SANCTIONS.—(A) IN GENERAL.—Not later than 180 days after the date of the enactment of the Iranian Revolutionary Guard Corps Economic Exclusion Act, the President shall submit to the appropriate congressional committees a report that includes a detailed list of foreign persons in which there is a reasonable basis to determine that Iran’s Revolutionary Guard Corps has an ownership interest of not less than 33 percent.
“(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form but may contain a classified annex.”;

(3) by inserting after paragraph (2) the following new paragraphs:
“(3) a transaction to provide material support for an organization designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) or support for an act of international terrorism (as defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note));
“(4) a transaction to provide material support to a foreign person whose property and interests in property have been blocked pursuant to Executive Order 13224 (50 U.S.C. 1701 note) relating to blocking property and proh
(ii) an Iranian person—

(A) designated as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)); or

(B) an isolated support unit for a terrorist organization that commits, facilitates, aids, abets, or financially supports crimes of international terrorism (as defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note));

(ii) an alien whose property and interests in property have been blocked pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism);

(iv) an alien whose property and interests in property have been blocked pursuant to—

(1) Executive Order 13668 (50 U.S.C. 1701 note; relating to prohibiting certain transactions with and suspending entry into the United States of foreign sanctioned entities and officials of Iran);

(2) Executive Order 13666 (50 U.S.C. 1701 note; relating to blocking the property and suspending entry into the United States of certain persons with respect to grave human rights abuses by the Government of Syria);

(3) Executive Order 13682 (50 U.S.C. 1701 note; relating to blocking property of senior officials of the Government of Syria);

(4) Executive Order 13778 (50 U.S.C. 1701 note; relating to blocking property of senior officials of the Government of Iran via information technology);

(5) Executive Order 13582 (50 U.S.C. 1701 note; relating to blocking property of the Government of Cuba and prohibiting certain transactions with respect to Cuba);

(6) Executive Order 13599 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to human rights abuses in Syria);

(7) Executive Order 13640 (50 U.S.C. 1701 note; relating to blocking property of additional persons in connection with the national emergency with respect to Syria);

(8) Executive Order 13388 (50 U.S.C. 1701 note; relating to blocking property of certain persons and prohibiting the export of certain goods to Syria); or

(iX) any other Executive order adopted on or after the date of the enactment of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8742(b)) is amended by striking “the President—and all that follows and inserting “the President shall block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, in the hands of United States persons, or are in the possession of a United States person.”

(c) DEFINITIONS.—In this section:

(1) FOREIGN PERSON.—The term ‘foreign person’ means—

(A) an individual who is not a United States person;

(B) a corporation, partnership, or other nongovernmental entity that is not a United States person or—

(C) any representative, agent, or instrumentality of, or an individual working on behalf of, a foreign government.

(2) IRAN’S REVOLUTIONARY GUARD CORPS.—The term ‘Iran’s Revolutionary Guard Corps’ includes any foreign political figure (as defined in section 1010.605 of title 31, Code of Federal Regulations) of Iran’s Revolutionary Guard Corps.

(3) IRANIAN FINANCIAL INSTITUTION.—The term ‘Iranian financial institution’ means—

(A) a financial institution organized under the laws of Iran or any jurisdiction within Iran, including a foreign branch of such an institution;

(B) a financial institution located in Iran;

(C) a financial institution, wherever located, owned or controlled by the Government of Iran; or

(D) a financial institution, wherever located, owned or controlled by a financial institution described in subparagraph (A), (B), or (C).

(4) SIGNIFICANT TRANSACTION.—A transaction shall be determined to be a ‘significant transaction’ in accordance with section 561.904 of title 31, Code of Federal Regulations.

(5) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act and apply with respect to conduct described in section 302(a)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012, as amended by this section, engaged in on or after such date of enactment.

SEC. 1284. REPORTS ON CERTAIN IRANIAN PERSONS.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to fully implement and enforce sanctions against Iran’s Revolutionary Guard Corps, including its officials, agents, and entities that directly or indirectly, own or control the foreign person.

(b) IN GENERAL.—Subtitle B of title III of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8742(b)) is amended—

(i) in paragraph (2), by striking “(1)(B)” and inserting “(1)(A)”;

(ii) in paragraph (3), by striking “(2) notifies” and inserting “(2) determines”; and

(iii) in paragraph (5), by striking “(A)(i)” and inserting “(A)(ii).”;

(c) DEFINITIONS.—In this section:

(1) FOREIGN PERSON.—The term ‘foreign person’ means—

(A) an individual who is not a United States person;

(B) a corporation, partnership, or other nongovernmental entity that is not a United States person or—

(C) any representative, agent, or instrumentality of, or an individual working on behalf of, a foreign government.

(2) IRAN’S REVOLUTIONARY GUARD CORPS.—The term ‘Iran’s Revolutionary Guard Corps’ includes any foreign political figure (as defined in section 1010.605 of title 31, Code of Federal Regulations) of Iran’s Revolutionary Guard Corps.

(3) IRANIAN FINANCIAL INSTITUTION.—The term ‘Iranian financial institution’ means—

(A) a financial institution organized under the laws of Iran or any jurisdiction within Iran, including a foreign branch of such an institution;

(B) a financial institution located in Iran;

(C) a financial institution, wherever located, owned or controlled by the Government of Iran; or

(D) a financial institution, wherever located, owned or controlled by a financial institution described in subparagraph (A), (B), or (C).

(4) SIGNIFICANT TRANSACTION.—A transaction shall be determined to be a ‘significant transaction’ in accordance with section 561.904 of title 31, Code of Federal Regulations.

SEC. 314. REPORT ON THE FOREIGN SUPPLY CHAIN AND DOMESTIC SUPPLY CHAIN INSIDE AND OUTSIDE OF IRAN THAT AID’S IRAN’S REVOLUTIONARY GUARD CORPS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the Iran Revolutionary Guard Corps Economic Sanctions Act, the President shall submit to the appropriate congressional committees a report that—

(1) A list of foreign persons listed on the Tehran Stock Exchange and, with respect to each such foreign person, a determination of whether or not Iran’s Revolutionary Guard Corps or any foreign persons that are officials, agents, or affiliates of Iran’s Revolutionary Guard Corps, directly or indirectly, owns or controls the foreign person.

(2) A list of foreign persons that are operating business enterprises in Iran that have engaged in a significant transaction with, or provided significant financial services or material support to, an Iranian person described in subparagraph (C)(iv) of that section, also certifies to the appropriate congressional committees a determination that Iran’s Revolutionary Guard Corps is significantly decreasing provision of direct or indirect material support to the Government of Syria or Hezbollah’s operations in Syria. and

(b) FORM OF REPORT; PUBLIC AVAILABILITY.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(c) DEFINITIONS.—In this section:

(1) FOREIGN PERSON.—The term ‘foreign person’ means—

(A) an individual who is not a United States person;

(B) a corporation, partnership, or other nongovernmental entity that is not a United States person or—

(C) any representative, agent, or instrumentality of, or an individual working on behalf of, a foreign government.

(2) IRAN’S REVOLUTIONARY GUARD CORPS.—The term ‘Iran’s Revolutionary Guard Corps’ includes any foreign political figure (as defined in section 1010.605 of title 31, Code of Federal Regulations) of Iran’s Revolutionary Guard Corps.

(3) IRANIAN FINANCIAL INSTITUTION.—The term ‘Iranian financial institution’ means—

(A) a financial institution organized under the laws of Iran or any jurisdiction within Iran, including a foreign branch of such an institution;

(B) a financial institution located in Iran;

(C) a financial institution, wherever located, owned or controlled by the Government of Iran; or

(D) a financial institution, wherever located, owned or controlled by a financial institution described in subparagraph (A), (B), or (C).

(4) SIGNIFICANT TRANSACTION.—A transaction shall be determined to be a ‘significant transaction’ in accordance with section 561.904 of title 31, Code of Federal Regulations.
Exclusion Act, the President shall submit a report on the foreign supply chain and domestic supply chain inside and outside of Iran that directly or indirectly significantly facilitate or otherwise aid Iran’s Revolutionary Guard Corps to—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(b) Report Required.—The report required under subsection (a) shall include the following:

(1) An analysis of the foreign supply chain and domestic supply chain described in subsection (a).

(2) Persons that conduct both primary activities and support activities for the Iran’s Revolutionary Guards Corps.

(3) A description of the geographic distribution of the foreign supply chain and domestic supply chain described in subsection (a).

(c) Form.—The report required under subsection (a) shall be submitted in unclassified form, except for classified annexes.

(d) Clerical Amendment.—The table of contents of the Foreign Assistance Act of 2012 is amended by inserting after the item relating to section 312 the following:

“Sec. 333. Report on certain Iranian persons.

Sec. 314. Report on the foreign supply chain and domestic supply chain described in subsection (a).”

SEC. 1285. STATEMENT OF POLICY ON PREVENTION OF ACCESSION OF IRAN TO WORLD TRADE ORGANIZATION.

(a) In General.—It shall be the policy of the United States to work to prevent Iran’s membership in the World Trade Organization and similar international bodies until the date on which the determination of the Secretary of State that the Government of Iran has repeatedly provided support for acts of international terrorism under the provisions of law described in subsection (b) is rescinded. The provisions of law described in subsection (b) are—


(2) section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(3) section 40(h) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(4) any other provision of law.

(b) PROVISIONS OF LAW DESCRIBED.—The provisions of law described in this subsection are—


(2) section 620(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(3) section 40(h) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(4) any other provision of law.

SEC. 1286. STATEMENT OF POLICY ON IRANIAN DIRECT OR SPONSORED VIOLENCE AGAINST UNARMED CIVILIANS.

(a) In General.—It shall be the policy of the United States to respond to the Government of Iran’s targeted violence toward civilians, whether such violence—

(1) takes place inside Iran or elsewhere; and

(2) is conducted directly by that Government or its military or proxies or by direct accommodation through intermediaries or other agents.

(b) IMPLEMENTATION.—To achieve the policy set forth in subsection (a), the United States shall—

(1) condemn support for terrorism by the Government of Iran or its military or proxies, whether provided directly or through sponsorship, such as Hezbollah; and

(2) condemn the support or accommodation by the Government of Iran or its military or proxies for any acts of violence against unarmed civilians, whether provided—

(A) within the borders of Iran or elsewhere;

(B) directly or through intermediaries;

(C) provided directly or indirectly; or

(D) through conventional or nonconventional methods;

(3) work with international partners to develop and tools to exert pressure on the Government of Iran and its military and proxies in response to incidents of violence targeting unarmed civilians; and

(4) take steps to facilitate entry of representatives of the International Committee of the Red Cross, the United Nations High Commissioner for Human Rights, and the United Nations Human Rights Council on the situation of human rights defenders to inspect and respond to particular incidents of such violence in a timely fashion.

SEC. 1287. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements to impose sanctions under this subtitle and the amendments made by this subtitle shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) Good Practice.—In this section, the term ‘‘good’’ has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

SA 2435. Mr. YOUNG (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill S. 2954, to provide for the Secretary of the Army to establish the demonstration program under this section to include the demonstration program under this section.

SEC. 1066. HOUSING CHOICE VOUCHER MOBILITY DEPARTMENT.

(a) Definitions.—In this section:

(1) Families; Public Housing Agency.—The term ‘‘families; public housing agency’’ means the Secretary of Housing and Urban Development.

(2) Housing Choice Voucher Assistance.—The term ‘‘housing choice voucher assistance’’ means voucher assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(3) Housing Choice Voucher Assistance.—The term ‘‘housing choice voucher assistance’’ means voucher assistance provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(b) Authority.—The Secretary may carry out a mobility demonstration program to encourage families receiving housing choice voucher assistance to move to areas with higher-poverty areas and expand access to opportunity areas.

(c) Selection of PHAs.—

(1) REQUIREMENTS.—The Secretary shall establish standards for public housing agencies to participate in the demonstration program under this section, which shall provide that the following public housing agencies may participate:

(A) Public housing agencies that—

(i) include not less than 1 public housing agency with a high-performing Family Self-Sufficiency program; and

(ii) will enable participating families to continue in the Family Self-Sufficiency program if the family relocates to the jurisdiction served by any other public housing agency of the consortium.

(B) Planned consortia or partial consortia of public housing agencies that—

(i) include not less than 1 public housing agency with a high-performing Family Self-Sufficiency program; and

(ii) will enable participating families to continue in the Family Self-Sufficiency program if the family relocates to the jurisdiction served by any other public housing agency of the consortium.

(C) Planned consortia or partial consortia of public housing agencies that—

(i) serve jurisdictions within a single region;

(ii) include not less than 1 small public housing agency; and

(iii) will consolidate mobility-focused operations.

(d) Such other public housing agencies as the Secretary considers appropriate.

(2) Selection Criteria.—The Secretary shall establish competitive selection criteria for public housing agencies eligible under paragraphs (1) and (2) to participate in the demonstration program under this section.

(3) Random Selection of Families.—The Secretary may require public housing agencies participating in the demonstration program under this section to use a randomized selection process to select among the families eligible to receive assistance under the demonstration program.

(4) Regional Housing Mobility Plan.—The Regional Housing Mobility Plan shall provide for regions with significant concentrations of families in high-poverty areas and expand access to opportunity areas.

(5) Specify the criteria that the public housing agencies would use to identify opportunity areas under the Plan.

(6) Provide for the establishment of priority and preferences for families receiving assistance under the demonstration program, including a preference for families with young children, as such term is defined by the Secretary, based on regional housing needs and priorities; and

(7) Comply with any other requirements established by the Secretary.

(c) Funding for Mobility-Related Services.—
(1) USE OF ADMINISTRATIVE FEES.—Each public housing agency participating in the demonstration program under this section may use administrative fees under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for security deposits if necessary to enable families to lease units with housing choice voucher assistance in designated opportunity areas.

(f) WAIVERS; ALTERNATIVE REQUIREMENTS.—

(1) WAIVERS.—To allow for public housing agencies and eligible non-profit agencies to participate in the demonstration program, subject to the following:

(A) Paragraphs (7)(A) and (13)(E)(i) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) (relating to the term of a lease and mobility requirements).

(B) Section 8(o)(13)(C)(i) (42 U.S.C. 1437f(o)(13)(C)(i)) (relating to the public housing agency’s plan).

(C) Section 8(r)(2) (42 U.S.C. 1437f(r)(2)) (relating to the responsibility of a public housing agency to administer portable assistance).

(2) ALTERNATIVE REQUIREMENTS.—The Secretary shall provide additional authority for public housing agencies in a selected region to form a consortium that has a single housing assistance payment contract, or to enter into a partial consortium to operate all or portions of the Plan, including public housing agencies and eligible non-profit agencies.

(g) IMPLEMENTATION.—The Secretary may implement the demonstration program under this section with the participation and cooperation of the agencies associated with establishing and operating regional mobility programs.

(2) USE OF HOUSING ASSISTANCE FUNDS.—Each public housing agency participating in the demonstration program under this section may use housing assistance contract funds under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for security deposits if necessary to enable families to lease units with housing choice voucher assistance in designated opportunity areas.

SEC. 2436. Ms. Collins submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. Inhofe (for himself and Mr. McCain) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 part 1 of subtitle C of title XVI, add the following:

SEC. 2. REPORT ON STRENGTHENING NATO TROOPING.—

(a) SENSE OF SENATE.—It is the sense of the Senate that the Department of Defense should continue to cooperate with the North Atlantic Treaty Organization (NATO) to build the common defense in the cyber space domain, as well as to combat cyberattacks.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 31, 2019, the Secretary of Defense shall submit to the congressional defense committees a report detailing the Department’s efforts to enhance the United States’ leadership and collaboration with the North Atlantic Treaty Organization with respect to the development of a comprehensive, cross-domain strategy to build cyber-defense capacity and deter cyber attacks among Organization member countries.

(2) CONTENTS.—The report required by paragraph (1) shall address the following:

(A) Improving cyber situational awareness among Organization member countries.

(B) Implementation of the cyber operational-domain roadmap of the Organization with respect to doctrine, political oversight, and governance of cyber engagement, and integration across member countries.

(C) Planned cooperative efforts to combat information warfare across Organization member countries.

(D) The development of cyber capabilities, including cooperative development efforts and technology transfer.

(E) Supporting stronger cyber partnerships with non-Organization member countries as appropriate.

SEC. 2437. Mr. Wicker (for himself, Mr. Coons, Mr. Hoeven, Ms. Collins, Mr. Rounds, Mrs. Capito, Ms. Heitkamp, Ms. Baldwin, Mr. Young, Ms. Warren, and Ms. Hassan) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. Inhofe (for himself and Mr. McCain) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VI, add the following:

SEC. 622. TREATMENT OF SERVICE ON ACTIVE DUTY FOR PREPLANNED MISSIONS IN SUPPORT OF THE COMBATANT COMMANDS TOWARD REDUCTION IN AGE FOR ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR SERVICE.

Section 12731(c)(2)(B)(i) of title 10, United States Code, is amended by striking “under a provision of law referred to in section 101(a)(13)(E)(i)” and inserting “under section 12301(d) or 12301b of this title or a provision of law referred to in section 101(a)(13)(E)(i)”.

SEC. 2438. Mr. Warner submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. Inhofe (for himself and Mr. McCain) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title IX, insert the following:

SEC. GOALS FOR PROMPTNESS OF DETERMINATIONS REGARDING SECURITY CLEARANCES.

(a) In General.—The Council shall take such actions as may be necessary to ensure that, by December 31, 2021, 90 percent of all determinations regarding—

(1) security clearances—

(A) at the secret level are issued in 30 days or fewer; and

(B) at the top secret level are issued in 90 days or fewer; and

(2) reciprocity of a security clearance at the same level are recognized in two weeks or fewer.

(b) Certain Reinvestigations.—The Council shall ensure that by December 31, 2021, re-investigation on a set periodicity is not be required for more than 10 percent of the population that holds a security clearance.

(c) Plan.—Not later than 180 days after the date of the enactment of this Act, the Council shall submit a plan to carry out this section to the appropriate congressional committees. Such plan shall include recommended interim milestones for the goals set forth in subsections (a) and (b) for 2019, 2020, and 2021.

(d) Definitions.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ means—

(A) the congressional defense committees;

(B) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003));

(C) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(D) the Committee on Homeland Security and the Committee on Oversight and Government Reform of the House of Representatives.


(3) Reciprocity.—The term ‘‘reciprocity’’ means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.
him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title IX, insert the following:

SEC. 3. REPORT ON UNIFIED, SIMPLIFIED, GOVERNMENT-WIDE STANDARDS FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent, in coordination with the other members of the Council, shall jointly submit to the appropriate committees of Congress a report on the advisability and the risks, benefits, and costs to the Government and to industry of consolidating to not more than 3 tiers for positions of trust and security clearances.

(b) Definitions.—In this section:

(1) CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(A) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003));

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Armed Services, the Committee on Appropriations, the Committee on Homeland Security, and the Committee on Oversight and Government Reform of the House of Representatives.

(2) SECURITY EXECUTIVE AGENT.—The term ‘Security Executive Agent’ means the Director of National Intelligence acting as the Security Executive Agent in accordance with Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note).

(3) SECURITY EXECUTIVE AGENT.—The term ‘Security Executive Agent’ means the Director of National Intelligence acting as the Security Executive Agent in accordance with Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note).

(4) SUITABILITY AND CREDENTIALING EXECUTIVE AGENT.—The term ‘Suitability and Credentialing Executive Agent’ means the Director of the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent in accordance with Executive Order 13467 (73 Fed. Reg. 38103; 50 U.S.C. 3161 note).

SA 2441. Mr. SCHATZ (for himself and Mr. MORA) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title XXVIII, add the following:

SEC. 2838. AUTHORITY TO ENGAGE IN PROJECTS TO SUPPORT INSTALLATION ENERGY RESILIENCE AND ENERGY SECURITY.

(a) In General.—Subchapter I of chapter 173 of title 10, United States Code, is amended by inserting after section 2919 the following new section:

‘‘§ 2920. Projects on non-federal property to ensure energy resilience and energy security.

‘‘(1) AUTHORITY FOR PROJECTS.—The Secretary of Defense may provide for the construction, improvement, maintenance, hardening against physical or cyber attack, or maintenance and repair of utility systems on non-federal property that are needed to ensure energy resilience and energy security. A project may not be carried out if a source of funds to cover anticipated expenses is not identified.

‘‘(2) NEEDS ASSESSMENT.—If the Secretary determines that an action of the Department of Defense will have a significant effect on a utility system serving a military installation, the Secretary shall conduct a utility service needs assessment to assess the magnitude of the construction, improvement, maintenance, hardening against physical or cyber attack, and maintenance required to address the effects.

‘‘(3) DESIGN OF PROJECTS.—A project carried out under subsection (a) shall be designed to provide energy resilience or energy security to the military installation and not to other users of the utility system, but may, at no additional expense to the United States, incidentally benefit other users of the utility system.

‘‘(4) TYPES OF AVAILABLE AGREEMENTS.—In carrying out a project under subsection (a), the Secretary may use a contract, a cooperative agreement, or a grant.

‘‘(5) NATURE OF PROJECTS.—A project carried out under subsection (a)

‘‘(1) shall not be considered a military construction project as that term is defined in section 2801(a) of this title; and

‘‘(2) shall be treated as the acquisition of enhanced utility service to the military installation.

‘‘(6) SOURCE OF FUNDS.—The Secretary may carry out this section using funds available for operation and maintenance or for military construction.

‘‘(g) CONGRESSIONAL OVERSIGHT.—When a decision is made to carry out a project under this section, the Secretary concerned shall submit to the congressional defense committees in an electronic medium pursuant to section 401 of this title, a report including the justification for the project, the current estimate of the cost of the project, and the source of funds to cover anticipated expenses. A project may not be carried out if a congressional defense committee sends written notification to the Secretary disapproving of a project within 14 days of such report submission.

‘‘(h) DEFINITIONS.—In this section:

‘‘(1) MILITARY INSTALLATION.—The term ‘military installation’ has the meaning given in the definition in section 2800 of this title.

‘‘(2) UTILITY SYSTEM.—The term ‘utility system’ means a utility system—

‘‘(A) providing communications, electricity, gas, water, oil, or steam to, or removing waste from, a military installation;

‘‘(B) not located on a military installation; and

‘‘(C) not owned by the United States.’’.

SA 2442. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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. 2. REIMBURSEMENT OF FEDERAL EMPLOYEES FOR FEDERAL, STATE AND LOCAL INCOME TAXES INCURRED DURING TRAVEL, TRANSPORTATION, AND RELOCATION.

(a) In General.—Subchapter B of title 5, United States Code, is amended—

(1) in the section heading by striking ‘‘of employees transferred’’;

(2) in subsection (a)

(A) in the first sentence, by striking ‘‘employee, or by an employee and such employee’s spouse (if filing jointly), for any moving storage’’ and inserting ‘‘employee, or by an individual and such individual’s spouse (if filing jointly), for any travel, transportation, and relocation’’; and

(B) in the second sentence, by striking ‘‘employee’’ and inserting ‘‘individual, or the individual’s spouse (if filing jointly)’’;

and

(3) by striking subsection (b) and inserting the following:

‘‘(b) For purposes of this section, the term ‘travel, transportation, and relocation expenses’ means all travel, transportation, and relocation expenses reimbursed or furnished to an individual in kind pursuant to subchapter II of this chapter or chapter 41.”.

TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by striking the item relating to section 5724b and inserting after the following:

‘‘5724b. Taxes on reimbursements for travel, transportation, and relocation expenses.’’.
SA 2443. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill, which is to authorize appropriations for fiscal year 2019 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. 2. CLARIFICATION OF REMBURSABLE ALLOWED COSTS OF FAA MEMORANDA OF AGREEMENT.

Section 47106(c)(2) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking "and" at the end;

(2) in subparagraph (E), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following: "(F) to an airport operator of a congested airport, as defined in section 47174 and a local government referred to in paragraph (1)(B) to carry out a project to mitigate noise, if the project—

(i) consists of—

(I) replacement windows, doors, and the installation of through-the-wall air-conditioning units; or

(II) acquisition or installation of windows, doors, or other noise mitigation elements to be used in a school reconstruction, if reconstruction is the preferred local solution;

(ii) is located at a school near the airport; and

(iii) is included in a memorandum of agreement entered into before September 30, 2002, even if the airport has not met the requirements of paragraph (1)(B);".

SA 2444. Mr. VAN HOLLEN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 title XII, add the following:

**Subtitle H—Deterrence of Foreign Interference in United States Elections**

**SEC. 1281. SHORT TITLE.**

This subtitle may be cited as the "Defending Elections from Threats by Establishing Redlines Act of 2018".

**SEC. 1282. DEFINITIONS.**

In this subtitle:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms "account", "correspondent account", and "payable-through account" have the meanings given those terms in section 5318A of title 31, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Banking, Housing, and Urban Affairs of the Senate; the Committee on Foreign Relations, the Committee on Finance, the Select Committee on Intelligence, and the Committee on Rules and Administration of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, the Permanent Select Committee on Intelligence, and the Committee on House Administration of the House of Representatives.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term "appropriate congressional committees and leadership" means—

(A) the appropriate congressional committees;

(B) the majority leader and minority leader of the Senate; and

(C) the Speaker, the majority leader, and the minority leader of the House of Representatives.

(4) ELECTION AND CAMPAIGN INFRASTRUCTURE.—The term "election and campaign infrastructure" means information and communications technology and systems used by or on behalf of—

(A) the Federal Government or a State or local government in managing the election process, including voter registration databases, voting machines, voting tabulation equipment, systems or data and related services and management tools for the conduct of a political campaign, including electronic communications, and the information stored on, processed by, or transmitting such technology and systems;

(B) a principal campaign committee or national committee (as those terms are defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101)) with respect to any State or political figure or oligarch in the Russian Federation, or any person acting as an agent of or on behalf of that Government, engaged in such interference, a list of any senior foreign political figures or oligarchs in the Russian Federation identified under section 214(a)(3)(A) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44; 131 Stat. 922) who directly or indirectly contributed to such interference; and

(C) any individual identified by the government or person that engaged in such interference;

(5) INTERFERENCE IN UNITED STATES ELECTIONS.—The term "interference", with respect to a United States election, means any of the following actions of the government of a foreign country, or any person acting as an agent of or on behalf of such a government, undertaken with the intent to influence the election—

(A) Obtaining unauthorized access to election and campaign infrastructure or related systems or data and releasing such data or modifying such infrastructure, systems, or data;

(B) Blocking or degrading otherwise legitimate and authorized access to election and campaign infrastructure or related systems or data;

(C) Significant contributions or expenditures for advertising, including on the internet;

(D) Using social, other internet-based, or traditional media to spread significant false, derogatory information to individuals in the United States;

(E) Staging, organizing, coordinating, or promoting rallies, meetings, or events in the United States;

(F) Focusing on the United States persons and communicating with individuals in the United States;

(G) Using social, other internet-based, or traditional media to spread significant false, derogatory information to individuals in the United States; and

(H) Promoting rallies, meetings, or events in the United States.

(6) KNOWINGLY.—The term "knowingly", with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(7) PERSON.—The term "person" means individual or entity.

(8) PRESIDENTIAL ELECTION CYCLE.—The term "presidential election cycle" means the period beginning on the day after the date of the most recent election for the office of President of the United States and ending on the date of the next election for that office.

(9) UNITED STATES ELECTION.—The term "United States election" means any United States Federal election identified under section 214(a)(3)(A) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44; 131 Stat. 922) who directly or indirectly contributed to such interference.

(10) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

**PART I—DETERMINATION OF FOREIGN INTERFERENCE IN UNITED STATES ELECTIONS**

**SEC. 1283. DETERMINATION OF FOREIGN INTERFERENCE IN UNITED STATES ELECTIONS.**

(a) IN GENERAL.—Not later than 30 days after a United States election, the Director of National Intelligence, in consultation with the Director of the Federal Bureau of Investigation, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Secretary of State, the Attorney General, shall—

(1) determine whether or not the government of a foreign country, or any person acting as an agent of or on behalf of that government, knowingly engaged in interference in the election; and

(2) submit to the appropriate congressional committees and leadership a report on that determination, including, if the Director determines that interference did occur—

(A) an identification of the government or person that engaged in such interference; and

(B) if the Government of the Russian Federation, or any other public or private entity acting as an agent of or on behalf of that Government, engaged in such interference, a list of any senior foreign political figures or oligarchs in the Russian Federation identified under section 214(a)(3)(A) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44; 131 Stat. 922) who directly or indirectly contributed to such interference.

(b) ADDITIONAL REPORTING.—If the Director of National Intelligence determines and reports under subsection (a) that the government of a foreign country or any person acting as an agent of or on behalf of that Government, engaged in such interference, a list of any senior foreign political figures or oligarchs in the Russian Federation identified under section 214(a)(3)(A) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44; 131 Stat. 922) who directly or indirectly contributed to such interference, the Director shall—

(1) include in such report a description of any actions that the government of a foreign country or any person acting as an agent of or on behalf of that Government, engaged in such interference, took in furtherance of such interference; or

(2) submit to the appropriate congressional committees and leadership a report on the subsequent determination and

(c) FORM OF REPORT.—Each report required by subsection (a) or (b) shall be submitted in an unclassified form but may include a classified annex.

**PART II—DETERMINING INTERFERENCE IN UNITED STATES ELECTIONS BY THE RUSSIAN FEDERATION**

**SEC. 1284. IDENTIFICATION OF SANCTIONS.**

(a) IN GENERAL.—If the Director of National Intelligence determines under section
1233 that the Government of the Russian Federation, or any person acting as an agent of or on behalf of that Government, knowingly engaged in interference in a United States election, the President shall, not later than 10 days after such determination is made, impose the following sanctions:

(A) IN GENERAL.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property, of or on behalf of, the Government of the Russian Federation; or

(B) ENTITIES SPECIFIED.—Entitled to be regarded as the Government of the Russian Federation has an ownership interest of 50 percent or more in the following:

(i) Gazprombank.

(ii) Vnesheconombank.

(iii) Bank of Moscow.

(iv) Rosselkhozbank.

(v) Sberbank.

(vi) Vnesheconombank.

(vii) Gazprombank.

(viii) Vnesheconombank.

(vii) Sberbank.

(viii) Vnesheconombank.

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(viii) Vnesheconombank.

(vii) Sberbank.

(viii) Vnesheconombank.

(vii) Gazprombank.

(viii) Vnesheconombank.

(vii) Sberbank.

(viii) Vnesheconombank.

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(viii) Vnesheconombank.

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(vii) Sberbank.

(viii) Vnesheconombank.

(vii) Gazprombank.

(viii) Vnesheconombank.

(vii) Sberbank.
(a) on or after the date on which the Director of National Intelligence, in consultation with the Director of the Federal Bureau of Investigation, the Director of the National Security Agency, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of the Treasury, and the Attorney General, submits to the appropriate congressional committees and leadership a certification that—

(1) the Government of the Russian Federation has not engaged in interference in United States elections for at least 2 presidential election cycles; and

(2) the President has received credible commitments from the Government of the Russian Federation that that Government will not engage in such interference in the future.

SEC. 1285. STRATEGY ON COORDINATION WITH EUROPEAN UNION.

Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a strategy on how the United States will—

(1) work in concert with the European Union and member countries of the European Union to deter interference by the Government of the Russian Federation in elections; and

(2) coordinate with the European Union and other countries of the European Union to enact legislation similar to this title.

PART III—DETERRING INTERFERENCE IN UNITED STATES ELECTIONS BY OTHER FOREIGN GOVERNMENTS

SEC. 1286. BRIEFING ON INTERFERENCE IN UNITED STATES ELECTIONS.

Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President, or a designee of the President, shall brief the appropriate congressional committees and leadership on any government of a foreign country, or person acting as an agent of or on behalf of that government, that is determined by the President to have engaged in or to be likely to engage in interference in a United States election.

SEC. 1287. DETERRENCE STRATEGIES FOR INTERFERENCE IN UNITED STATES ELECTIONS BY CHINA, IRAN, NORTH KOREA, AND OTHER FOREIGN GOVERNMENTS.

Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report that includes—

(1) a strategy of the President to deter interference in a United States election by the Government of the People’s Republic of China, the Government of Iran, the Government of the Democratic People’s Republic of Korea, and any other foreign government determined by the President to have engaged in or to be likely to engage in interference in a United States election, including any person acting as an agent of or on behalf of such a government;

(2) proposed sanctions if that government engages in such interference and any authorities the President may require from Congress to take such sanctions;

(3) other actions undertaken by Federal agencies or in cooperation with other countries to deter such interference; and

(4) plans for communicating such deterrence actions to those governments.

SA 2445. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 section 1268, add the following:

(c) LIMITATION RELATED TO PURCHASE OF S-400 SYSTEM FROM RUSSIA.

(1) REPORT. —

(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report with the following information:

(i) A determination whether the Government of Turkey has made payments towards the purchase of the S-400 system.

(ii) The number of S-400 systems the Government of Turkey expects to purchase.

(iii) The anticipated delivery schedule for the S-400 system.

(iv) The total value of the S-400 systems the Government of Turkey is expected to purchase, and whether it will be self-financed, financed by loans from Russia, or financed by other sources.

(V) A description of the measures the President has taken or intends to take to deter the Turkish purchase of the S-400 system and encourage an alternative system.

(W) An assessment of how the operation of the S-400 system might impact the security of the F-35 aircraft.

(B) FORM.—The report required under this paragraph shall be submitted in unclassified form but may contain a classified annex as necessary.

(2) LIMITATION.—Notwithstanding any other provision of law, the transfer of F-35s to any foreign country, the Arms Export Control Act (22 U.S.C. 2776) until the President certifies to the appropriate committees of Congress that the Government of Turkey has withdrawn from its agreement to purchase the Russian S-400 system.

(R) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Banking and Urban Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

SA 2446. Mr. KAINE (for himself, Mr. PERDUE, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 section 1784 of title 10, United States Code, is added by inserting after section 1784a the following new section:

‘‘1784b. Employment assistance, job training assistance, and other transitional assistance for military spouses: Department of Labor.’’

SEC. 577. TRANSITION ASSISTANCE FOR MILITARY SPOUSES.

(a) GENERAL.—

(1) IN GENERAL.—Subchapter I of chapter 88 of title 10, United States Code, is amended by
SEC. 823. PROMPT PAYMENTS OF SMALL BUSINESS CONTRACTORS OF THE DEPARTMENT OF DEFENSE.
Section 2230(a) of title 10, United States Code, is amended—
(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;
(2) by striking the head of any agency may—'' and inserting “(1) The head of any agency may’’; and
(3) by adding at the end the following new paragraph:
“(2)(A) For a prime contractor (as defined in section 8701 of title 41) that is a small business concern, the Secretary of Defense shall, to the fullest extent permitted by law, establish an accelerated payment date with a goal of 15 days after receipt of a proper invoice for the amount due if a specific payment date is not established by contract;

“(B) For a prime contractor that subcontracted with a small business concern, the Secretary of Defense may, to the fullest extent permitted by law, establish incentives to promote the accelerated payments to the subcontractor in accordance with the accelerated payment date.”.

SA 2448. Mr. JONES submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VII, add the following:

SEC. 729. STUDY ON USE OF ACADEMIC AFFILIATIONS AND PARTNERSHIPS IN NURSING WORKFORCE DEVELOPMENT BY DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) In General.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, may conduct a study on the use of academic affiliations and partnerships in nursing workforce development by the Department of Defense and the Department of Veterans Affairs.

(b) Elements.—The study conducted under subsection (a) shall include the following:

(1) An assessment of the feasibility and advisability of public-private partnerships in the area of nursing workforce development.

(2) An assessment of the impact of academic affiliations and partnerships in nursing education and workforce development on the quality of care received by active-duty members of the Armed Forces and veterans with respect to their special health care needs.

SEC. 82450. Mr. JONES submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title X, insert the following:

SEC. . STUDY ON TRAUMATIC INJURY PROTECTION UNDER SERVICEMEMBERS’ GROUP LIFE INSURANCE.

(a) In General.—The Secretary of Veterans Affairs may conduct a study on best practices in the administration of insurance relating to traumatic injuries under section 1980A of title 38, United States Code.

(b) Elements.—If the Secretary conducts the study conducted under paragraph (1), the Secretary shall, in carrying out the study—

(1) consider the feasibility of allowing members of the Armed Forces to elect to pay more per month to receive more long-term financial support for their families in the event of a traumatic injury; and

(2) assess the feasibility and advisability of modifying the existing insurance coverage under section 1980A of such title to align more closely with the payout metrics offered in the civilian world.

SA 2451. Mr. JONES submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title X, insert the following:

SEC. . MENTORSHIP AND MATCHMAKING PROGRAMS TO SUPPORT MEMBERS OF THE ARMED FORCES AND VETERANS WHO ARE ENTREPRENEURS.

(a) FINDINGS.—Congress makes the following findings:

(1) Programs of loans for veterans administered by the Small Business Administration and other Federally administered resources that help members of the Armed Forces and veterans to become entrepreneurs can go underutilized.

(2) The Small Business Administration offers mentoring programs for veterans and the Administration can offer mentoring programs for veterans of the Armed Forces transitioning to civilian life.

(3) Helping members of the Armed Forces identify existing and conceivable business opportunities in their industry of interest or geographic location can be achieved through a process of integrating information about business leads sources like local chambers of commerce with interested service members interested in starting businesses provided to the Small Business Administration by the Department of Defense and Veterans Affairs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is important to establish a mentoring and matchmaking program to help members of the Armed Forces transition to civilian life;

(2) Small Business Development Centers of the Small Business Administration should help provide matchmaking services for members of the Armed Forces to help them identify existing and conceivable business opportunities in their industry of interest or geographic location; and

(3) a special emphasis should be made to assist members of the Armed Forces in rural areas of the United States.

(c) Program Required.

(1) In General.—The Secretary of Veterans Affairs shall, in partnership with the Administrator of the Small Business Administration and the Secretary of Defense, establish a program consisting of—

(A) providing mentors to covered individuals to assist them in pursuing goals relating to starting a business;

(B) assistance in matching covered individuals with business opportunities relating to starting a business.

(2) Covered Individuals.—For purposes of the program required by paragraph (1), a covered individual is—

(A) a member of the Armed Forces who is transitioning to civilian life, a veteran, or a member of the family of such a member of the Armed Forces or veteran; and

(B) considering applying for a loan from the Small Business Administration to start a business.

SA 2452. Mr. JONES (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 E of title V, add the following:
SEC. 558. CONSTRUCTION AND REHABILITATION OF FACILITIES FOR SENIOR SERVE OFFICERS’ TRAINING CORPS PROGRAMS AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTION.

(a) FINDINGS.—Congress makes the following findings:

(1) Historically black colleges and universities and minority-serving institutions play a vital role in educating low-income and underrepresented students in areas of national need.

(2) Historically black colleges and universities and minority-serving institutions are critical to economic growth and the continued economic viability of the nation.

(b) CONSTRUCTION AND REHABILITATION AUTHORIZED.—

(1) IN GENERAL.—The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force may provide for the construction or rehabilitation of facilities for Senior Reserve Officers’ Training Corps programs at historically black colleges and universities and minority-serving institutions that host such programs.

(c) LIMITATION.—The total number of facilities that may be constructed or rehabilitated using the authority in paragraph (1) in any fiscal year may not exceed five facilities.

SEC. 1068. PROMOTING FEDERAL PROCUREMENT WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.

(a) IN GENERAL.—The head of an executive agency, or a contracting officer where applicable, shall:

(1) assist historically Black colleges and universities and minority-serving institutions to develop viable, self-sustaining business capabilities capable of competing on an equal basis in the mainstream of the United States economy; and

(2) promote Federal procurement with historically Black colleges and universities and minority-serving institutions by establishing—

(A) participation goals of not less than 10 percent for historically Black colleges and universities and minority-serving institutions;

(B) requirements that prime contractors and other recipients of Federal funds attain similar participation goals in their procurement; and

(C) other mechanisms that ensure historically Black colleges and universities and minority-serving institutions have a fair opportunity to participate in Federal procurement.

(b) DEFINITIONS.—In this section:

(1) THE TERM “EXECUTIVE AGENCY” means the term “executive agency” as defined in section 101 of title 44, United States Code.


SEC. 2838. CONSOLIDATION OF JOINT SPECTRUM CENTER TO FORT MEADE, MARYLAND.

(a) MOVEMENT OR CONSOLIDATION OF JOINT SPECTRUM CENTER TO FORT MEADE, MARYLAND.—The Secretary of Defense shall take appropriate actions as soon as practicable after the date of enactment of this Act, to move, consolidate, or both, the offices of the Joint Spectrum Center to the Defense Information Systems Agency headquarters building at Fort Meade, Maryland, for national security purposes to ensure the physical and cybersecurity protection of personnel and mission of the Defense Information Systems Agency.

(b) AUTHORIZATION.—Any facility, road, or infrastructure constructed or altered on a military installation as a result of this section is deemed to be authorized in accordance with section 2802 of title 10, United States Code.

SEC. 2855. TRANSFER OF MINORITY-SERVING INSTITUTIONS TO THE DEPARTMENT OF ENERGY.

SEC. 2855. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 910. DUTIES AND RESPONSIBILITIES OF THE DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION.

(a) PRINCIPAL ADVISOR ON DEVELOPMENTAL TEST AND EVALUATION.—

(1) IN GENERAL.—The Deputy Assistant Secretary for Developmental Test and Evaluation shall be the principal advisor to the Secretary of Defense on developmental test and evaluation, the Under Secretary of Defense for Acquisition and Sustainment, and the Director of Operational Test and Evaluation on developmental test and evaluation in the Department of Defense.

(2) SUPERVISION.—The Deputy Assistant Secretary shall be supervised by the Under Secretary of Defense for Research and Engineering, without the intermediate position of any other supervising official.

(3) DUTIES.—As principal advisor to the Under Secretary of Defense for Research and Engineering on developmental test and evaluation, the Deputy Assistant Secretary shall—
SA 2456. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title X, insert the following:

SEC. 2. UNITED STATES-ISRAEL CYBERSECURITY SUSTAINMENT ENHANCEMENT ACT OF 2018.

(a) Short title.—This section may be cited as the “United States-Israel Cybersecurity Sustainment Act of 2018.”

(b) United States-Israel cybersecurity cooperation.—

(1) Grant program.—

(A) Establishment.—The Secretary, in accordance with the agreement entitled the “Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and Technology for Homeland Security Matters”, done at Jerusalem May 29, 2013, and as amended (the “Agreement”), is authorized under this section, the Secretary shall establish a grant program at the Department to support—

(i) cybersecurity research and development; and

(ii) demonstration and commercialization of cybersecurity technology.

(B) Requirements.—

(i) Applicability.—Notwithstanding any other provision of law, in carrying out a research, development, demonstration, or commercial application program or activity that is authorized under this section, the Secretary shall require cost sharing in accordance with the provisions specified in subparagraph (B), shall establish a grant program at the Department to support—

(i) cybersecurity research and development; and

(ii) demonstration and commercialization of cybersecurity technology.

(C) Requirements.—(i) Applicability.—Notwithstanding any other provision of law, in carrying out a research, development, demonstration, or commercial application program or activity that is authorized under this section, the Secretary shall require cost sharing in accordance with the provisions specified in subparagraph (B), shall establish a grant program at the Department to support—

(iii) cybersecurity research and development; and

(iv) demonstration and commercialization of cybersecurity technology.

(D) Definitions.—In this section—

(A) The term “cybersecurity research” means research, including social science research, into ways to identify, protect against, detect, respond to, and recover from cybersecurity threats;

(B) The term “cybersecurity technology” means technology intended to identify, protect against, detect, respond to, and recover from cybersecurity threats;

(C) The term “cybersecurity threat” has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).
SA 2457. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 E of title X, add the following:

SEC. 1052. REPORT ON CAPABILITIES OF THE COAST GUARD TO CONDUCT MARITIME LAW ENFORCEMENT ACTIVITIES ON THE HIGH SEAS AND IN SUPPORT OF INTERNATIONAL PARTNERS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the appropriate committees of Congress a report setting forth an assessment of the capabilities of the Coast Guard to conduct maritime law enforcement activities on the high seas and in support of international partners.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description and assessment of the current capabilities, capacity, and legal authority of the Coast Guard to conduct maritime law enforcement activities described in subsection (a); and in particular, efforts to combat activities as follows:

(A) Human trafficking.

(B) Forced labor.

(C) Illegal, unreported, and unregulated fishing.

(D) Other illicit activity at sea.

(2) A description and assessment of the technical capabilities between the Coast Guard, on the one hand, and the Navy, partner nations, and non-governmental organizations, on the other hand, to improve track- ing against vessels engaged in activities described in paragraph (1).

(3) A description of the requirements of the Coast Guard for support in maritime law enforcement activities described in subsection (a) from the Navy (whether direct support or support through the processes of the geographic combatant commands and the Global Force Management process) and partner nations, including material, personnel, logistic, and administrative requirements, including any such requirements that are currently unfunded.

(4) A description and assessment of any constraints on the ability of the Coast Guard to conduct maritime law enforcement activities described in subsection (a), including lack of legal authority or limitations on legal authority.

(5) Recommendations for legislative action to mitigate constraints described pursuant to paragraph (4).

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 2458. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 P of title X, add the following:

SEC. 1066. UNSAFE OPERATION OF UNMANNED AIRCRAFT.

(a) In General. Chapter 2 of title 18, United States Code, is amended—

(1) in section 39—

(A) in subsection (a)—

(1) by redesignating paragraph (10) as paragraph (11); and

(ii) by inserting after paragraph (9) the following:

(10) UNMANNED AIRCRAFT.—The term ‘‘unmanned aircraft’’ has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 10104); and

(B) in subsection (b), by inserting ‘‘airport’’, before ‘‘aircraft’’, and;

(2) by inserting after section 39A the following:

‘‘§39B. Unsafe operation of unmanned aircraft’’.

‘‘(a) OFFENSE.—It shall be unlawful to operate an unmanned aircraft and, in so doing, knowingly or recklessly interfering with, or disrupting the operation of an aircraft, or other airborne vehicle carrying 1 or more occupants operating in the special aircraft jurisdiction of the United States, in a manner that poses an imminent safety hazard to such occupants.

’‘(b) PENALTY.—’‘

(1) IN GENERAL.—Except as provided in paragraph (2), a person who violates subsection (a) shall be fined under this title, imprisoned for not more than 1 year, or both.

(2) SEVERITY OR FINE OR JAIL TERM.—Any person who attempts to cause, or knowingly or recklessly causes, serious bodily injury to any person, or who violates subsection (a) shall be fined under this title, imprisoned for any term of years or for life, or both.

(c) OPERATION OF UNMANNED AIRCRAFT IN CLOSE PROXIMITY TO AIRPORTS.—

(1) IN GENERAL.—The operation of an unmanned aircraft, including an operation covered by section 36 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note), within a runway exclusion zone shall be considered a violation of subsection (a) unless—

(A) the operator of the unmanned aircraft received prior authorization for the operation from the air traffic control tower at the airport; or

(B) the operation is the result of a circumstance, such as a malfunction, that could not have been reasonably foreseen or prevented by the operator.

(2) RUNWAY EXCLUSION ZONE DEFINED.—In this subsection, the term ‘‘runway exclusion zone’’ means a rectangular area—

(A) centered on the centerline of a runway of an airport; and

(B) the length of which extends parallel to the runway’s centerline to points that are 1 statute mile from each end of the runway and the width of which is 1⁄2 statute mile.’’

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

SEC. 1066. BENEFICIAL OWNERSHIP INFORMATION.

(a) FINDINGS.—Congress finds the following:

(1) Nearly 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.

(2) Very few States obtain meaningful information about the beneficial owners of the corporations and limited liability companies formed under their laws.

(3) A person forming a corporation or limited liability company within the United States typically provides less information to the State of incorporation than is needed to obtain a bank account or driver’s license and typically does not name a single beneficial owner.

(4) Terrorists and other criminals have exploited the weaknesses in State formation procedures to conceal their identities when forming corporations or limited liability companies in the United States, and have then used the newly created entities to support terrorist organizations, drug trafficking organizations, and international organized crime groups, as well as commit misconduct affecting interstate and international commerce such as trafficking in illicit drugs, illegal arms trafficking, sex trafficking, money laundering, tax evasion, health care fraud, Internet-based fraud, securities fraud, financial fraud, intellectual property crimes, and acts of corruption.

(5) Several States with a history of abuse of State incorporation procedures is Victor Bout, a Russian arms dealer who used at least 12 corporations and limited liability companies to support his international criminal activities, including trying to kill citizens of the United States and Federal officers and employees. In addition, Iran interests used a shell company formed in New York to purchase a 36-story building on Fifth Avenue in Manhattan and wired millions of dollars in rent each year to Iran until authorities in the United States learned of the transfers and seized the building.

(b) REQUIREMENTS.—In order to improve State enforcement efforts to investigate corporations and limited liability companies suspected of wrongdoing have been impeded by the lack of available beneficial ownership information, as documented in reports and testimony by officials from the Department of Justice, the Department of Homeland Security, the Financial Crimes Enforcement Network of the Department of the Treasury, the Internal Revenue Service, the Government Accountability Office, and others.

(c) Action Task Force on Money Laundering (in the United States Code, is amended by inserting after the item relating to section 39A the following:

‘‘§39B. Unsafe operation of unmanned aircraft’’.
this subsection referred to as ‘‘FATF’’), of which the United States is a member, issued a report that criticized the United States for failing to comply with a FATF standard on the collection of beneficial ownership information. The report called the United States framework in this area ‘‘seriously deficient’’ and urged the United States to correct its failures.

(8) In response to the FATF report and to strengthen measures to protect homeland security, Federal officials have repeatedly urged States to improve their formation practices by obtaining beneficial ownership information for the corporations and limited liability companies formed under the laws of such States. Such States formed millions of corporations with hidden owners.

(9) Many States have established automated procedures that allow a person to form a new corporation or limited liability company within the State in 24 hours by filing an online application, without any prior review of the application by a State official.

(10) Dozens of Internet websites highlight the anonymity of beneficial owners allowed under the formation practices of some States. Such practices allow a person to incorporate in those States, and list those States together with offshore jurisdictions as preferred locations for the formation of new entities to hide owners, investors and other wrongdoers to form entities within the United States.

(11) In contrast to practices in the United States, countries around the world are working to collect beneficial ownership information. The United Kingdom now collects beneficial ownership information for all companies formed under its laws and makes the information available to the public. All 28 countries in the European Union are required to create, maintain, and update registries of beneficial ownership information of the corporations formed under the laws of those countries. The information must be freely available to law enforcement agencies, financial institutions, and third parties that can demonstrate a legitimate interest in the information. Afghanistan, Ghana, Kenya, Nigeria, South Africa, the Ukraine and other countries are considering the process of establishing mechanisms to collect beneficial ownership information for the companies formed under their laws.

(12) To reduce the vulnerability of the United States to wrongdoing by United States corporations and limited liability companies with hidden owners, protect interstate commerce from terrorism and other criminals misusing United States corporations and limited liability companies, strengthen law enforcement investigations of suspect corporations and limited liability companies, set minimum standards for and level the playing field among State formation practices, and bring the United States into compliance with international anti-money laundering and anti-terrorist financing standards, Federal legislation is needed to compel the States to obtain beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

(b) TRANSPARENT INCORPORATION PRACTICES.—Part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) is amended by adding at the end of the section the following:

``Subpart 4—Transparent Incorporation Practices''

SEC. 531. TRANSPARENT INCORPORATION PRACTICES.

(a) INCORPORATION SYSTEMS.—
described under such provision of subsection (d)(2)(B); and

(‘‘iii’’ providing identification information for the applicant or prospective officer, director, or manager of an entity making the certification in the same manner as provided under paragraph (1).

(‘‘B’’ EXISTING ENTITIES.—On and after the date that is 2 years after the date on which a State begins requiring beneficial ownership information in compliance with this section, an entity formed under the laws of the State before that date that is required to delay the effective date of the requirements under paragraph (1) shall have been required to issue the request described in subsection (B) under the laws of the State a State begins requiring beneficial ownership information in compliance with this section, an entity formed under the laws of the State before that date that is required to delay the effective date of the requirements under paragraph (1) shall have been required to issue the request described in subsection (B), and shall be exempt from the requirements under paragraphs (1) and (2).

(‘‘ii’’ stating that the entity meets the requirements for an entity described under such provision of subsection (d)(2)(B); and

(‘‘iii’’ providing identification information for the officer, director, or manager of an entity making the certification in the same manner as provided under paragraph (1).

(‘‘C’’紋照 WITH AN OWNERSHIP INTEREST.—As part of the beneficial ownership information required under subsection (a)(1), neither an applicant seeking to form a corporation or limited liability company nor a corporation or limited liability company providing updated information is required to identify the beneficial owners of any entity that qualifies as an exempt entity under subsection (d)(2)(B).

(‘‘b’’ PENALTIES.—(1) IN GENERAL.—It shall be unlawful for any person to (A) act or operate as a foreign commerce by failing to comply with this subpart by—

(‘‘A’’ knowingly providing, or attempting to provide, false or fraudulent information, including a false or fraudulent identifying photograph, to a State or formation agent; or

(‘‘B’’ willfully failing to provide complete or updated beneficial ownership information to a State or formation agent;

(C) knowingly disclosing the existence of a submission or a request for beneficial ownership information described in subsection (a)(1)(D), except—

(i) to the extent necessary to fulfill the authorized request; or

(ii) as authorized by the entity that issued the request described in subsection (a)(1)(D).

(D) in the case of a formation agent, knowingly failing to obtain or maintain credible, legible, and updated beneficial ownership information, including any required identifying photograph.

(2) CIVIL AND CRIMINAL PENALTIES.—In addition to any civil or criminal penalty that may be imposed by a State, any person who violates paragraph (1)—

(‘‘A’’ shall be liable to the United States for a civil penalty of not more than $1,000,000; and

(B) may be fined under title 18, United States Code, imprisoned for not more than 3 years, or both.

(e) RULES.—(1) IN GENERAL.—To carry out this subpart, the Attorney General of the United States, the Secretary of Homeland Security, and the Secretary of the Treasury may issue joint guidance or a joint rule to specify how to verify beneficial ownership or other identification information provided under this section, including rules of evidence.

(2) LIMITATION.—Any guidance or rule issued under paragraph (1)—

(‘‘A’’ may explain and clarify the definition of the term ‘beneficial owner’; but

(B) may not amend or alter the definition of the term ‘beneficial owner’ through changes to the law directly or through the manner of implementation.

(3) NO GUIDANCE.—A failure to issue guidance or a rule under paragraph (1) shall not delay the effective date of the requirements under this subpart.

(d) DEFINITIONS.—For purposes of this section:

(1) BENEFICIAL OWNER.—

(‘‘A’’ in general.—Except as provided in subparagraph (B), the term ‘beneficial owner’ means each natural person who, directly or indirectly—

(i) exercises substantial control over a corporation or limited liability company through ownership interests, voting rights, agreement, or otherwise; or

(ii) has a substantial interest in or receives substantial economic benefits from the assets of a corporation or the assets of a limited liability company.

(‘‘B’’ EXCEPTIONS.—The term ‘beneficial owner’ shall not include—

(i) a minor child;

(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

(iii) a person acting solely as an employee of a corporation or limited liability company and whose compensation, acts on behalf of another person;

(iv) a creditor of a corporation or limited liability company, unless the creditor also meets the requirements of subparagraph (A).

(C) ANTI-ABUSE RULE.—The exceptions under subparagraph (B) shall not apply for purposes of section 15(d) of the Commodity Exchange Act (7 U.S.C. 1a)), or a futures commission merchant, introducing broker, commodity pool operator, or commodity trading advisor (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) that is registered with the Commodity Futures Trading Commission.

(IX) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.));

(X) a registered entity (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3)); or

(XI) a public accounting firm registered in accordance with section 102 of the Sarbanes-Oxley Act (15 U.S.C. 7212);

(XII) a payer that—

(1) employs more than 10 full-time employees on a full-time basis in the United States;

(2) files income tax returns in the United States demonstrating more than $5,000,000 in gross receipts or sales;

(3) has an operating presence at a physical location within the United States; and

(dd) has more than 10 shareholders; or

(E) any business concern described in subsection (a)(3), the terms ‘corporation’ and ‘limited liability company’ do not include an entity that—

(1) BENEFICIAL OWNER.—

(‘‘A’’ in general.—Subject to subparagraph (B), the terms ‘corporation’ and ‘limited liability company’—

(i) have the meanings given such terms under the laws of the applicable State; and

(ii) include any non-United States entity eligible to form a business as a corporation or limited liability company under the laws of the applicable State.

(‘‘B’’ EXEMPT ENTITIES.—Subject to subsection (a)(3), the terms ‘corporation’ and ‘limited liability company’ do not include an entity that—

(1) is—

(I) a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l); or

(II) a registered entity (as defined in section 15(d) of that Act (15 U.S.C. 78d));

(2) a business concern constituted or sponsored by a foreign state or by an intergovernmental organization of which the United States is a member;

(III) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

(IV) a credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752));

(V) a bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841));

(VI) a bank or dealer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c));

(2) FUNDING AUTHORIZATION.—

(1) IN GENERAL.—To carry out subsection (a)(3) of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this section, and to protect the United States against the misuse affecting interstate or foreign commerce of corporations or limited liability companies who, during the 3-year period beginning on the date of enactment of this Act, funds shall be made
available to each State (as that term is defined under section 901(a)(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)(2)), to pay reasonable costs to comply with requirements of such section 531 from one or more of the following sources:

(i) Upon written request by a State, and without further action by the Attorney General of the United States, the Attorney General of the United States shall make available or transfer to the State funds from unobligated balances (as defined in section 5312(a)(2)(Z) of title 31, United States Code, in the Department of the Treasury Forfeiture Fund, in the Department of Justice Assets Forfeiture Fund established under section 529(e) of title 31, United States Code, or otherwise, to disclose or to not disclose to the public all or any portion of the beneficial ownership information provided to the State under subpart 4 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this section;

(ii) Upon written request by a State, after consultation with the Attorney General of the United States, and without further action by the Attorney General of the United States, the Attorney General of the United States shall make available or transfer to the State funds from unobligated balances described in section 901(b)(4)(B) of title 31, United States Code, in the Department of the Treasury Forfeiture Fund.

(B) ELIGIBLE COSTS.—The Attorney General of the United States and the Secretary of the Treasury, in their sole discretion, may determine what information is reasonable for purposes of subparagraph (A), taking into account the maximum amount of funds available for distribution to States under subparagraph (C).

(C) MAXIMUM AMOUNT.—

(i) DEPARTMENT OF JUSTICE.—The Attorney General of the United States may not make available or transfer to States a total of more than $10,000,000 under subparagraph (A)(1).

(ii) DEPARTMENT OF THE TREASURY.—The Secretary of the Treasury may not make available to States a total of more than $10,000,000 under subparagraph (A)(2).

(D) FUNDING AVAILABILITY.—The amounts made available to States under subparagraphs (A) and (C) shall be exempt from, and shall not be reduced under, any order under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).

(E) STATE COMPLIANCE REPORT.—Nothing in this section or an amendment made by this section authorizes the Attorney General of the United States to withhold from a State any funding otherwise available to the State under subpart 4 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this section. Not later than 42 months after the date of enactment of this Act, the Attorney General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report identifying which States are in compliance with subpart 4 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 and, for any State not in compliance, what measures must be taken by that State to achieve compliance with such subpart 4.

(4) EFFECT ON STATE LAW.

(A) IN GENERAL.—This section and the amendments made by this section do not supersed, alter, or affect any statute, regulation, order, or interpretation in effect in any State, except that if a State elects to receive funding from the Department of Justice under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), and then only to the extent that such State statute, regulation, order, or interpretation is inconsistent with this section or an amendment made by this section.

(B) NOT INCONSISTENT.—A State statute, regulation, order, or interpretation is not inconsistent with this section or an amendment made by this section if such statute, regulation, order, or interpretation—

(i) requires additional information, more frequent reporting, or any other nondiscriminatory measures to verify information related to a corporation, limited liability company, or beneficial owner, than is specified under this section or an amendment made by this section; or

(ii) imposes additional limits on public access to the beneficial ownership information obtained by the State than is specified under this section or an amendment made by this section.

(C) STATE RECORDS.—Nothing in this section or the amendments made by this section limits the authority of a State, by statute or otherwise, to disclose or not disclose to the public all or any portion of the beneficial ownership information provided to the State under subpart 4 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this section.

(D) NO DUTY OF VERIFICATION.—This section and the amendments made by this section do not impose any obligation on a State to verify the name, address, or identity of a beneficial owner, but shall allow the State to obtain additional information from a formation agent, and require the State to verify that the beneficial ownership information provided to the State under subpart 4 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this section.

(5) FEDERAL CONTRACTORS.—Not later than the first day of the first full fiscal year beginning at least 1 year after the date of enactment of this Act, the Attorney General, the Administrator for Federal Procurement Policy shall review the Federal Acquisition Regulation maintained under section 1903(a)(1) of title 41, United States Code, that authorizes any Federal agency to subject any prospective contractor who is subject to the requirement to disclose beneficial ownership information under a subsection of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this section, to the information required to be disclosed under such subsection 4 to the Federal Government, or why it is exempt under section 5312(d)(2)(B) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this section, subject to any order or proposal for a contract.

(E) ANTI-MONEY LAUNDERING AND ANTI-TERRORIST FINANCING OBLIGATIONS OF FORMATION AGENTS.—

(1) ANTI-MONEY LAUNDERING AND ANTI-TERRORIST FINANCING OBLIGATIONS OF FORMATION AGENTS.—Section 5312(a)(2) of title 31, United States Code, is amended—

(A) in subparagraph (Y), by striking "or" at the end;

(B) by redesignating subparagraph (Z) as subparagraph (AA); and

(C) by inserting after subparagraph (Y) the following:

"(Z) any person engaged in the business of forming corporations or limited liability companies; or"

(2) DEFINITION FOR IMPLEMENTING RULE FOR FORMATION AGENTS.—

(A) PROPOSED RULE.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Homeland Security and the Attorney General of the United States, shall publish a proposed rule in the Federal Register requiring persons described in section 5312(a)(2)(Z) of title 31, United States Code, as amended by this subsection, to establish anti-money laundering programs under subsection (h) of section 5318 of that title.

(B) FINAL RULE.—Not later than 270 days after the date of enactment of this Act, the Secretary of the Treasury shall publish the rule described in this paragraph in final form in the Federal Register.
At the end of title X, add the following:

Subtitle—Stopping Foreign Interference in Elections

SEC. 01. SHORT TITLE.
This subtitle may be cited as the “Stop Secret Foreign Influence in Elections Act.”

SEC. 02. DONOR DISCLOSURE FOR CERTAIN ORGANIZATIONS ACCEPTING DONATIONS FROM FOREIGN NATIONALS.
(a) In General.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126) is amended to read as follows:

“SEC. 324. DONOR DISCLOSURE FOR CERTAIN ORGANIZATIONS ACCEPTING DONATIONS FROM FOREIGN NATIONALS.

“(a) DEFINITIONS.—In this section:

“(1) CAMPAIGN-RELATED DISBURSEMENT.—The term ‘campaign-related disbursement’ means a disbursement by a covered 501(c) organization for any of the following:

“(i) An independent expenditure consisting of a public communication.

“(ii) An electioneering communication, as defined in section 304(f)(3).

“(iii) A covered transfer.

“(B) INTENT NOT REQUIRED.—A disbursement for an item described in clause (i), (ii), or (iii) of subparagraph (A) shall be treated as a campaign-related disbursement regardless of the intent of the person making the disbursement.

“(2) COVERED 501(c) ORGANIZATION.—The term ‘covered 501(c) organization’ means any organization that—

“(A) is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code (other than an organization described in section 501(c)(3) of such Code); and

“(B) has received contributions or donations in excess of $2,000 during the election reporting cycle from a foreign national.

“(3) COVERED TRANSFER.—The term ‘covered transfer’ means a transfer described in subsection (e).

“(4) DISCLOSURE DATE.—The term ‘disclosure date’ means—

“(A) the name and address of the foreign national who made such payment during the period covered by the statement;

“(ii) the date and amount of such payment; and

“(iii) the aggregate amount of all such payments made by the foreign national during the period beginning on the first day of the election reporting cycle and ending on the disclosure date, but only if such payment was made by a foreign national who made payments to the covered 501(c) organization in an aggregate amount of $2,000 or more during the period beginning on the first day of the election reporting cycle and ending on the disclosure date.

“(6) ELECTION REPORTING CYCLE.—The term ‘election reporting cycle’ means—

“(A) in the case of the first statement filed for an item described in clause (i), (ii), or (iii) of subparagraph (A) of section 304(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126), the period beginning on the first day of the election reporting cycle and ending on the disclosure date,

“(B) in the case of any subsequent statement filed under this subsection, for the period beginning on the previous disclosure date and ending on such disclosure date.

“(2) INFORMATION DESCRIBED.—The information described in this paragraph is as follows:

“(A) The name of the covered 501(c) organization.

“(B) The amount of each campaign-related disbursement made by such organization during the period covered by the statement of more than $1,000, and the name and address of the person to whom the disbursement was made.

“(C) In the case of a campaign-related disbursement that is not a covered transfer, the election to which the campaign-related disbursement refers is made for a public communication, the name of any candidate identified in such communication and whether such communication is in support of or in opposition to a candidate.

“(D) For each payment to the covered 501(c) organization by a foreign national—

“(i) the name and address of the foreign national who made such payment during the period covered by the statement;

“(ii) the date and amount of such payment; and

“(iii) the aggregate amount of all such payments made by the foreign national during the period beginning on the first day of the election reporting cycle and ending on the disclosure date.

“(E) Such other information as required in rules established by the Commission to promote the purposes of this section.

“(3) EXCISE TAX ADDITIONS FOR AMOUNTS RECEIVED FROM AFFILIATES.—The requirement to include in a statement submitted under paragraph (1) the information described in subparagraph (D) of paragraph (2) shall not apply to any amount which is described in subsection (e)(2)(A)(i).

“(C) COORDINATION WITH OTHER REPORTS FILED WITH THE COMMISSION.—Information included in a statement filed under this section may be excluded from statements and reports filed under section 304.

“(D) FILING.—Statements required to be filed under subsection (a) shall be subject to the requirements of section 304(d) to the same extent and in the same manner as if such reports had been required under subsection (c) or (g) of section 304.

“(e) COVERED TRANSFER DEFINED.—

“(1) IN GENERAL.—In this section, the term ‘covered transfer’ means any transfer or payment of dues, or other payment.

“(2) ENFORCEMENT.—Any covered 501(c) organization that makes campaign-related disbursements aggregating more than $10,000 and any other date during such election reporting cycle and ending on the disclosure date, file a statement with the Commission made under penalty of perjury that contains the information described in paragraph (2).

“(3) DETERMINATION OF AFFILIATE STATUS.—For purposes of this paragraph, the following organizations shall be considered to be affiliated with each other:

“(i) A membership organization, including a trade or professional association, and the related State and local entities of that organization.

“(ii) A national or international labor organization and its State or local unions, or an organization of national or international unions and its State and local entities.

“(C) DETERMINATION OF AFFILIATE STATUS.—For purposes of this paragraph, the following organizations shall be considered to be affiliated with each other:

“(i) A membership organization, including a trade or professional association, and the related State and local entities of that organization.

“(ii) A national or international labor organization and its State or local unions, or an organization of national or international unions and its State and local entities.

“(D) COVERAGE OF TRANSFERS TO AFFILIATES.—This paragraph shall apply with respect to an amount transferred by a covered 501(c) organization to another covered 501(c) organization for the purpose of making or paying for such campaign-related disbursements.
manner as this paragraph applies to an amount transferred by a covered 501(c) organization to another covered 501(c) organization.

(b) CONFORMING AMENDMENT.—Section 304(c)(6) of such Act (52 U.S.C. 30104) is amended by striking “‘any requirement’” and inserting “‘except as provided in section 324(c), any requirement’.”

(c) COORDINATION WITH FINCEN.—

(1) IN GENERAL.—The Director of the Financial Crimes Enforcement Network of the Department of the Treasury shall provide the Federal Election Commission with such information as necessary to assist in administering and enforcing section 324 of the Federal Election Campaign Act of 1971, as added by this subsection.

(2) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Chairman of the Federal Election Commission, in consultation with the Director of the Financial Crimes Enforcement Network of the Department of the Treasury, shall submit to Congress a report with recommendations for providing further legislative authority to assist in the administration and enforcement of such section 324.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after January 1, 2019, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

SEC. 3350. CERTIFICATIONS.

(a) REQUIREMENT TO FILE CERTIFICATION.—

(1) IN GENERAL.—Each covered organization that makes a report under section 304 with respect to an independent expenditure or a disbursement for the direct costs of producing an electioneering communication shall include with such report a certification described in subsection (b).

(2) COVERED 501(c) ORGANIZATIONS.—Each covered 501(c) organization (within the meaning of section 324) that makes a report under such section 304 and that—

(A) is a corporation (other than an organization described in subsection (b) of section 319 of the Federal Election Campaign Act of 1971);

(B) is a political organization that accepts donations or contributions that do not comply with the contribution limits described in paragraph (b) of section 319 of the Internal Revenue Code of 1986; and

(C) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986;

shall include with such report a certification described in subsection (b).

(b) CERTIFICATION.—

(1) IN GENERAL.—Each covered organization described in subsection (a) that makes a report under section 304 with respect to a campaign-related disbursement shall include with such report a certification described in subsection (c).

(2) COVERED 501(c) ORGANIZATIONS.—Each covered 501(c) organization (within the meaning of section 324) that makes a report under section 304 and that—

(A) is a corporation (other than an organization described in subsection (b) of section 319 of the Federal Election Campaign Act of 1971);

(B) is a political organization that accepts donations or contributions that do not comply with the contribution limits described in paragraph (b) of section 319 of the Internal Revenue Code of 1986; and

(C) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986;

shall include with such report a certification described in subsection (c).

(c) COVERED ORGANIZATION DEFINED.—In this subsection, the term ‘covered organization’ means—

(1) a corporation (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986);

(2) a political organization that accepts donations or contributions that do not comply with the contribution limits described in paragraph (b) of section 319 of the Internal Revenue Code of 1986;

(3) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986;

(4) a labor organization (as defined in section 601 of the Internal Revenue Code of 1986); and

(5) any political organization under section 527 of the Internal Revenue Code of 1986, other than a political committee under this Act (except as provided in paragraph (6))

(d) EFFECTIVE DATE.—The amendment made by this section shall apply to reports required to be filed after the date of the enactment of this Act.

SEC. 3351. REPORTING OF SUSPICIOUS DONATIONS.

(a) COVERED 501(c) ORGANIZATIONS.—

(A) IN GENERAL.—Section 501 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(e) REQUIREMENT TO REPORT CERTAIN CONTRIBUTIONS.—

"(1) IN GENERAL.—No organization described in subsection (c) (other than an organization described in paragraph (3) thereof) shall be exempt from tax under subsection (a) unless such organization reports any disqualified foreign contribution, not later than 15 days after receiving such contribution, to the entities listed in paragraph (3).

"(2) DISQUALIFIED FOREIGN CONTRIBUTION.—For purposes of this subsection, the term ‘disqualified foreign contribution’ means a donation or contribution received from a foreign national (within the meaning of section 319 of the Federal Election Campaign Act of 1971) and which is not provided for a purpose described in section 319(a) of such Act.

"(3) ENTITIES.—The entities described in this paragraph are the following:

(A) The Internal Revenue Service.

(B) The Federal Election Commission.

(C) The Financial Crimes Enforcement Network of the Department of Treasury.

(D) The Department of Justice.

(e) EFFECTIVE DATE.—The amendment described in this paragraph shall apply to contributions made after the date of the enactment of this Act.

(f) CORPORATE ENTITIES.—

(A) IN GENERAL.—Each corporation and each limited liability corporation that is not otherwise treated as a corporation under the Federal Election Campaign Act of 1971 shall report any disqualified foreign contribution (as defined in section 501(s) of the Internal Revenue Code of 1986) not later than 15 days after receiving such contribution, to the following entities:

(i) The Federal Election Commission.

(ii) The Financial Crimes Enforcement Network of the Department of Treasury.

(iii) The Department of Justice.

(B) EXCEPTION.—Subparagraph (A) shall not apply to any organization described in section 501(c)(3) of the Internal Revenue Code of 1986.

SEC. 3352. PROHIBITION ON ESTABLISHING CORPORATIONS TO CONCEAL ELECTION CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS.

(a) OFFENSE.—It shall be unlawful for an owner, officer, attorney, or incorporation agent of a corporation, company, or other entity to establish or use the corporation, company, or other entity with the intent to conceal an activity of a foreign national (as defined in section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121)) prohibited under such section 319.

(b) PENALTY.—Any person who violates subsection (a) shall be imprisoned for not more than 5 years, fined under this title, or both.

(b) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 18, United States Code, is amended by inserting after the item relating to section 610 the following:

―612. Establishment of corporation to conceal election contributions and donations by foreign nationals.".

SEC. 3353. REPORTS ON OUTSTANDING GOVERNMENT ACCOUNTABILITY OFFICE AND INSPECTOR GENERAL RECOMMENDATIONS: AGENCY STATEMENTS.

(a) DEFINITION.—In this section, the term ‘agency’ means—

(1) a designated Federal entity, as defined in section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.); and

(2) an establishment defined in section 12(2) of the Inspector General Act of 1978 (5 U.S.C. App.).
(b) REQUIRED REPORTS.—In the annual budget justification submitted to Congress, as submitted with the budget of the President under section 1105 of title 31, United States Code, for each agency shall include—

(1) a report listing each public recommendation of the Government Accountability Office that is designated by the Government Accountability Office as "open" or "closed, unimplemented" as of the date on which the annual budget justification is submitted; and

(2) a report listing each public recommendation for corrective action from the Office of Inspector General of the agency for which no final action has been taken as of the date on which the annual budget justification is submitted; and

(3) a report on the implementation status of each public recommendation described in paragraphs (1) and (2), which shall include—

(A) with respect to a public recommendation that is designated by the Government Accountability Office as "open" or "closed, unimplemented"—

(i) that the agency has decided not to implement, a detailed justification for the decision; or

(ii) that the agency has decided to adopt, a detailed justification for the decision; or

(B) with respect to an outstanding unimplemented public recommendation from the Office of Inspector General of the agency that has been decided to adopt, a detailed implementation plan for the recommendation; and

(C) with respect to an outstanding unimplemented public recommendation from the Office of Inspector General of the agency that has been decided to adopt, a timeline for implementation; and

(D) an explanation for any discrepancy between—

(i) the reports submitted under paragraphs (1) and (2); and

(ii) the semiannual reports submitted by the Office of Inspector General of the agency under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.); and

(iii) reports submitted by the Government Accountability Office relating to public recommendations that are designated by the Government Accountability Office as "open" or "closed, unimplemented".

(e) TIMELINE FOR AGENCY STATEMENTS.—Each agency shall provide a copy of the information submitted under subsection (b) to the Government Accountability Office and the Office of Inspector General of the agency.

(f) TIMELINE FOR AGENCY STATEMENTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in paragraph (1), by striking "61st" and inserting "180";

(2) in paragraph (2), by striking "60" and inserting "180";

(3) recommendations on how to encourage increased participation in the microloan program by intermediaries described in paragraph (1)(A) that do not participate;

(4) recommendations on how to decrease the costs associated with participation in the microloan program for eligible intermediaries;

(5) GAO study on microloan intermediary practices.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report evaluating

(1) the oversight of the microloan program by the Small Business Administration, including

(a) oversight of intermediaries participating in the microloan program; and

(b) the overall performance of the microloan program.

(g) SEC. 1066. MILOKAN PROGRAM.—

(1) DEFINITIONS.—In this section—

(A) the term "intermediary" means the institution identified by the Small Business Administration as the intermediary that is designated by the Government Accountability Office as "open" or "closed, unimplemented";

(B) the term "microloan program" means the program established under section 7(m) of the Small Business Act (15 U.S.C. 636(m));

(C) with respect to a public recommendation from the Office of Inspector General of the agency that has been decided to adopt, a detailed justification for the decision; or

(D) the term "microloan intermediary lending limit increased."—Section 7(m)(3)(C) of the Small Business Act (15 U.S.C. 636(m)(3)(C)) is amended by striking "$6,000,000" and inserting "$5,000,000".

(E) SBA STUDY OF MICROINTERMEDIATE PARTICIPATION.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Small Business Administration shall conduct a study and submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on—

(A) the operations (including services provided, structure, size, and area of operation of a representative sample of—

(i) intermediaries that are eligible to participate in the microloan program and that do participate;

(ii) intermediaries (including those operated for profit, operated not for profit, and affiliated with a United States institution of higher learning) that do not participate; and

(E) the specific processes used by the Small Business Administration in determining that excessive personnel strengths for such fiscal year, and for other purposes; which was referred to in paragraph (1) shall be deemed to be a reference to the microloan program.

(2) REFERENCES.—Any reference in a law, regulation, rule, document, or any other record of the United States to the address referred to in paragraph (1) shall be deemed to be a reference to the microloan program.

(i) DESIGNATION OF PLAZA.—The area between the intersections of International Drive, North-west and Van Ness Street, Northwest and International Drive, Northwest and Interstate 395, Washington, District of Columbia, shall be redesignated as "Liu Xiaobo Plaza";

(ii) DESIGNATION OF ADDRESS.—The address of 3505 International Place, Northwest, Washington, District of Columbia, shall be redesignated as "Liu Xiaobo Plaza".

(iii) SIGNS.—The Administrator of General Services shall construct street signs that shall—

(A) contain the phrase "Liu Xiaobo Plaza";

(B) be similar in design to the signs used by Washington, District of Columbia, to designate the location of Metro stations; and

(C) be placed on—

(A) the parcel of Federal property that is closest to 1 Liu Xiaobo Plaza (as redesignated by subsection (b)); and

(B) the street corners of International Drive, Northwest and Van Ness Street, Northwest and Interstate 395, Washington, District of Columbia.
SA 2467. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title XII, add the following:

SEC. 1239. LIMITATION ON ASSISTANCE TO THE MINISTRY OF THE INTERIOR OF THE GOVERNMENT OF IRAQ.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act for assistance to the Ministry of the Interior of the Government of Iraq may be obligated or expended until the date on which the Secretary of Defense and the Secretary of State jointly certify to the appropriate committees of Congress that such funds, including funds for the provision of intelligence sharing, will not be disbursed by the United States to any group known to be affiliated with the Iranian Revolutionary Guard Corps-Quds Force or other state sponsor of terrorism.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter until the date on which the Iraq Train and Equip Fund is no longer in effect, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the implementation of this section.

SEC. 1240. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 2468. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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. 1257. LIMITATION ON ASSISTANCE TO THE MINISTRY OF THE INTERIOR OF THE GOVERNMENT OF IRAQ.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act for assistance to the Ministry of the Interior of the Government of Iraq may be obligated or expended until the date on which the Secretary of Defense and the Secretary of State jointly certify to the appropriate committees of Congress that such funds, including funds for the provision of intelligence sharing, will not be disbursed by the United States to any group known to be affiliated with the Iranian Revolutionary Guard Corps-Quds Force or other state sponsor of terrorism.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter until the date on which the Iraq Train and Equip Fund is no longer in effect, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the implementation of this section.

SEC. 1240. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 2469. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title III, add the following:

SEC. 316. CORE SAMPLING AT JOINT BASE SAN ANTONIO, TEXAS.

(a) SITE INVESTIGATION REQUIRED.—The Secretary of the Air Force shall conduct a core sampling study along the proposed route of the W-6 wastewater treatment line on Air Force real property, in compliance with best engineering practices, to determine if uncontrolled or hazardous substances are present in the soil along the proposed route.

(b) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the core samples taken pursuant to subsection (a).

SA 2470. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title XXVIII, add the following:

SEC. 2853. TECHNICAL CORRECTION TO WITHDRAWAL AND RESERVATION OF PUBLIC LAND AUTHORITY, LIMESTONE HILLS TRAINING AREA, MONTANA.


SA 2471. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VII, add the following:

SEC. 729. STRATEGY TO RECRUIT AND RETAIN MENTAL HEALTH PROVIDERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a strategy to recruit and retain mental health providers, including psychiatrists, psychologists, mental health nurses, licensed social workers, and other licensed providers of the military health system.

SA 2472. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VII, add the following:

SEC. 729. REPORT ON MEDICATION PRESCRIBING PRACTICES OF DEPARTMENT OF DEFENSE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report describing the practices used by the Department of Defense for prescribing medication during fiscal years 2014 through 2017 that were inconsistent with the post-traumatic stress disorder medication guidelines developed by the Department.

SA 2473. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title XXVIII, add the following:
Mr. SCHACHTZ (for himself, Mr. GARDNER, and Mr. SULLIVAN) submitted an amendment intended to be proposed as an amendment to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction and 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:

SEC. 896. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM.

(a) Definitions. — In this section—

(1) the term ‘Administrator’ means the Administrator of the Agency;

(2) the term ‘Agency’ means the Federal Emergency Management Agency;

(3) the term ‘public alert and warning system’ means the integrated public alert and warning system of the United States described in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 321);

(4) the term ‘Secretary’ means the Secretary of Homeland Security; and

(5) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States.

(b) Integrated Public Alert and Warning System Subcommittee.—Section 2 of the Integrated Public Alert and Warning System Modernization Act of 2015 (Public Law 114–143; 130 Stat. 331) is amended—

(A) in paragraph (6)(B), by striking ‘‘and’’ at the end of clause (i), by striking ‘‘(ii) in subparagraph (B), by striking ‘‘(i) the procedures for State, tribal, and local governments to notify the public of an emergency through the public alert and warning system;’’; and

(II) in clause (i), as so designated, by striking ‘‘(ii) requirements for State, tribal, and local governments to notify the public of an emergency through the public alert and warning system;’’; and

(III) the procedures, protocols, and guidance concerning the protective action plans that State, tribal, and local governments should issue to the public following an alert issued under the public alert and warning system.

(B) in paragraph (7)—

(i) in subparagraph (A)—

(I) by striking ‘‘Not later than’’ and inserting the following:—

‘‘(I) INITIAL REPORT.—Not later than’’;

(II) in clause (i), as so designated, by striking ‘‘paragraph (6)’’ and inserting ‘‘clauses (i) and (ii) of paragraph (6)(B)’’; and

(III) by adding at the end the following:

‘‘(ii) SECOND REPORT.—Not later than 18 months after the date of enactment of this clause, the Subcommittee shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report stating that—

(I) it is not feasible for the Federal Government to alert the public of a missile threat against a State; or

(ii) it is not in the national security interest of the United States for the Federal Government to alert the public of a missile threat against a State.

(C) Activation of System.—Upon verification of a missile threat, the President, acting through the Administrator, shall establish a process to promptly notify a State warning point to deactivate all public alert and warning system warnings and alert the public of a missile threat.

(2) REQUIRED PROCESSES.—The Secretary, acting through the Administrator, shall establish a process to promptly notify a State warning point to—

(A) deactivate all public alert and warning system warnings and alert the public of a missile threat;

(B) submit a report of the findings under paragraph (1) to the National Advisory Council a report containing any recommendations required to be developed under paragraph (6)(B)(iii) for approval by the National Advisory Council; and

(C) submit a report of the findings under paragraph (1) to the National Advisory Council.

(c) Integrated Public Alert and Warning System Participatory Requirements.—The Administrator shall—

(1) consider the recommendations submitted by the Integrated Public Alert and Warning System Subcommittee to the National Advisory Council under section 2(b)(7) of the Integrated Public Alert and Warning System Modernization Act of 2015 (Public Law 114–143; 130 Stat. 331), as amended by subsection (b) of this section; and

(2) no later than 120 days after the date on which the recommendations described in subparagraph (A) are submitted, establish minimum requirements for State, tribal, and local governments to ensure that the public alert and warning system consistent with all public notice rules and regulations in law.

(d) Incident Management and Warning Tool Validation.—

(1) IN GENERAL.—The Administrator shall establish a process to ensure that an incident management and warning tool used by a State, tribal, or local government to originate and transmit an alert through the public alert and warning system meets the minimum requirements established by the Administrator under subsection (c)(2).

(2) REQUIREMENTS.—The process required to be established under paragraph (1) shall include—

(A) the ability to test an incident management and warning tool in the public alert and warning system;

(B) the ability to certify that an incident management and warning tool complies with the applicable cyber frameworks of the Department of Homeland Security that a State has obtained a certificate of compliance with minimum requirements established by the Administrator under subsection (c)(2).

(3) GUIDANCE.—The Secretary, acting through the Administrator, shall establish a process to—

(A) evaluate the feasibility of establishing an alert designator under the public alert and warning system that would be used to alert and warn the public of a missile threat while concurrently alerting a State warning point to deactivate related protective action plans; and

(B) submit a report of the findings under subparagraph (A), including of the costs and benefits of taking action to prevent an alert designator described in subparagraph (A), to—

(4) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(A) examine the feasibility of establishing an alert designator under the public alert and warning system that would be used to alert and warn the public of a missile threat while concurrently alerting a State warning point to deactivate related protective action plans; and

(B) submit a report of the findings under subparagraph (A), including of the costs and benefits of taking action to prevent an alert designator described in subparagraph (A), to—
(i) the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate;
(ii) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives;
(iii) the Committee on Homeland Security of the Committee of Appropriations of the House of Representatives;
(iv) the Subcommittee on Homeland Security of the House of Representatives; and
(v) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(a) DEFINITION.—In this section, the term “covered agency” means the Department of Defense, for military construction, and for defense activities of the Department of Energy, and for other purposes; which was ordered to lie on the table; as follows:

(b) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Congress a report on the implementation status of each recommendation in GAO-18-206 until all of the recommendations are implemented, as determined by the Secretary of Defense. The report shall be submitted in unclassified form, but may contain a classified annex.

SEC. 2478. MR. MARKEY submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the “Atomic Veterans Service Medal”, for honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1123(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

SEC. 2479. MR. MARKEY submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

(a) REVIEW AND PUBLIC RELEASE OF CERTAIN RECORDS CONCERNING SOURCES OF SUPPORT FOR AL QAEDA AND THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.—Not later than 60 days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation status of each recommendation in GAO-18-206 until all of the recommendations are implemented. The report shall be submitted in unclassified form, but may contain a classified annex.

(b) IMPLEMENTATION OF GOVERNMENT ACCOUNTABILITY OFFICE REPORT RECOMMENDATIONS ON MILITARY INSTALLATION PLANNING, COLLABORATION, AND ADAPTATION.—(a) GENERAL.—The Secretary of Defense shall ensure that the military departments and defense agencies implement the recommendations in GAO report 18-206.

(c) DISTRIBUTION OF MEDAL.—(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(d) REVIEW AND PUBLIC RELEASE OF CERTAIN RECORDS CONCERNING SOURCES OF SUPPORT FOR AL QAEDA AND THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.—Not later than 60 days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation status of each recommendation in GAO-18-206 until all of the recommendations are implemented. The report shall be submitted in unclassified form, but may contain a classified annex.
SA 2481. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2018 to 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:

Strike section 521 and insert the following:

SEC. 521. DATE OF RANK OF COMMISSIONED NATIONAL GUARD OFFICERS PROMOTION TO HIGHER GRADE.

(a) In General.—Section 14308(f) of title 10, United States Code, is amended—

(1) by inserting "(1)" before "The effective date";

(2) in paragraph (1), as designated by paragraph (1) of this subsection, by inserting "on which such Federal recognition in that grade is so extended" and inserting "of the promotion of the officer to that grade by the State concerned"; and

(3) by adding at the end the following new paragraph:

"(2)(A) Notwithstanding subsection (c)(1), the date of rank in a higher grade of an officer whose promotion to such grade is governed by paragraph (1) shall be such effective date of promotion.

(B) The specification of the date of rank of an officer in a grade pursuant to subparagraph (A) shall be deemed an adjustment of the date of rank of the officer to that grade in the manner of section 741h(d)(4) of this title, pursuant to subsection (c)(2), to which section 741h(d)(4)(C) of this title shall apply, notwithstanding subsection (c)(3).

(C) With respect to promotions in excess of one year, as the Secretary shall specify.

(D) Not later than October 1, 2022, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries.

(E) The Secretary shall use such methods on a voluntary basis.

(F) May not use animals for such purpose.

(G) Exception for particular commands and training methods. The Secretary may exempt particular commands, training methods under subsection (a)(2) if the Secretary determines that no human-based training method will not provide an educationally equivalent or superior substitute for live animal-based training methods for such command or training method, as the case may be.

(2) Any exemption under this subsection—

(A) shall be for such period, not more than one year, as the Secretary shall specify in granting the exemption; and

(B) may be renewed (subject to subparagraph (A)).

(c) ANNUAL REPORTS.—Not later than October 1, 2018, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

(d) Definitions.—In this section:

(1) The term 'combat trauma injuries' means severe injuries likely to occur during combat, including—

(A) hemorrhage;

(B) tension pneumothorax;

(C) amputation resulting from blast injury;

(D) complications to the airway; and

(E) other injuries.

(2) The term 'human-based training methods' means, with respect to training individuals to perform medical procedures on simulators:

(A) simulators;

(B) partial task trainers;

(C) moulage;

(D) simulated combat environments;

(E) human cadavers; and

(F) rotations in civilian and military trauma centers.

(3) The term 'partial task trainers' means training aids that allow individuals to learn or practice specific medical procedures.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of title 10, United States Code, is amended by adding at the end the following new item:

"2017. Use of human-based methods for certain medical training."

SA 2483. Mr. WYDEN submitted an amendment intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 subsection C of title VII, add the following:

SEC. 7. REQUIREMENT TO USE HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

(a) In General.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:


"(a) Combat Trauma Injuries.—(1) Not later than October 1, 2018, and each year thereafter, the Secretary of Defense shall develop, test, and validate human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries; and

"(2) Not later than October 1, 2022, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

(2) Each report under this subsection on or after October 1, 2022, shall include a description of the progress made by the Secretary in

(a) building or acquiring a new facility;

(b) determining that human-based training methods will not provide a comparison substitute for live animal-based training methods for such command or training method, as the case may be.

(d) Definitions.—In this section:

(1) The term 'combat trauma injuries' means severe injuries likely to occur during combat, including—

(A) hemorrhage;

(B) tension pneumothorax;

(C) amputation resulting from blast injury;

(D) complications to the airway; and

(E) other injuries.

(2) The term 'human-based training methods' means, with respect to training individuals to perform medical procedures on simulators:

(A) simulators;

(B) partial task trainers;

(C) moulage;

(D) simulated combat environments;

(E) human cadavers; and

(F) rotations in civilian and military trauma centers.

(3) The term 'partial task trainers' means training aids that allow individuals to learn or practice specific medical procedures.

(4) The term 'simulators' means any device or practice specific medical procedures.
in Signaling System No. 7. Such report shall include the following:

(1) A description of how vulnerabilities in Signaling System No. 7 have been exploited by foreign adversaries to target personnel of the Department of Defense.

(2) A description of the steps that the Secretary has taken to mitigate such vulnerabilities.

SA 2486. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title XVI, insert the following:

SEC. 1006. FINANCIAL AUDIT FUND.

The Secretary of Defense shall submit to the congressional defense committees a full account of cell site simulators detected near facilities of the Department of Defense during the three year period ending on the date of the enactment of this Act and the actions taken by the Secretary to protect personnel of the Department, their families, and facilities of the Department from foreign powers using such technology to conduct surveillance.

SA 2487. Mr. WYDEN (for himself and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 A of title X, add the following:

SEC. 1006. FINANCIAL AUDIT FUND.

(a) IN GENERAL.—If the Department of Defense does not obtain an unmodified audit opinion on its financial statements for fiscal year 2023 by March 31, 2024, the Secretary of Defense shall establish a fund to be known as the ‘‘Financial Audit Fund’’ in this section referred to as the ‘‘Fund’’ for the purpose of activities for the resolution of Notices of Findings and Recommendations received.

(b) ELEMENTS.—Amounts in the Fund shall include the following:

(1) Amounts appropriated to the Fund.

(2) Amounts transferred to the Fund under subsection (d).

(3) Any other amounts authorized for transfer or deposit into the Fund by law.

(c) Availability.

(1) IN GENERAL.—Amounts in the Fund shall be available for activities for the resolution of Notices of Findings and Recommendations received.

(2) TRANSFERS FROM FUND.—Amounts in the Fund may be transferred to any other account of the Department in order to fund activities described in this paragraph; provided, that the amount transferred for the resolution of Notices of Findings and Recommendations concerns, as applicable.

(1) DEFINITIONS.—In this section:

(A) The term ‘‘audit ready’’, with respect to an agency or organization of the Department of Defense, means that the agency or organization has in place the critical audit capabilities and infrastructure necessary to successfully commence and support a financial audit of its relevant financial statements.

(B) The term ‘‘adverse opinion’’, with respect to financial statements, means an opinion by the auditor of the financial statements that the financial statements are misleading and cannot be relied upon.

(C) The term ‘‘disclaimer of opinion’’, with respect to financial statements, means that

the auditor of the financial statements was not able to complete the audit work, and cannot issue an opinion, on the financial statements.

SA 2488. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 D of title III, add the following:

SEC. 340. TRAINING FOR NATIONAL GUARD PERSONNEL ON WILDFIRE RESPONSE.

The Secretary of the Army and the Secretary of the Air Force may, in consultation with the Chief of the National Guard Bureau, provide training for military personnel on wildfire response and prevention, with preference given to military installations with the highest wildfire suppression need.

SA 2489. Mr. NELSON (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 D of title XXVIII, add the following:

SEC. 2823. PLAN TO ALLOW INCREASED PUBLIC ACCESS TO THE NATIONAL NAVAL AVIATION MUSEUM AND BARRACANS NATIONAL CEMETERY, NAVAL AIR STATION PENSACOLA.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a plan to allow increased public access to the National Naval Aviation Museum and Barracans National Cemetery at Naval Air Station Pensacola.

SA 2490. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title III, add the following:


SEC. 3. EXTENSION OF MORATORIUM ON DRILLING IN EASTERN GULF OF MEXICO.

Section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended in the matter preceding paragraph (1) by striking “June 30, 2022” and inserting “June 30, 2027.”

SA 2491. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 X, add the following:

SEC. 10. VIETNAM VETERANS MEMORIAL VISITOR CENTER.

(a) In general.—Section 6(a) of Public Law 96–297 (54 U.S.C. 522901 note; 117 Stat. 1348) is amended by adding at the end the following:

“(4) Intramural remains.—The visitor center may house the remains of veterans of the Vietnam War.”

SA 2492. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 G of title V, add the following:

SEC. 3. AWARD OF MEDALS OR OTHER COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS AND THE MILITARY WORKING DOG CONCERNED.

(a) Program of Award Required.—Each Secretary of a military department shall carry a program to provide for the award of one or more medals or other commendations to handlers of military working dogs, and to military working dogs, under the jurisdiction of such Secretary to recognize valor or meritorious achievement by such handlers and dogs.

(b) MEDAL AND COMMEMORATIONS.—Any medal or commendation awarded pursuant to a program under subsection (a) shall be of such design, and include such elements, as the Secretary of the military department concerned shall specify.

(c) Presentation and Acceptance.—Any medal or commendation awarded pursuant to a program under subsection (a) may be presented to and accepted by the handler concerned on behalf of the handler and the military working dog concerned.

(d) Regulations.—Medals and commendations shall be awarded under programs under subsection (a) in accordance with regulations prescribed by the Secretary of Defense for purposes of this section.

SA 2493. Mr. MORAN (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 K of title X, add the following:

SEC. 1052. BRIEFING ON USE AND EXPANSION OF HACKING FOR DEFENSE IN SUPPORT OF INNOVATION AND ENTREPRENEURIAL EFFORTS OF THE DEPARTMENT OF DEFENSE.

Not later than February 28, 2019, the Under Secretary of Defense for Acquisition and Sustainment shall provide the Committees on Armed Services of the Senate and the House of Representatives a briefing on proposals for use or expansion of the so-called “Hacking for Defense” program in order to support the innovation and entrepreneurial efforts of the Department of Defense, including the following:

(1) A description of the manner in which the Hacking for Defense program is currently being employed within the Department.

(2) A description and assessment of proposals for manners in which the Hacking for Defense program could be leveraged or expanded in order to do the following:

(A) Provide advanced warfighter solutions.

(B) Address readiness deficiencies.

(C) Reinvent and enhance the innovation education of the Department with institutions of higher education and professional education programs in the United States and other North Atlantic Treaty Organization (NATO) countries.

SA 2494. Mr. MURPHY (for himself, Ms. WARREN, Ms. BALDWIN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VIII, add the following:

SEC. 834. REPORT ON MAJOR DEFENSE ACQUISITION PROGRAM PROCUREMENTS.

(a) Assessment Required.—

(1) In general.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the domestic source content of procurements carried out in connection with major defense acquisition programs.

(2) INFORMATION RESPOSITORY.—The Secretary of Defense shall establish an information repository for the collection and analysis of information related to domestic source content that can be used for continuous data analysis and program management activities.

(b) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term “major defense acquisition program” has the meaning given the term in section 2350 of title 10, United States Code.

SA 2495. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VIII, add the following:

SEC. 834. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR MAJOR DEFENSE ACQUISITION PROGRAM PROCUREMENTS.

(a) Assessment Required.—

(1) In general.—For purposes of chapter 83 of title 41, United States Code, manufactured or produced in connection with a major defense acquisition program are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if such component articles, materials, or supplies comprise 100 percent of the manufactured, articles, materials, or supplies.

(b) EFFECTIVE DATE.—The domestic content requirement under paragraph (1) applies to contracts entered into on or after October 1, 2019.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term “major defense acquisition program” has the meaning given the term in section 2350 of title 10, United States Code.

SA 2496. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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. 11. INCREASING PARTICIPATION IN UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) Finding.—Congress finds that the inclusion of women in international peacekeeping units improves accountability and decreases abuses against civilians.
Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, foreign military financing, and related programs 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. 5. ENDING THE CYPRUS ARMS EMBARGO.

(a) SHORT TITLE.—This section may be cited as the "End the Cyprus Arms Embargo Act".

(b) FINDINGS.—Congress finds the following:

(1) The Republic of Cyprus is a vital strategic partner to the United States.

(2) The Republic of Cyprus is a critical member of the Turkish Coalition to Counter the Islamic State in Iraq and the Levant.

(3) The United States cooperates closely with the Republic of Cyprus through information sharing agreements.

(4) High-level United States officials have assisted the Republic of Cyprus with crafting that nation’s national security strategy.

(5) The United States provides training to Cypriot officials in areas such as cybersecurity, counterterrorism, and explosive ordnance disposal and stockpile management.

(6) The Republic of Cyprus is a valued member of the Proliferation Security Initiative to combat the trafficking of weapons of mass destruction.

(7) The Republic of Cyprus continues to work closely with the United Nations and regional partners in Europe—

(A) to combat terrorism through law enforcement;

(B) to counter violent extremism programs; and

(C) to combat terrorism through financial mechanisms.

(8) The United States and the Republic of Cyprus maintain strong bilateral economic relations, particularly in sectors such as energy, financial services, and logistics.

(9) The energy exploration in the Republic of Cyprus’s Exclusive Economic Zone and territorial waters includes the participation of United States companies.

(10) Despite robust economic and security relations with the United States, the Republic of Cyprus has been subject to a United States embargo prohibiting the export of defense articles and services since 1987.

(11) At least 30,000 Turkish troops are stationed in the occupied part of Cyprus with weapons procured from the United States through mainland Turkey.

(12) The 1987 arms embargo was designed to restrict United States arms sales and transfers to the Republic of Cyprus and the occupied part of Cyprus to avoid hindering reuniﬁcation efforts.

(13) The United States provides training to Cyprus, the Government of Cyprus has sought to obtain these defense articles from other countries, including countries that pose challenges to United States interests around the world.

(14) The security of partners in the Eastern Mediterranean region is critical to the security of the United States and Europe.

(c) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) the direct sale or transfer of arms by the United States to the Republic of Cyprus would advance United States national security interests in Europe by helping to reduce the dependence of Cyprus on other countries for defense-related materiel, including countries that pose challenges to United States interests around the world; and

(2) it is in the interest of the United States—

(A) to continue to support United Nations-facilitated negotiations toward a comprehensive solution to the division of Cyprus;

(B) to afﬁrm the importance of demilitarization on the island of Cyprus; and

(C) for the Republic of Cyprus to join NATO’s Partnership for Peace Program.

(d) REPEAL OF PROHIBITION ON TRANSFER OF ARTICLES ON THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC OF CYPRUS.—

(1) IN GENERAL.—Section 620C of the Foreign Assistance Act of 1961 (22 U.S.C. 2373) is amended by striking subsection (e).

(2) EXCLUSION OF THE GOVERNMENT OF THE REPUBLIC OF CYPRUS FROM CERTAIN REGULATIONS.—Beginning on the date of the enactment of this Act, the Secretary of State shall issue regulations made with or under the authority of the Government of the Republic of Cyprus from the restrictions set forth in—

(A) section 22 of title 22, Code of Federal Regulations (relating to prohibited exports, imports, and sales to or from Cyprus); and

(B) Department of State Public Notice 1738 (57 Fed. Reg. 60265; December 18, 1992; relating to policy governing munitions export licenses to Cyprus).

SEC. 4. DEFINITION OF MILITARY SEXUAL TRAUMA.

The Secretary of Defense and Veterans Affairs shall, in coordination with the Secretaries of the Armed Forces and the Secretary of Health and Human Services, establish a definition of military sexual trauma to be used by all departments in all aspects of care and beneﬁts for members of the Armed Forces and veterans.

SEC. 5. DEFINITION OF MILITARY SEXUAL TRAUMA.

The Secretaries of Defense and Veterans Affairs shall, in coordination with the Secretaries of the Armed Forces and the Secretary of Health and Human Services, establish a definition of military sexual trauma to be used by all departments in all aspects of care and benefits for members of the Armed Forces and veterans.
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 part II of subtitle F of title V, United States Code, is amended—

SEC. 588. INFORMATION ON RESOURCES AVAILABLE REGARDING MILITARY SEXUAL TRAUMA PREVENTION COUNSELING PROVIDED TO MEMBERS OF THE ARMED FORCES.

Section 315(b) of title 10, United States Code, is amended—

(a) BACKGROUND CHECKS.—Not later than 2 years after the date of enactment of this Act, each covered local educational agency and each Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code, shall have in effect—

(i) a search of the State criminal registry and databases of the State in which the school employee resides;

(ii) a search of the State criminal registry or repository of the State in which the school employee resides;

(iii) a search of the State criminal registry and neglect registries and databases of the State in which the school employee resides;

(iv) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(v) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20901).

(b) Providing employment of a school employee as a school employee at the agency or school, respectively, if such employee—

(i) refuses to consent to a criminal background check conducted under paragraph (1);

(ii) knowingly submits false information concerning past convictions in connection with such a criminal background check;

(iii) has been convicted of a felony consisting of—

(A) murder;

(B) child abuse or neglect;

(C) a crime against children, including child pornography;

(D) spousal abuse;

(E) a crime involving rape or sexual assault;

(F) kidnapping;

(G) arson; or

(H) physical assault, battery, or a drug-related offense, committed on or after the date that is 5 years before the date of such employee's criminal background check under paragraph (1); and

(iv) has been convicted of any other crime that is a violent or sexual crime against a minor;

(c) DEFINITIONS.—In this Act:

(1) the projected cost and schedule impacts of the Department of Defense domestic dependent elementary and secondary school students; or

(ii) a covered local educational agency that is considering such school employee for employment as a school employee.

(B) FEES FOR BACKGROUND CHECKS.—The Attorney General, attorney general of a State, or other State law enforcement official may charge reasonable fees for conducting a criminal background check under subsection (a) but such fees shall not exceed the actual costs for the processing and administration of the criminal background check.

(c) DEFINITIONS.—In this Act:

(i) COVERED LOCAL EDUCATIONAL AGENCY.—The term "covered local educational agency" means—

(A) an education agency that receives funds under subsection (b) or (d) of section 7003, or section 7007, of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701, 7707).

(ii) SCHOOL EMPLOYEE.—The term "school employee" means—

(A) a person who—

(i) is an employee of, or is seeking employment with—

(I) a covered local educational agency; or

(II) a Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code, such elementary and secondary school; or

(II) as a result of such employment, has (or will have) a job duty that results in unsupervised access to elementary school or secondary school students; or

(B) any person, or an employee of any person, who has a contract or agreement to provide services to a covered local educational agency or a Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code; and

(iii) such person or employee, as a result of such contract or agreement, has a job duty that results in unsupervised access to elementary school or secondary school students.

SA 2501. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to describe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 1725(b)(4)(A), add at the end the following:

‘‘(12) Information concerning the availability of resources regarding military sexual trauma.’’

SA 2502. Mr. TOOMEY (for himself and Mr. JONES) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 part II of subtitle F of title V, United States Code, is amended—

SEC. 896. ADVANCED HELICOPTER TRAINING SYSTEM

In developing the requirements for the Navy's Advanced Helicopter Training System, the Secretary of the Navy shall take into consideration—

(1) the projected cost and schedule impacts of any development or non-developmental integration requirements;
(2) the level to which the new training system will enhance the transition to current Navy advance aircraft and any next generation Future Vertical Lift aircraft technologies and capabilities; and

(3) the efficiencies and cost benefits provided by the capability to replicate advanced training tasks on a primary trainer;

(4) the efficiency, and quality benefits of a training aircraft with flight and power management characteristics of a multi-engine trainer that is representative of these future helicopters; and

(5) the trends and best practices learned by other United States and international military training programs.

SA 2505. Mr. SANDERS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 2262 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title VIII, add the following:

SEC. 823. DEFENSE CONTRACTING FRAUD WEBSITE.

(a) In General.—The Secretary of Defense shall establish, maintain, and regularly update a publicly accessible website on defense contracting fraud.

(b) Elements.—The website established under subsection (a) shall include the following elements:

(1) A list of fraud-related criminal convictions, civil judgments, or settlements.

(2) A list of defense contractors debarred or suspended based on a criminal conviction for fraud.

(3) An assessment of the total value of Department of Defense contracts entered into for contractors that have been indicted, convicted, or charged with fraud.

(4) Recommendations from the Inspector General of the Department of Defense or other appropriate Department of Defense official on how to penalize contractors repeatedly involved in fraud, including updates on implementation by the Department of any previous recommendations.

(c) Restricted Information.—The Secretary of Defense may include as part of the website required under subsection (a) a restricted area for certain information that may only be accessed by appropriate government personnel.

SA 2508. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 D of title III, add the following:

SEC. 340. TRANSPORTATION TO CONTINENTAL UNITED STATES OF RETIRED MILITARY WORKING DOGS OUTSIDE THE UNITED STATES

That is suitable for adoption at that time, the Secretary of the military department concerned shall undertake transportation of the dog to the continental United States (includ- ing transportation costs in the United States expense) for adoption under this section unless—

(i) the dog is adopted as described in paragraph (a)(3); or

(ii) transportation of the dog to the continental United States would not be in the best interests of the dog for medical reasons.

(3) Nothing in this section shall be construed to alter the preference in adoption of retired military working dogs for former handlers as set forth in subsection (g).

SA 2509. Mr. MANCHIN (for himself, Mr. KENNEDY, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2262 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 part I of subtitle C of title XVI, add the following:

SEC. 1006. DEPARTMENT OF DEFENSE SPENDING REDUCTIONS IN THE ABSENCE OF AN UNQUALIFIED AUDIT OPINION.

If during any fiscal year after fiscal year 2022, the Secretary of Defense determines that a department, agency, or other element of the Department of Defense has not achieved a qualified audit opinion on its financial statements for the calendar year ending during such fiscal year—

(1) the amount available to such department, agency, or element for the fiscal year in which such determination is made shall be equal to—

(A) the amount otherwise authorized to be appropriated for such department, agency, or element for the fiscal year; minus

(B) the lesser of—

(i) an amount equal to 0.5 percent of the amount described in paragraph (A); or

(ii) $100,000,000; and

(2) the Secretary shall deposit in the general fund of the Treasury for purposes of deficit reduction all amounts unavailable to departments, agencies, and elements of the Department in the fiscal year pursuant to determinations made under paragraph (1).

SA 2050. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2262 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title VIII, add the following:

SEC. 822. PROHIBITION ON CONTRACTS WITH CONTRACTORS COMPENSATING ANY EMPLOYEE AT A RATE HIGHER THAN THE SECRETARY OF DEFENSE.

The Secretary of Defense may not enter into a contract for the procurement of property or services with a contractor that compensates any of its employees or officers more than $203,700 per year.
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 A of title IX, add the following:

SEC. 910. REPORT ON THE ROLE OF THE OFFICE OF THE CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE IN CONNECTION WITH CERTAIN AUDIT-RELATED MATTERS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a comprehensive description of the role of the Chief Management Officer of the Department of Defense, and each of the reform areas specified in subsection (b), in the following:

(1) Assisting in audit readiness.
(2) Addressing and remediating audit findings.

(b) Institutionalizing enterprise level business and system reform in order to achieve and sustain the Department-Defense wide goal of an unmodified audit opinion on its financial statements.

(b) REGULAR REPORTS.—The reports submitted under this subsection include a plan for remediation of service lines under section 1706(a) of title 38, United States Code, if applicable.

(b) USE OF REPORTS.—The reports submitted under paragraph (1) shall be used to develop the strategic plan required by section 7330C(b) of title 38, United States Code.

(c) SENSE OF CONGRESS ON USE OF AUTHORITY TO INVESTIGATE MEDICAL CENTERS OF THE DEPARTMENT OF VETERANS AFFAIRS.—It is the sense of Congress that the Secretary of Veterans Affairs should make full use of the authorities provided by section 2 of the Enhancing Veteran Care Act (Public Law 115–95; 38 U.S.C. 1701 note).

(c) ESTABLISHMENT OF NONPROFIT ENTITY.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment in carrying out activities under subparagraph (E) of paragraph (1).

(e) TRANSFER OF PERSONNEL AND RESOURCES.—

(1) IN GENERAL.—Subject to paragraph (2), the Under Secretary of Defense for Research and Engineering may transfer personnel, resources, and authorities as the Under Secretary considers appropriate to carry out the activities established under subsection (a) from other elements of the Department.

SA 2511. Mr. INHOFE (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 X, add the following:

SEC. 1066. PLANS TO IMPROVE MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PLANS REQUIRED.—

(1) PLANS OF DIRECTORS OF MEDICAL FACILITIES.—

(A) IN GENERAL.—The Secretary of Veterans Affairs shall require each director of a medical facility to submit to the Under Secretary for purposes of this section.

(b) REGULAR REPORTS.—

(1) IN GENERAL.—The Secretary shall ensure that, for inclusion in the first strategic plan submitted under section 1703C of title 38, United States Code, after the Secretary has received all of the reports required under subsection (a), and not less frequently than once every four years thereafter, each director of a Veterans Integrated Service Network in which a medical facility of the Department of Veterans Affairs shall require each director of a Veterans Integrated Service Network in which a medical facility of the Department of Veterans Affairs shall require each director of a Veterans Integrated Service Network in such a fashion that would improve the ability of all facilities within the network to meet the applicable standards established under section 1703C of title 38, United States Code.

(b) USE OF REPORTS.—The reports submitted under paragraph (1) shall be used to develop the strategic plan required by section 7330C(b) of title 38, United States Code.

(c) SENSE OF CONGRESS ON USE OF AUTHORITY TO INVESTIGATE MEDICAL CENTERS OF THE DEPARTMENT OF VETERANS AFFAIRS.—It is the sense of Congress that the Secretary of Veterans Affairs should make full use of the authorities provided by section 2 of the Enhancing Veteran Care Act (Public Law 115–95; 38 U.S.C. 1701 note).

(c) ESTABLISHMENT OF NONPROFIT ENTITY.—

(1) IN GENERAL.—The Under Secretary may establish or fund a nonprofit entity to carry out the activities required to carry out the program activities under subsection (a).

(e) TRANSFER OF PERSONNEL AND RESOURCES.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Under Secretary shall submit to the congressional defense committees a detailed plan to carry out this activity.

(e) ELEMENTS.—

(1) The plan required by paragraph (1) shall include the following:

(A) A description of the additional authorities needed to carry out the activities set forth in subsection (b).

(B) Plans for transfers under subsection (c), including plans for private fund-matching investments in weapon systems, or authorities under paragraph (1) upon certification by the Under Secretary that the activities established under this paragraph (a) can attract sufficient private sector investment, has personnel with sufficient technical and management expertise, and has identified relevant technologies and technology in industry and academia for the Department to enter into cooperative agreements or funding arrangements with the commercial technology industry and academia and how those plans fit into the current Department of Defense research and enterprise acquisition environment.

(B) CERTIFICATION.—The Under Secretary shall certify to the congressional defense committees that the conditions exist on the day before the date of the enactment of this Act.

(e) PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Under Secretary shall submit to the congressional defense committees a detailed plan to carry out this activity.

(e) ELEMENTS.—

(1) The plan required by paragraph (1) shall include the following:

(A) A description of the additional authorities needed to carry out the activities set forth in subsection (b).

(B) Plans for transfers under subsection (c), including plans for private fund-matching investments in weapon systems, or authorities under paragraph (1) upon certification by the Under Secretary that the activities established under this paragraph (a) can attract sufficient private sector investment, has personnel with sufficient technical and management expertise, and has identified relevant technologies and technology in industry and academia for the Department to enter into cooperative agreements or funding arrangements with the commercial technology industry and academia and how those plans fit into the current Department of Defense research and enterprise acquisition environment.

(E) Identifying promising emerging technologies in industry and academia for the Department of Defense for potential support or research and development, and for the private sector by foreign entities that could potentially exclude companies from participating in the Department of Defense technology and industrial base.
RUBIO, Mr. B LUMENTHAL, Ms. C OLLINS, and appropriate congressional committees that the United States until the date that is 30 days after the date of enactment of this Act, any penalty imposed pursuant to such an enactment of this Act shall be subject to the requirements of paragraph (1).

(b) PROHIBITION ON USE OR PROCUREMENT.—
The head of an executive agency may not—
(1) procure or obtain or extend or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system; or
(2) enter into a contract (or extend or renew a contract) with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) PROHIBITION ON LOAN AND GRANT FUNDS.—The head of an executive agency may not obligate or expend loan or grant funds to procure or obtain, extend or renew a contract to procure or obtain the equipment, services, or systems described in subsection (b).

(d) EFFECTIVE DATE.—The prohibitions under subsection (b)(1) and subsection (c) shall take effect 180 days after the date of the enactment of this Act and the prohibitions under subsection (b)(2) shall take effect three years after the date of the enactment of this Act.

(e) RULE OF CONSTRUCTION.—Nothing in subsection (b) or (c) shall be construed to—
(1) prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or
(2) cover telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(f) DEFINITIONS.—In this section:

(1) IN GENERAL.—Notwithstanding any other provision of law, no Federal official may modify any penalty, including a penalty or modification, that is in effect on such date of enactment, that has been imposed pursuant to such an enactment of this Act, any prohibition or modification under subparagraph (A) of paragraph (1), or any order or action related to such enactment of this Act.

(2) COVERED TELECOMMUNICATIONS EQUIPMENT.—
(C) COVERED FOREIGN COUNTRY.—The term ‘‘covered foreign country’’ means—
(1) the People’s Republic of China; and
(2) COVERED COMMUNICATIONS EQUIPMENT OR SERVICES.—The term ‘‘covered telecommunications equipment or services’’ means any of the following:

(A) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(B) Telecommunications services provided by such entities or using such equipment.

(3) REPLEMENT CONGRESSIONAL COMMITTEES.—Notwithstanding any other provision of law, no Federal official may modify any penalty, including a penalty or modification, that is in effect on such date of enactment, that has been imposed pursuant to such an enactment of this Act, any prohibition or modification under subparagraph (A) of paragraph (1), or any order or action related to such enactment of this Act.

(b) PROHIBITION ON USE OR PROCUREMENT.—
The head of an executive agency may not—
(1) procure or obtain or extend or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system; or
(2) enter into a contract (or extend or renew a contract) with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) PROHIBITION ON LOAN AND GRANT FUNDS.—The head of an executive agency may not obligate or expend loan or grant funds to procure or obtain, extend or renew a contract to procure or obtain the equipment, services, or systems described in subsection (b).

(d) EFFECTIVE DATE.—The prohibitions under subsection (b)(1) and subsection (c) shall take effect 180 days after the date of the enactment of this Act and the prohibitions under subsection (b)(2) shall take effect three years after the date of the enactment of this Act.

(e) RULE OF CONSTRUCTION.—Nothing in subsection (b) or (c) shall be construed to—
(1) prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or
(2) cover telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(f) DEFINITIONS.—In this section:

(1) IN GENERAL.—Notwithstanding any other provision of law, no Federal official may modify any penalty, including a penalty or modification, that is in effect on such date of enactment, that has been imposed pursuant to such an enactment of this Act, any prohibition or modification under subparagraph (A) of paragraph (1), or any order or action related to such enactment of this Act.

(2) COVERED TELECOMMUNICATIONS EQUIPMENT.—
(C) COVERED FOREIGN COUNTRY.—The term ‘‘covered foreign country’’ means—
(1) the People’s Republic of China; and
(2) COVERED COMMUNICATIONS EQUIPMENT OR SERVICES.—The term ‘‘covered telecommunications equipment or services’’ means any of the following:

(A) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(B) Telecommunications services provided by such entities or using such equipment.

(3) REPLEMENT CONGRESSIONAL COMMITTEES.—Notwithstanding any other provision of law, no Federal official may modify any penalty, including a penalty or modification, that is in effect on such date of enactment, that has been imposed pursuant to such an enactment of this Act, any prohibition or modification under subparagraph (A) of paragraph (1), or any order or action related to such enactment of this Act.

(b) PROHIBITION ON USE OR PROCUREMENT.—
The head of an executive agency may not—
(1) procure or obtain or extend or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system; or
(2) enter into a contract (or extend or renew a contract) with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) PROHIBITION ON LOAN AND GRANT FUNDS.—The head of an executive agency may not obligate or expend loan or grant funds to procure or obtain, extend or renew a contract to procure or obtain the equipment, services, or systems described in subsection (b).

(d) EFFECTIVE DATE.—The prohibitions under subsection (b)(1) and subsection (c) shall take effect 180 days after the date of the enactment of this Act and the prohibitions under subsection (b)(2) shall take effect three years after the date of the enactment of this Act.

(e) RULE OF CONSTRUCTION.—Nothing in subsection (b) or (c) shall be construed to—
(1) prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or
(2) cover telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(f) DEFINITIONS.—In this section:

(1) IN GENERAL.—Notwithstanding any other provision of law, no Federal official may modify any penalty, including a penalty or modification, that is in effect on such date of enactment, that has been imposed pursuant to such an enactment of this Act, any prohibition or modification under subparagraph (A) of paragraph (1), or any order or action related to such enactment of this Act.

(2) COVERED TELECOMMUNICATIONS EQUIPMENT.—
(C) COVERED FOREIGN COUNTRY.—The term ‘‘covered foreign country’’ means—
(1) the People’s Republic of China; and
(2) COVERED COMMUNICATIONS EQUIPMENT OR SERVICES.—The term ‘‘covered telecommunications equipment or services’’ means any of the following:

(A) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(B) Telecommunications services provided by such entities or using such equipment.

(3) REPLEMENT CONGRESSIONAL COMMITTEES.—Notwithstanding any other provision of law, no Federal official may modify any penalty, including a penalty or modification, that is in effect on such date of enactment, that has been imposed pursuant to such an enactment of this Act, any prohibition or modification under subparagraph (A) of paragraph (1), or any order or action related to such enactment of this Act.

(b) PROHIBITION ON USE OR PROCUREMENT.—
The head of an executive agency may not—
(1) procure or obtain or extend or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system; or
(2) enter into a contract (or extend or renew a contract) with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) PROHIBITION ON LOAN AND GRANT FUNDS.—The head of an executive agency may not obligate or expend loan or grant funds to procure or obtain, extend or renew a contract to procure or obtain the equipment, services, or systems described in subsection (b).

(d) EFFECTIVE DATE.—The prohibitions under subsection (b)(1) and subsection (c) shall take effect 180 days after the date of the enactment of this Act and the prohibitions under subsection (b)(2) shall take effect three years after the date of the enactment of this Act.

(e) RULE OF CONSTRUCTION.—Nothing in subsection (b) or (c) shall be construed to—
(1) prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or
(2) cover telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(f) DEFINITIONS.—In this section:

(1) IN GENERAL.—Notwithstanding any other provision of law, no Federal official may modify any penalty, including a penalty or modification, that is in effect on such date of enactment, that has been imposed pursuant to such an enactment of this Act, any prohibition or modification under subparagraph (A) of paragraph (1), or any order or action related to such enactment of this Act.

(2) COVERED TELECOMMUNICATIONS EQUIPMENT.—
(C) COVERED FOREIGN COUNTRY.—The term ‘‘covered foreign country’’ means—
(1) the People’s Republic of China; and
(2) COVERED COMMUNICATIONS EQUIPMENT OR SERVICES.—The term ‘‘covered telecommunications equipment or services’’ means any of the following:

(A) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(B) Telecommunications services provided by such entities or using such equipment.

(3) REPLEMENT CONGRESSIONAL COMMITTEES.—Notwithstanding any other provision of law, no Federal official may modify any penalty, including a penalty or modification, that is in effect on such date of enactment, that has been imposed pursuant to such an enactment of this Act, any prohibition or modification under subparagraph (A) of paragraph (1), or any order or action related to such enactment of this Act.
shall submit to the Committee on Small Business and Entrepreneurship of the Senate, the Committee on Armed Services of the Senate, the Committee on Small Business of the House of Representatives, and the Committee on Armed Services of the House of Representatives—

(A) not later than 1 year after the date of enactment of this subsection and every year thereafter for 3 years, a report that—

(i) provides the average and median amount of time that each component of the Department of Defense, and for other purposes; which was ordered to lie on the table; as follows:

(ii) provides that average and median amount of time with that of other Federal agencies participating in the SBIR or STTR program; and

(B) not later than December 5, 2021, a report that—

(i) includes the information described in subparagraph (A); and

(ii) assesses where each Federal agency participating in the SBIR or STTR program needs improvement with respect to the proposal review and award times under the program; and

SEC. 1066. TAX PREPARER FRAUD PROTECTION FOR SERVICEMEMBERS AND DEPENDENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Centers for manufacturing innovation that comprise the Network for Manufacturing Innovation, known as ‘‘Manufacturing USA’’, allow manufacturing partners of the Department of Defense to better achieve their missions by—

(A) rapidly transitioning science and technology to near-term commercial products; and

(B) lowering risk for technology insertion by applying new manufacturing processes to reduce cycle times and utilizing tools to support legacy systems;

(2) any plans of the Secretary for maintaining strategic influence and partnership with the such centers should be robust and accommodate the different operational models and technology-specific needs of each center; and

(3) any plans of the Secretary for continued partnership with such centers should ensure the centers remain as part of the Network for Manufacturing Innovation.

(b) PLAN TO MAINTAIN STRATEGIC INFLUENCE AND PARTNERSHIPS WITH THE CENTERS THAT COMPRISE THE NETWORK FOR MANUFACTURING INNOVATION

(1) PROVIDERS.—Childcare shall be provided under subsection (a) by the Secretary concerned:

(A) A childcare provider located on the installation concerned;

(B) A childcare provider located in the vicinity of the installation concerned and approved for the provision of childcare under this section by the Secretary concerned;

(C) Any other childcare provider approved for the provision of childcare under this section by the Secretary concerned.

(2) FUNDING.—Funds for the provision of childcare under subsection (a) shall be derived from amounts available to the Secretary concerned for the provision of childcare services to members of the Armed Forces.

(f) SECRETARY CONCERNED DEFINED.—In this section, the term ‘‘Secretary concerned’’ has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SEC. 1057. RESPITE CHILDCARE FOR CERTAIN SPOUSES OF MEMBERS OF THE ARMED FORCES.

(a) RESpite Childcare Required.—The Secretary concerned shall provide each spouse of a member of the Armed Forces under the jurisdiction of such Secretary who is described in subsection (a) to care for a child or children under the age of 13 years, hourly respite childcare for each such child at or in the vicinity of the installation to which the member concerned is assigned.

(b) SPOUSES.—A spouse described in this subsection is any spouse of a member of the Armed Forces as follows:

(A) any member of the Armed Forces on active duty (other than active duty for training).

(2) A spouse who is participating in the Transition Assistance Program established under section 1144 of title 10, United States Code.

(c) LIMITATION ON AMOUNT OF CARE PER CHILD.—The total number of hours of childcare provided under subsection (a) with respect to a particular child may not exceed 16 hours.

(d) FUNDING.—(1) PROVIDERS.—Childcare shall be provided under subsection (a) by the following, as elected by the Secretary concerned:

(A) A childcare provider located on the installation concerned.

(B) A childcare provider located in the vicinity of the installation concerned and approved for the provision of childcare under this section by the Secretary concerned.

(C) Any other childcare provider approved for the provision of childcare under this section by the Secretary concerned.


standards to ensure any tax return preparer providing tax return preparation services to a covered member or a covered dependent has demonstrated—

(1) the good character;
(2) the necessary qualifications to provide valuable service to any person; and
(3) the competency to properly advise and assist any person in the preparation of their tax returns;

"(c) REFERRALS TO SECRETARY OF TREASURY.—Pursuant to subsection (d) of section 330 of title 31, United States Code, the Secretary shall refer to the Secretary of the Treasury any tax return preparer who, in connection with any tax return preparation services furnished to a covered member or a covered dependent, has—

(1) repeatedly furnished to the Secretary statements, and has not been disbarred from the practice of the tax profession, that the tax return preparer has the same meaning given such term under section 6696(e)(2) of the Internal Revenue Code of 1986;
(2) knowingly furnished to the Secretary statements that the tax return preparer had the same meaning given such term under subsection (c) relating to monetary penalties shall apply for purposes of this subsection;
(3) the terms ‘tax return preparer’, ‘tax return’, and ‘claim for refund’ shall have the same meaning given such terms under subsection (d) of section 966 of title 10, United States Code;

"(d) DEFINITIONS.—For purposes of this section—

(1) CLAIM FOR REFUND.—The term ‘claim for refund’ has the same meaning given such term under section 6696(e)(2) of the Internal Revenue Code of 1986.

(2) COVERED DEPENDENT.—The term ‘covered dependent’ means, with respect to a covered member—

(A) such member’s spouse;
(B) such member’s child (as defined in section 101(4) of title 38, United States Code);

(c) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act.

SEC. 609. COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

(a) COMPENSATION.—Section 2605(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking ‘or’ at the end;
(2) in paragraph (3), by striking the period at the end and inserting ‘; or’; and
(3) by adding the following new paragraph:

‘‘(4) for each of 6 days in connection with the taking by the member of a period of maternity leave.’’;

(b) CREDIT FOR RETIRED PAY PURPOSES.—

(1) GENERAL.—The term ‘tax return preparer’ means any service that assists in the preparation, filing, or claim for refund in exchange for valuable service to any person; and

(2) EXCEPTIONS.—The restriction under subsection (a) shall not apply—

(A) for the preparation, filing, or claim for refund by a person or prospective person whose tax return, claim for refund, or document in connection with a tax return or claim for refund, is being or may be prepared; or

(B) with respect to any person or prospective person whose tax return, claim for refund, or document in connection with a tax return or claim for refund, is being or may be prepared; or

(4) with intent to defraud, willfully and knowingly misleads or threatens any person or prospective person whose tax return, claim for refund, or document in connection with a tax return or claim for refund, is being or may be prepared; or

(c) EXCEPTIONS.—The restriction under subsection (a) shall not apply—

(1) with intent to defraud, willfully and knowingly misleads or threatens any person or prospective person whose tax return, claim for refund, or document in connection with a tax return or claim for refund, is being or may be prepared; or

(2) with respect to any person or prospective person whose tax return, claim for refund, or document in connection with a tax return or claim for refund, is being or may be prepared; or

(5) COMPUTATION OF YEARS OF SERVICE FOR RETIRED PAY.—Section 12733 of such title is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph:

‘‘(5) One day for each point credited to the person under subsection (4) of section 12732(a)(2) of title 10, United States Code, is amended by inserting after subparagraph (E) the following new subparagraph:

‘‘(7) Points at the rate of 12 a year for the taking of maternity leave.’’;

SA 2520. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

SEC. 12. RESTRICTION ON USE OF FUNDS FOR MILITARY OPERATIONS IN NORTH KOREA.

(a) IN GENERAL.—No funds may be used for military operations in North Korea absent an imminent threat to the United States without express authorization by an Act of Congress.

(b) EXCEPTIONS.—The restriction under subsection (a) shall not apply—

(1) to provide military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 609. COMPENSATION AND CREDIT FOR RETIRED PAY PURPOSES FOR MATERNITY LEAVE TAKEN BY MEMBERS OF THE RESERVE COMPONENTS.

(a) COMPENSATION.—Section 2605(a) of title 37, United States Code, is amended—

(1) in paragraph (2), by striking ‘or’ at the end;
(2) in paragraph (3), by striking the period at the end and inserting ‘; or’; and
(3) by adding the following new paragraph:

‘‘(4) for each of 6 days in connection with the taking by the member of a period of maternity leave.’’;

(b) CREDIT FOR RETIRED PAY PURPOSES.—

(1) GENERAL.—The term ‘tax return preparer’ means any service that assists in the preparation, filing, or claim for refund in exchange for valuable service to any person; and

(2) EXCEPTIONS.—The restriction under subsection (a) shall not apply—

(A) for the preparation, filing, or claim for refund by a person or prospective person whose tax return, claim for refund, or document in connection with a tax return or claim for refund, is being or may be prepared; or

(B) with respect to any person or prospective person whose tax return, claim for refund, or document in connection with a tax return or claim for refund, is being or may be prepared; or

(5) COMPUTATION OF YEARS OF SERVICE FOR RETIRED PAY.—Section 12733 of such title is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph:

‘‘(5) One day for each point credited to the person under subsection (4) of section 12732(a)(2) of this title.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to periods of maternity leave that commence on or after that date.

SA 2522. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

SEC. 16. MODIFICATION TO LAUNCH SUPPORT AND INFRASTRUCTURE MODERNIZATION.

Section 1609(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91) is amended by striking ‘‘Public Law 115-91’’ and United States spaceports that actively support national security missions’’.
SA 2523. Ms. SMITH (for herself and Ms. KLOBUCHEK) submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, including 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:

SEC. 10. SUPERIOR NATIONAL FOREST LAND EXCHANGE.

(a) PURPOSE AND NEED FOR NORTHMET LAND EXCHANGE.—

(1) PURPOSE.—It is the purpose of this section to further the public interest by consummating the NorthMet Land Exchange as specifically set forth in this section.

(2) NEED.—According to the Final Record of Decision, the NorthMet Land Exchange is advisable and needed because the NorthMet Land Exchange will—

(A) result in a 40-acre net gain in National Forest System lands;

(B) improve the spatial arrangement of National Forest System lands by reducing the amount of ownership boundaries to be managed by 33 miles;

(C) promote management effectiveness by exchanging isolated Federal lands with no public overland access for non-Federal lands that will have public overland access and be accessible and open to public use and enjoyment;

(D) result in Federal cost savings by eliminating certain easements and their associated administration costs;

(E) meet several of the priorities identified in the land and resource management plan for Superior National Forest to protect and manage administratively or congressionally designated, unique, proposed, or recommended areas, including acquisition of 307 acres of land to the administratively proposed candidate Research Natural Areas, which are managed by preserving and maintaining areas for ecological research, observation, genetic conservation, monitoring, and educational activities;

(F) promote more effective land management that would meet specific National Forest needs for management, including acquisition of 13 acres of land for the following public access, watershed protection, ecologically rare habitats, wetlands, water frontage, and improved ownership patterns;

(G) convey Federal land generally not needed for other Forest resource management objectives, because such land is adjacent to intensively developed private land including transmission areas, where abundant mining infrastructure and transportation are already in place, including—

(i) a large, intensively developed open pit mine and roads directly to the north of the Federal land;

(ii) a private mine railroad, powerlines, and roads lying directly to the south of the Federal land; and

(iii) already existing ore processing, milling, and tailings facilities located approximately 5 miles to the west of the Federal land;

(H) provide a practical resolution to complex issues pertaining to the development of private mineral rights underlying the Federal land thereby avoiding potential litigation which could adversely impact the status and management of the Federal land and other National Forest System land acquired with the authority of section 6 of the Act of March 1, 1911 (commonly known as the Weeks Law; 16 U.S.C. 515).

(b) DEFINITIONS.—In this section:

(1) COLLECTION AGREEMENTS.—The term "Collection Agreements" means the following agreements between the Secretary and Poly Met pertaining to the NorthMet Land Exchange:


(B) The agreement dated January 15, 2016.

(2) FEDERAL LAND PARCEL.—The term "Federal land parcel" means all right, title, and interest of the United States in and to approximately 6,600 acres of National Forest System land, as identified in the Final Record of Decision, within the Superior National Forest in St. Louis County, Minnesota, as generally depicted on the map entitled "Federal Land Parcels-NorthMet Land Exchange", and dated June 2017.

(3) NON-FEDERAL LAND.—The term "non-Federal land" means all right, title, and interest of Poly Met in and to approximately 6,690 acres of land in four separate tracts (comprising 16 separate land parcels in total) within the Superior National Forest to be conveyed to the United States by Poly Met in the land exchange as generally depicted on an overview map entitled "Non-Federal Land Parcels-NorthMet Land Exchange-Hay Lake Tract", and dated June 2017.

(B) LAND EXCHANGE EXPEDITED.—Subject to the conditions imposed by this section, the NorthMet Land Exchange directed by this section shall be consummated not later than 60 days after the date of enactment of this Act.

(2) FORM OF CONVEYANCE.—

(A) NON-FEDERAL LAND.—Title to the non-Federal land conveyed by Poly Met to the United States shall be by general warranty deed subject to existing rights of record, and otherwise conform to the title approval regulations of the Attorney General of the United States.

(B) FEDERAL LAND PARCEL.—The Federal land parcel shall be quitclaimed by the Secretary to Poly Met by an exchange deed.

(3) EXCHANGE COSTS.—

(A) REIMBURSEMENT REQUIRED.—Poly Met shall pay or reimburse the Secretary, either directly or through the Collection Agreements, for all land survey, appraisal, land title, deed preparation, and other costs incurred by the Secretary in processing and consummating the NorthMet Land Exchange. The Collection Agreements, as in effect on the date of the enactment of this Act, may be modified through the mutual consent of the parties.

(B) DEPOSIT OF FUNDS.—All funds paid or reimbursed to the Secretary under subparagraph (A) shall—

(i) be deposited and credited to the accounts in accordance with the Collection Agreements;

(ii) be used for the purposes specified for the accounts; and

(iii) remain available to the Secretary until expended without further appropriation.

(4) CONDITIONS ON LAND EXCHANGE.—

(A) RESERVATION OF CERTAIN MINERAL RIGHTS.—Notwithstanding paragraph (1), the United States shall reserve the mineral rights on approximately 181 acres of the Federal land parcel as generally identified on the map entitled "Federal Land Parcel-NorthMet Land Exchange", and dated June 2017.

(B) THIRD-PARTY AUTHORIZATIONS.—As set forth in the Final Record of Decision, Poly Met shall honor existing road and transmission line authorizations on the Federal land parcel. Upon relinquishment of the authorizations by the holder thereof or on revocation of the authorizations by the Forest Service, Poly Met shall offer replacement authorizations to the holder on at least equivalent terms.

(d) VALUATION OF NORTHMET LAND EXCHANGE.

(1) APPRAISALS.—The Congress makes the following new findings:

(A) Appraisals of the Federal and non-Federal lands to be exchanged in the NorthMet Land Exchange were formally prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions, and were approved by the Secretary in conjunction with the draft November 2015 Draft Record of Decision on the NorthMet Land Exchange.

(B) The appraisals referred to in subparagraph (A) determined that the value of the non-Federal lands exceeded the value of the Federal land parcel by approximately $25,000.

(C) Based on the appraisals referred to in subparagraph (A), the United States would ordinarily be required to make a $25,000 cash equalization payment to Poly Met to equivalent the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), unless such an equalization payment is waived by Poly Met.

(2) LAND EXCHANGE EXPEDITED.—Subject to the conditions imposed by this section, the NorthMet Land Exchange directed by this section shall be consummated not later than 60 days after the date of enactment of this Act.
approved by the Secretary in November 2015, and referenced in paragraph (1)—
(A) shall be the values utilized to consummate the NorthMet Land Exchange; and
(B) shall be the subject to reappraisal.
(3) WAIVER OF EQUALIZATION PAYMENT.—
(A) CONDITION ON LAND EXCHANGE.—Notwithstanding section 206(b) of the Federal Land Disposition Act (43 U.S.C. 1716(b)), and as part of its offer to exchange the non-Federal lands as provided in subsection (c)(1), Poly Met shall waive any payment to it of any monies owed by the United States to equalize land values.
(B) TREATMENT OF WAIVER.—A waiver of the equalization payment under subpara-
graph (A) is considered as a voluntary donation to the United States by Poly Met for all purposes of law.
(c) MAPS AND LEGAL DESCRIPTIONS.—
(1) MINOR ADJUSTMENTS.—By mutual agree-
ment, the Secretary and Poly Met may correct minor or typographical errors in any map, acreage estimate, or description of the Federal land parcel or non-Federal land to be exchanged in the NorthMet Land Exchange.
(2) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land, the map shall control unless the Secretary and Poly Met mutually agree otherwise.
(3) EXCHANGE MAPS.—The maps referred to in subsection (b) shall be submitted by the Secretary, from appropriation or disposal under the mineral leasing and geothermal or other public land laws upon enactment of this Act, is hereby so subject, withdrawn for the purpose of Federal law, and the parcel shall become private land and available for any use permitted by applicable Federal, State, and local laws and regulations applicable to the Superior National Forest and the National Forest System.
(f) POST-EXCHANGE LAND MANAGEMENT.—
(1) LAND MANAGEMENT.—Upon conveyance of the non-Federal land to the United States in the NorthMet Land Exchange, the non-Federal land shall become part of the Superior National Forest and be managed in accordance with—
(A) the Act of March 1, 1911 (commonly known as the Weeks Law; 16 U.S.C. 500 et seq.); and
(B) the laws and regulations applicable to the Superior National Forest and the Na-
tional Forest System.
(2) LAND ACQUISITION.—By the United States in the NorthMet Land Ex-
change, the non-Federal lands shall be managed in a manner consistent with the land and resource management plan required to be developed by the Secretary of the Interior on non-Federal lands and under laws relating to mineral and other uses of land in private ownership.
(g) MISCELLANEOUS PROVISIONS.—
(1) WITHDRAWAL OF ACQUIRED NON-FEDERAL LAND.—The non-Federal lands acquired by the United States in the NorthMet Land Exchange shall be withdrawn, without further action by the Secretary, from appropriation and disposal under public land laws and under laws relating to mineral and geothermal leasing.
(2) WAIVER OF MINERAL ROYALTIES.—Any public land order that withdraws the Federal land parcel from appropriation or disposal under a public land law shall be revoked without further action by the Secretary, to the extent necessary to permit conveyance of the Fed-
eral land parcel to Poly Met.
(3) WITHDRAWAL OF FEDERAL LAND PENDING CONVEYANCE.—The Federal land parcel to be conveyed to Poly Met in the NorthMet Land Exchange, if not already withdrawn or segregated from disposal under the mineral leasing and geothermal or other public land laws upon enactment of this Act, is hereby so with respect to valid ex-
isting rights, until the date of conveyance of the Federal land parcel to Poly Met.
(4) ACT CONTROLS.—In the event any provi-
sion of the Record of Decision conflicts with a provision of this section, the provision of this section shall control.
SA 2524. Mr. BOOKER submitted an amend-
ment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:
SEC. 12.—REPORT ON DEPARTMENT OF DEFENSE MISSIONS, OPERATIONS, AND ACTIVITIES IN NIGER AND THE BROADER REGION.
(a) REPORT REQUIRED.—
(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation as appropriate with the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representa-
tives a report that—
(A) describes the objectives and the associated lines of efforts of the Department in Niger and the broader region that includes the following:
(i) A description of the objectives and the associated lines of efforts of the Department in Niger and the broader region, and the benchmarks for assessing progress toward such objectives.
(ii) A description of the timeline for achieving such objectives in Niger and the broader region.
(iii) A justification of the relevance of such objectives in Niger and the broader region to the national security of the United States and to the objectives in the National Defense Strategy.
(iv) A description of the legal, operational, and fiscal authorities relating to the lines of effort of the Department in Niger and the broader region.
(v) An identification of measures to mitigate operational risk to and increase the prepar- edness of members of the Armed Forces conducting missions, operations, or activities in Niger or the broader region.
(B) SCOPE OF REPORT.—For purposes of the report required by paragraph (1), the term ‘broader region’ includes Algeria, Libya, Chad, Cameroon, Nigeria, Benin, Burkina Faso, and Mali.
(b) FORM.—The report required by sub-
section (a)(1) shall be submitted in unclassi-

ified form, but may contain a classified annex.
SA 2525. Ms. HIRONO submitted an amend-
ment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:
SEC. 729. ESTABLISHMENT OF MILITARY DENTAL RESEARCH PROGRAM.
(a) IN GENERAL.—(1) The term ‘military dental research means research on the furnishing of dental care and services by dentists in the armed forces.
(b) The term ‘TriService Dental Research Program’ means the program of military dental research authorized under this section.
(c) The TriService Dental Research Group shall be administered by a TriService Dental Research Group composed of Army, Navy, and Air Force dentists who are involved in mil-
tary dental research and are designated by the Secretary concerned to serve as members of the group.
(d) DUTIES OF GROUP.—The TriService Dental Research Group shall its duties under this section.
SEC. 730. ESTABLISHMENT OF MILITARY DENTAL RESEARCH PROGRAM.
(a) UNCLASSIFIED REPORT.—The Secretary of Defense may establish at the University a military dental research program that includes research on the following issues:
(1) The term ‘military dental research’ includes research on the following issues:
(A) high cost of dental care to the Department of Defense, including how to improve the ef-
ficiency and effectiveness of dental care; and
(B) the relationship of dental care to the readiness of members of the armed forces; and
(2) An assessment of the command and support relationships of United States Africa Com-
mand with subordinate component com-
mands, including Special Operations Com-
mmand Africa.
(B) An identification and description of each recommendation made to the Department from the Army Regulation 15-4 investigation report conducted by United States Africa Command regarding the deaths of four soldiers in Niger on October 4, 2017.
(I) Any other matter the Secretary of De-
fense determines to be appropriate.
"(5) Issues regarding minimizing or eliminating emergent dental conditions and dental disease and non-battle injuries in deployed settings."

"(6) Whether the resources are optimally aligned with the 2018 National Defense Strategy; and"

"(7) Issues regarding how to prevent complications associated with dental-related battle injuries."

"(8) Issues regarding the use of technological advances, including distance learning and teledentistry."

"(9) Issues regarding psychological distress in receiving dental care and services."

"(10) Issues regarding how to improve methods of training dental personnel, including dental assistants and dental extenders.

"(11) Wellness issues relating to dental care and services.

"(12) Case management issues relating to dental care and services.

"(13) Issues regarding the use of alternate dental care delivery systems, including the employment of interprofessional practice models incorporating multiple health professions.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2116 the following new item:

"2116a. Military dental research."

SA 2526. Ms. HIRONO (for herself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; after "sections".

SA 2527. Mr. UDALL (for himself and Mr. HINCHIICH) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; after "sections".

SA 2528. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; after "sections".

SEC. 1052. STUDY ON PHASING OUT OPEN BURN PITS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that includes—

(1) details of any ongoing use of open burn pits; and

(2) the feasibility of phasing out the use of open burn pits by using technology incinerators.

(b) OPEN BURN PIT DEFINED.—In this section, the term "open burn pit" means an area of land—

(1) that is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

(2) does not contain a commercially manufactured incinerator specifically designed and manufactured for the burning of solid waste.

SEC. 1053. AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.

Beginning not later than one year after the date of the enactment of this Act, the Secretary of Defense shall carry out an annual education campaign to inform individuals who may be eligible to enroll in the Airborne Hazards and Open Burn Pit Registry of such eligibility. Each such campaign shall include at least one electronic method and one physical mailing method to provide such information.

SEC. 1054. ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES OF AMERICAN CAPEABILITIES TO DISCHARGE THE DUTIES OF INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE RESOURCES.

(a) ASSESSMENT.—The Comptroller General of the United States shall, in consultation with the Secretary of Defense, the Director of National Intelligence, the secretaries of the military departments, the commanders of the relevant combat support agencies, and the commanders of the combatant commands, carry out an assessment of the amount and distribution of intelligence, surveillance, and reconnaissance resources across the intelligence community and the Armed Forces.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the assessment required by subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the amount and distribution of intelligence, surveillance, and reconnaissance resources across the intelligence community and the Armed Forces, specifically—

(i) the balance of intelligence, surveillance, and reconnaissance resources being used to support the demands of policymakers (via the intelligence community) relative to the distribution of intelligence, surveillance, and reconnaissance being used to support the demands of the commanders of the combatant commands (via the military services);

(ii) whether the distribution of such resources is optimally aligned with the National Security Strategy; and

(iii) when metrics are being assumed based on balancing the distribution of intelligence, surveillance, and reconnaissance resources.

(b) An assessment of the distribution of intelligence, surveillance, and reconnaissance resources among the various combatant commands, including—

(i) the balance between intelligence, surveillance, and reconnaissance resources being used to support ongoing operations versus intelligence, surveillance, and reconnaissance resources being used to support contingency operations;

(ii) whether the resources are optimally aligned with the 2018 National Defense Strategy; and

(iii) where risks are being assumed based on intelligence, surveillance, and reconnaissance resource levels.

(C) An assessment of the distribution of intelligence, surveillance, and reconnaissance resources within each combatant command, including—

(D) An assessment of the effect of increasing the overall level of intelligence, surveillance, and reconnaissance resources on achieving national security objectives of the United States, as well as the effect of increasing the level of intelligence, surveillance, and reconnaissance resources for the highest priority requirements for the Director of National Intelligence and commanders of combatant commands.

(E) Recommendations for maximizing any additional intelligence, surveillance, and reconnaissance resources to support national security objectives of the United States, particularly for the highest priority requirements for the Director and the commanders of the combatant commands.

(F) Recommendations as to how most effectively to buy-down significant strategic risks.

(G) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives;

(2) The term “intelligence community” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 403).

SA 2529. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; after "sections".

SEC. 1055. UPDATING THE NATIONAL COUNTER-INTELLIGENCE STRATEGY.

(a) Sense of Congress.—It is the sense of Congress that an updated National Counter-intelligence Strategy should—

(1) recognize and prioritize the national security threat posed by covert influence operations, foreign influence operations, and other threats to national security;

(2) include coordinating a whole-of-government approach to effectively detect and
counter covert influence operations by foreign intelligence entities; and

(3) be aligned with the National Security Strategy, which acknowledges the national security threat of covert and counter influence operations conducted by foreign intelligence entities.

(b) UPDATE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall update the National Counterintelligence Strategy to include a strategy to effectively detect and counter covert influence operations by foreign intelligence entities.

SA 2530. Ms. STABENOW (for herself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title III, add the following:

SEC. 316. COOPERATIVE AGREEMENTS WITH STATES FOR REMOVAL AND REMEDIATION OF DETERGENTS TO ADDRESS DRINKING, SURFACE, AND GROUND WATER CONTAMINATION FROM PFAS.

(a) DEFINITIONS.—In this section:

(1) The term ‘perfluorinated compound’ means perfluorooalkyl and polyfluorooalkyl substances (PFAS) that are man-made chemicals with at least one fully fluorinated carbon atom.

(2) The term ‘fully fluorinated carbon atom’ means a carbon atom on which all the hydrogens of the substituent have been replaced by fluorine.


(b) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—Upon request from the governor or chief executive of a State, the Department of Defense shall work expeditiously to enter into a cooperative agreement for testing, monitoring, removal, and remedial actions to address contamination or suspected contamination of drinking, surface, or ground water from PFAS originating from an active or decommissioned military installation, including a National Guard facility.

(2) MINIMUM STANDARDS.—A cooperative agreement under this subsection shall meet or exceed the most stringent of the following standards for PFAS in any environmental media:

(A) An enforceable State standard for drinking, surface, or ground water, as required under section 121(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)).

(B) Federal Health Advisories issued by the Environmental Protection Agency.


(c) NOTIFICATION REQUIREMENT.—

(1) IN GENERAL.—If a cooperative agreement is not reached pursuant to subsection (b) within one year after the request from a State, the Secretary of Defense shall report to the appropriate congressional committees, as well as the Senators from the State with the contamination and the member of Congress representing the district with the PFAS contamination. The report shall provide a detailed explanation for why an agreement has not been reached and a projected timeline for completing the cooperative agreement.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ‘appropriate congressional committees’ means—

(A) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives.

SA 2531. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title XII, add the following:

SEC. 3. SECURITY ASSISTANCE FOR SUB-SAHARAN AFRICA.

(a) REQUIREMENT.—All defense articles, defense services, security and military assistance, and related cooperation provided to a country in sub-Saharan Africa shall be provided as part of a comprehensive strategy for democracy and institution-building in such country.

(b) PROHIBITION OF ASSISTANCE.—Defense articles, defense services, security and military assistance, and related cooperation may not be provided in any fiscal year to any country in sub-Saharan Africa in which less than $2,000,000 in United States assistance in defense 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 B of title XII, add the following:

EC.
States Agency for International Development mission;

(III) a robust plan for increased activities and funding to counter violence extremism and for conflict prevention and mitigation;

(IV) enhanced support for economic opportunity with a focus on youth employment; and

(V) increased support for democracy and governance, including support for strengthening civil society and elections preparations.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the appropriate committees of Congress a report that details the strategy developed under subsection (a) and includes a description of specific diplomatic actions, including United States Government-funded programs and activities, to advance peace and security, counter terrorism, increase economic growth and investment, promote democracy and good governance, and support development in the Sahel-Maghreb.

(c) REQUIREMENT FOR A SECURITY SECTOR REVIEW.—Prior to the resumption of security 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. 12. REPORT ON INTERAGENCY STRATEGY TO PROMOTE STABILITY IN THE CENTRAL AFRICAN REPUBLIC.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other relevant Federal agencies, shall submit to the appropriate committees of Congress an update to the report on the interagency strategy to promote stability in the Central African Republic, as required by the Senate report accompanying the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235).

(b) ELEMENTS.—The report required by subsection (a) shall include an update of the elements originally submitted and the following:

(1) A detailed description of—

(A) the measures the President is taking to ensure full funding for humanitarian assistance in the Central African Republic; and

(B) the United Nations' efforts to support progress in disarmament, demobilization, and reintegration in the Central African Republic.

(2) The continuing need for a joint United Nations and United States interagency strategy to promote stability in the Central African Republic, and the status of implementation of such programs.

(3) Plans for coordinating with donors to ensure full funding for humanitarian assistance in the Central African Republic.

(4) An assessment of progress, current obstacles to progress, and plans of the President to support progress in disarmament, demobilization, and reintegration in the Central African Republic.

(5) An assessment of—

(A) the current status of the Special Criminal Court; and

(B) whether there are any obstacles that remain to full operation of such court;

(c) United States financial support specifically for the court as of the date of the enactment of this Act; and

(d) any manner in which the United States may provide support to such court, including financial support and technical assistance.

(2) The term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2535. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 2532 submitted by Mr. INHOFE, for himself and Mr. MCCAIN, and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military construction, and 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:
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 C of title VI, add the following:

SEC. 622. ONE-YEAR OPEN ENROLLMENT PERIOD FOR THE SURVIVOR BENEFIT PLAN COMMENCING OCTOBER 1, 2019.


(1) in subsection (a)(1), by striking “the open enrollment period specified in subsection (f)” and inserting “an open enrollment period specified in subsection (f)”;

(2) by striking subsection (f) and inserting the following new subsection (f):

“(f) OPEN ENROLLMENT PERIODS.—The open enrollment periods under this section shall be the periods as follows:

(1) The one-year period beginning on October 1, 2008.

(2) The one-year period beginning on October 1, 2019.

(b) CONFORMING AMENDMENTS.—Such section is amended by striking “in subsection (a)” and inserting “in subsection (f)”.

(c) HEADING AMENDMENT.—The heading of this section is amended to read as follows:

“SEC. 645. ONE-YEAR OPEN ENROLLMENT PERIODS IN SURVIVOR BENEFIT PLAN COMMENCING OCTOBER 1, 2005, AND OCTOBER 1, 2019.”

SA 2536. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VI, add the following:

SEC. 622. ELECTION OF SUPERSEDING BENEFICIARY IN THE SURVIVOR BENEFIT PLAN IN THE EVENT OF THE DEATH OF A DEPENDENT CHILD BENEFICIARY.

(a) IN GENERAL.—Section 1448(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(8) ELECTION OF NEW BENEFICIARY UPON DEATH OF DEPENDENT CHILD BENEFICIARY.—If a dependent child beneficiary of the Plan dies, the participant in the Plan may elect a new beneficiary. The new beneficiary so elected shall be a natural person with an insurable interest in that participant who is not otherwise ineligible to be elected as a beneficiary under any other provision of this section at the time of election. The election shall be made, if at all, not later than 180 days after the date of death of the dependent child.”.

(b) EFFECTIVE DATE.—(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to participants in the Survivor Benefit Plan with dependent child beneficiaries in the Plan that, subject to paragraph (2), occur on or after that date.

(2) DEATHS OF CHILDREN BEFORE ENACTMENT.—A participant in the Survivor Benefit Plan may make an election under paragraph (8) of section 1448(b) of title 10, United States Code (as added by subsection (a)), in connection with the death of a dependent child beneficiary that occurred before the date of the enactment of this Act, regardless of the date of death. A such election shall be made, if at all, not later than 180 days after the date of the enactment of this Act.

SA 2537. Ms. STABENOW (for herself, Mr. PETERS, Ms. BALDWIN, Ms. DUCKWORTH, Mr. DONNELLY, Mr. young, Mr. Brown, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. DURFFY (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 X, add the following:

SEC. 10. SENSE OF CONGRESS RELATING TO LOCKS, SAULT SAINTE MARIE, MICHIGAN.

It is the sense of Congress that—

(1) the Soo Locks in Sault Ste. Marie, Michigan, are of critical importance to the national security of the United States;

(2) the Soo Locks is the only waterway connection from Lake Superior to the Upper Great Lakes and the St. Lawrence Seaway;

(3) only the Poe Lock is of sufficient size to allow for the passage of the largest cargo vessels that transport well over 90 percent of all iron ore mined in the United States, and this lock is nearing the end of its 50-year useful lifespan;

(4) a report issued by the Office of Cyber and Infrastructure Analysis of the Department of Homeland Security concluded that an unscheduled month outage of the Poe Lock would cause—

(A) a dramatic increase in national and regional unemployment; and

(B) 75 percent of Great Lakes steel production, and nearly all North American appliance, automobile, railroad, and construction, farm, and mining equipment production to cease;

(5) the Corps of Engineers is reevaluating a past economic evaluation report to update the benefit-to-cost ratio for building a new lock at the Soo Locks; and

(6) the Secretary of the Army and all relevant Federal agencies should—

(A) expedite the completion of the report to determine whether the analysis adequately reflects the critical importance of the Soo Locks infrastructure to the national security and economy of the United States; and

(B) expedite all other necessary reviews, analysis, and approvals needed to speed the required upgrades at the Soo Locks.

SEC. 2538. Mr. GARDNER (for himself, Mr. COONS, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. DURFFY (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

(1) In general.—The President shall submit to the appropriate congressional committees a report that describes significant activities undermining United States cybersecurity.

SEC. 1066. MANDATORY SANCTIONS WITH RESPECT TO IRAN RELATING TO SIGNIFICANT ACTIVITIES UNDERMINING UNITED STATES CYBERSECURITY.

(a) INVESTIGATION.—The President shall initiate an investigation into the possible designation of an Iranian person under subsection (b) upon receipt by the President of credible information indicating that the person has engaged in conduct described in subsection (b).

(b) DESIGNATION.—The President shall designate under this subsection any Iranian person that the President determines has knowingly—

(1) engaged in significant activities under-mining United States cybersecurity conducted by the Government of Iran; or

(2) acted for or on behalf of the Government of Iran in connection with such activities.

(c) SANCTIONS.—The President shall block and prohibit all transactions in all property and interests in property of the person designated under subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) SUSPENSION OF SANCTIONS.—(1) In general.—The President may suspend the application of sanctions under subsection (c) with respect to an Iranian person only if the President submits to the appropriate congressional committees a certification described in paragraph (2) and a detailed justification for the certification.

(2) CERTIFICATION DESCRIBED.—(A) In general.—A certification described in this paragraph with respect to an Iranian person is a certification by the President that—

(i) the person has not, during the 12-month period immediately preceding the date of the certification, knowingly engaged in activities that would qualify the person for designation under subsection (b); and

(ii) the person is not expected to resume any such activities.

(B) FORM OF CERTIFICATION.—The certifi- cation described in subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

(e) RENUNCIATION OF SANCTIONS.—If sanctions are suspended with respect to an Iranian person under subsection (d), such sanctions shall be reimposed if the President determines that the person has resumed the activity that resulted in the initial imposition of sanctions or has engaged in any other activity subject to sanctions relating to the involvement of the person in significant activities undermining United States cybersecurity on behalf of the Government of Iran.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), or any other provision of law.

(2) REPORT.—(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report that describes significant activities undermining United States cybersecurity.
cybersecurity conducted by the Government of Iran, a person owned or controlled, directly or indirectly, by that Government, or any person acting for or on behalf of that Government;

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) An assessment of the extent to which a foreign government has provided material support to the Government of Iran, to any person owned or controlled, directly or indirectly, by that Government, or to any person acting for or on behalf of that Government, in connection with the conduct of significant activities undermining United States cybersecurity;

(B) A strategy to counter efforts by Iran to conduct significant activities undermining United States cybersecurity that includes a description of efforts to engage foreign governments in preventing the Government of Iran, persons owned or controlled, directly or indirectly, by that Government, and persons acting for or on behalf of that Government from conducting significant activities undermining United States cybersecurity.

(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in an unclassified form but may include a classified annex.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘‘appropriate congressional committees’’ has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(2) CYBERSECURITY.—The term ‘‘cybersecurity’’ means the activity or process, ability or capability, or state whereby information and computing systems and the information contained therein are protected from or defended against damage, unauthorized use or modification, or exploitation.

(3) IRANIAN PERSON.—The term ‘‘Iranian person’’ means—

(A) an individual who is a citizen or national of Iran; or

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) KNOWINGLY.—The term ‘‘knowingly’’ has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(5) UNITED STATES PERSON.—The term ‘‘United States person’’ means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SA 2539. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 B of title VIII, add the following:

SEC. 823. PREVENTING OUTSOURCING.

(a) CONSIDERATION OF OUTSOURCING.—

(1) Chapter 137 of title 10, United States Code, is amended by inserting after section 2327 the following new section:

*§2327a. Contracts: consideration of outsourcing of jobs*

‘‘(a) DISCLOSURE OF OUTSOURCING OF JOBS.—

‘‘(1) IN GENERAL.—The head of an agency shall require a contractor that submits a bid or proposal in response to a solicitation issued by the agency to disclose in that bid or proposal information regarding the outsourcing of work being performed by the contractor, owners for which there is an outsourcing event during the three-year period ending on the date of the submission of the bid or proposal.

‘‘(2) OUTSOURCING EVENT.—For purposes of paragraph (1), the term ‘‘outsourcing event’’ means a plant closing or mass layoff (as defined in section 2101 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101(a)) in which the employment loss (excluding any part-time employees) for positions which will be moved to a country outside of the United States exceeds 50 employees.

‘‘(b) CONSIDERATION AUTHORIZED.—(1) Agency contracting officers considering bids or proposals in response to a solicitation issued by the agency may take into account any disclosure made pursuant to subsection (a) in such bids or proposals.

‘‘(2) The head of an agency may establish a negative preference of up to 10 percent of the cost of a contract for purposes of evaluating a bid or proposal if it makes a disclosure pursuant to subsection (a).

‘‘(c) SENSE OF CONGRESS.—It is the sense of Congress that agency contracting officers should use section 2304(b)(3) of this title in the evaluation of bids or proposals in response to a solicitation issued by the agency during the preceding year for procurement of property and services covered by this chapter using competitive acquisitions.

‘‘(d) FINAL REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a final report on the following:

‘‘(1) The number of solicitations made by the agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.

‘‘(2) The number of contracts awarded by the agency during the preceding year in which such disclosures were taken into account in the competitive acquisition.

‘‘(2) by inserting after paragraph (2) the following:

‘‘(3) An examination of the assessment of paragraphs (1), (2), and (3) of this section.

(b) EXCLUSION OF FIRMS FROM SOURCES.—Section 2304(b) of such title is amended by inserting after the word ‘‘firms’’ the following:

‘‘(h) DEFINITIONS.—In this section:

‘‘(i) REGULATIONS AND GUIDANCE.—

‘‘(j) SENSE OF CONGRESS.—It is the sense of Congress that agency contracting officers should use section 2304(b)(3) of this title in the evaluation of bids or proposals if it makes a disclosure pursuant to subsection (a).

(b) EXCLUSION OF FIRMS FROM SOURCES.—Section 2304(b) of such title is amended by inserting after the word ‘‘firms’’ the following:

‘‘(h) DEFINITIONS.—In this section:

‘‘(i) REGULATIONS AND GUIDANCE.—

‘‘(j) SENSE OF CONGRESS.—It is the sense of Congress that agency contracting officers should use section 2304(b)(3) of this title in the evaluation of bids or proposals if it makes a disclosure pursuant to subsection (a).

‘‘(k) ANNUAL REPORT.—The head of each agency shall submit to Congress a report on the following:

‘‘(1) The number of solicitations made by the agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.

SA 2540. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2539, to authorize appropriations for fiscal year 2019 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 E of title XII, add the following:

SEC. 1250. REVIEW OF ASSESSMENT OF COMPLIANCE OF PEOPLE'S REPUBLIC OF CHINA WITH UNITED STATES AND UNITED NATIONS SECURITY COUNCIL NUCLEAR- AND MISSILE-RELATED SANCTIONS WITH RESPECT TO NORTH KOREA.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the assessment of the Treasury and the Department of State of the compliance of the People’s Republic of China with nuclear- and missile-related sanctions described in subsection (a) of section 10, and of the Nuclear and Weapons Nonproliferation Act of 2010, the United Nations Security Council with respect to North Korea.

(b) ELEMENTS.—The review required by subsection (a) shall include, for the period beginning on January 1, 2016, and ending on the date of the enactment of this Act:

(1) A description of the key economic and trade relationships between the People’s Republic of China and North Korea.

(2) An examination of the assessment of the Department of the Treasury and the Department of State of the compliance of the People’s Republic of China with sanctions described in subsection (a), including the period from 2016 during which the United States and North Korea conducted negotiations relating to the nuclear program of North Korea.

(3) An analysis of the efforts of the United States to obtain the compliance of the People’s Republic of China with such sanctions.

(c) INTERIM BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall provide to the appropriate congressional committees an interim briefing on the review required by subsection (a).

(d) FINAL REPORT.—Not later than 270 days after the date of the enactment of this Act,
the Comptroller General shall submit to the appropriate congressional committees a report that includes the results of the review required by subsection (a).

(e) DEFINITIONS.—In this section—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2541. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 2292 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 subsection C of title XII, add the following:

SEC. 1226. REVIEW OF REINSTATEMENT OF UNITED STATES SANCTIONS ISSUED WITH RESPECT TO IRAN AND WAIVED PURSUANT TO JOINT COMPREHENSIVE PLAN OF ACTION.

(a) IN GENERAL.—The Secretary of Defense, for Acquisition and Sustainment, shall develop an information and analysis tool for participating the program that are located outside the location of any supplier facilities supported by the Department of Defense committees a report on activities under the pilot program, including—

(1) a description of the pilot program, the Secretary of Defense for Acquisition and Sustainment, and other appropriate officials that affect multiple programs, including programs that are not participating in the pilot program under this section.

(b) INFORMATION REPOSITORY.—The Secretary of Defense, for Acquisition and Sustainment and other appropriate officials shall be the repositories established under paragraph (1) to assess critical shortfalls and dependence on industrial base capabilities that affect multiple programs, including programs that are not participating in the program under this section.

(c) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on activities under the pilot program, including—

(1) the identification of programs participating in the pilot;

(2) a description of the information repository and analysis tools being used to support the program;

(3) a description of the industrial base shortfalls identified in the pilot program; and

(4) a description of the alternatives identified under subsection (c)(1)(B), and an assessment of industrial base risks associated with those locations over the future-years defense program and the next 10 years.

SA 2544. Mr. REED submitted an amendment intended to be proposed to amendment SA 2292 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 VIII, add the following:

SEC. 864. PILOT PROGRAM TO DEVELOP INDUSTRY AND REGIONAL ELECTRONIC ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense, working through the Under Secretary of Defense for Acquisition and Sustainment, and in coordination with the Secretaries of the military departments, shall establish a pilot program to develop industrial base plans and projections for elements of the defense industrial bases that support selected major defense acquisition programs.

(b) DESIGNATION OF MDAPS.—The Secretary of Defense shall designate not less than two major defense acquisition programs for the pilot program to participate in the pilot program. Not less than two of the programs designated shall be software-intensive systems.

(c) INFORMATION REPOSITORY.—

(1) IN GENERAL.—For each major defense acquisition program designated to participate in the pilot program, the Secretary concerned, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, shall develop an information repository that includes information on—

(A) the supplier of major and critical components, technologies, and services supporting the program;

(B) the location of each supplier, as well as the logistics facilities supporting the program that are located outside the United States;

(C) the ability of each supplier to support the requirements of the program over the future-years defense program and the next 10 years;

(D) for each supplier or supplier facility as referenced in subsection (b)(1)(B) that is not located in Australia, New Zealand, Canada, or the United Kingdom, an assessment of the commercial availability of alternatives and an alternative domestic source of supply should the need arise;

(E) critical shortfalls in specific elements of the program’s supporting industrial base; and

(F) other information as deemed appropriate by the Under Secretary of Defense for Acquisition and Sustainment.

(2) USE OF REPOSITORY.—The Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials shall use the repositories established under paragraph (1) to assess critical shortfalls and dependence on industrial base capabilities that affect multiple programs, including programs that are not participating in the program under this section.

(3) DESCRIPTION OF PROGRAMS.—In coordination with the Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials, the Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials shall be the repositories established under paragraph (1) to assess critical shortfalls and dependence on industrial base capabilities that affect multiple programs, including programs that are not participating in the program under this section.

(4) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on activities under the pilot program, including—

(1) the identification of programs participating in the pilot;
Yemeni origin should be cognizant of their obligations under international law when making decisions about such former detainees.

(b) Resolution Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to Congress a report on the risk of torture, arbitrary deprivation of life, or other violations of fundamental rights that former detainees at Guantanamo Bay, who are of Libyan, Uighur, or Yemeni origin would face if returned to their country of nationality.

SA 2545. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 in title II, insert the following:

SEC. 3. STRATEGY FOR MAINTAINING UNITED STATES LEADERSHIP AND COMPETITIVENESS IN ARTIFICIAL INTELLIGENCE.

(a) STRATEGY REQUIRED.—
(1) IN GENERAL.—The Secretary of Defense shall, in coordination with the Secretary of State and the Director of National Intelligence, develop a long-term strategy for maintaining the leadership and competitiveness of the United States in the use of artificial intelligence technologies in national security.

(2) CONSIDERATIONS.—In developing the strategy required by paragraph (1), the Secretary of Defense shall consider the following:

(A) The benefits and risks of using artificial intelligence technologies in national security.

(B) Ethical implications of development of and use of artificial intelligence in national security.

(C) Domestic and international legal implications of artificial intelligence in national security.

(D) Opportunities for international cooperation to establish international norms for the use of artificial intelligence technologies in national security.

(E) The benefits and risks of using artificial intelligence technologies in national security.

(F) Workforce development requirements and challenges.

(G) Assessments of capabilities and technologies under development by the private sector and non-governmental organizations.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) An overview of the potential for autonomous vehicles to reduce base operations costs.

(2) A description of the potential of commercially-available autonomous vehicles to be demonstrated on military installations in the next three years, including emerging transportation technologies on-base, especially those that help reduce costs, improve safety, and deliver required services more efficiently with improved mission effectiveness.

(3) A description of the benefits of coordination with industrial, academic, and State and local partners in demonstrations of and deployment of autonomous vehicles to reduce base operations costs.

(4) Plans for research and development activities, including establishment of testbeds, that would improve the capabilities of autonomous vehicles to reduce base operations costs.

(5) Plans to develop data collection methodologies, data analysis techniques, and metrics to evaluate the success of initiatives relating to the development, demonstration, and employment of autonomous vehicle technologies to reduce base operations costs.

(6) Plans for specific demonstration activities at military installations relating to employment of autonomous vehicle technologies to reduce base operations costs.

SA 2546. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title II, add the following:

SEC. 6. PLAN FOR RESEARCH AND DEVELOPMENT OF AUTONOMOUS VEHICLE SYSTEMS TO REDUCE BASE OPERATIONS COSTS.

(a) PLAN REQUIRED.—Not later than the date that is one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall, in consultation with the Secretaries of the military departments and the Under Secretary of Defense for Research and Engineering, submit to the congressional defense committees a plan to establish international norms for the development, demonstration, and employment of autonomous vehicle technologies to reduce base operations costs.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) An overview of the potential for autonomous vehicles to reduce base operations costs.

(2) A description of the potential of commercially-available autonomous vehicles to be demonstrated on military installations in the next three years, including emerging transportation technologies on-base, especially those that help reduce costs, improve safety, and deliver required services more efficiently with improved mission effectiveness.

(3) A description of the benefits of coordination with industrial, academic, and State and local partners in demonstrations of and deployment of autonomous vehicles to reduce base operations costs.

(4) Plans for research and development activities, including establishment of testbeds, that would improve the capabilities of autonomous vehicles to reduce base operations costs.

(5) Plans to develop data collection methodologies, data analysis techniques, and metrics to evaluate the success of initiatives relating to the development, demonstration, and employment of autonomous vehicle technologies to reduce base operations costs.

(6) Plans to develop data collection methodologies, data analysis techniques, and metrics to evaluate the success of initiatives relating to the development, demonstration, and employment of autonomous vehicle technologies to reduce base operations costs.

(7) Plans for specific demonstration activities at military installations relating to employment of autonomous vehicle technologies to reduce base operations costs.

SA 2547. Mrs. SHAHEEN (for herself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. UNITED STATES SENATE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 section 1626, insert the following:

SEC. 1626. ASSISTANCE FOR SMALL MANUFACTURERS IN THE DEFENSE INDUSTRIAL BASE OPERATIONS RELATING TO CYBERSECURITY.

(a) DISSEMINATION OF CYBERSECURITY RESOURCES.

(1) IN GENERAL.—The Under Secretary of Defense for Research and Engineering, in consultation with the Director of the National Institute of Standards and Technology and the Administrator of the Small Business Administration, shall take such actions as may be necessary to enhance awareness of cybersecurity threats among small manufacturers in the defense industrial supply chain.

(2) PRIORITY.—The Under Secretary of Defense for Research and Engineering shall prioritize efforts to increase awareness of cybersecurity threats among small manufacturers, in coordination with other efforts of the Department of Defense to enhance awareness of cybersecurity threats among small manufacturers.

(b) REPORT ON CYBERSECURITY.

(1) IN GENERAL.—The Secretary of Defence shall submit to the appropriate committees of Congress a report on the following:

(A) Long-term global trends of state and non-state actor development and use of artificial intelligence technologies.

(B) Ethical implications of development of and use of artificial intelligence in national security.

(C) Domestic and international legal implications of artificial intelligence in national security.

(D) Opportunities for international cooperation to establish international norms for the use of artificial intelligence technologies in national security.

(E) The benefits and risks of using artificial intelligence technologies in national security.

(F) Workforce development requirements and challenges.

(G) Assessments of capabilities and technologies under development by the private sector and non-governmental organizations.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) An overview of the potential for autonomous vehicles to reduce base operations costs.

(2) A description of the potential of commercially-available autonomous vehicles to be demonstrated on military installations in the next three years, including emerging transportation technologies on-base, especially those that help reduce costs, improve safety, and deliver required services more efficiently with improved mission effectiveness.

(3) A description of the benefits of coordination with industrial, academic, and State and local partners in demonstrations of and deployment of autonomous vehicles to reduce base operations costs.

(4) Plans for research and development activities, including establishment of testbeds, that would improve the capabilities of autonomous vehicles to reduce base operations costs.

(5) Plans to develop data collection methodologies, data analysis techniques, and metrics to evaluate the success of initiatives relating to the development, demonstration, and employment of autonomous vehicle technologies to reduce base operations costs.

(6) Plans to develop data collection methodologies, data analysis techniques, and metrics to evaluate the success of initiatives relating to the development, demonstration, and employment of autonomous vehicle technologies to reduce base operations costs.

(7) Plans for specific demonstration activities at military installations relating to employment of autonomous vehicle technologies to reduce base operations costs.

(c) APPROPRIATE COMMITTEES OF CONGRESS.

(1) IN GENERAL.—The Appropriations Committees of Congress shall, in their report covered by this section, consider the Appropriations bill for the Department of the Army for fiscal year 2019 as submitted by the conferees of the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.
that exist in Federal agencies and federally sponsored laboratories.

(3) AGREEMENTS.—In carrying out this subsection, the Under Secretary of Defense for Research and Engineering may enter into agreements with private industry, institutes of higher education, or a State, United States territory, local, or tribal government to enter into a technology sharing arrangement for the United States defense industrial base and to leverage resources.

(d) DEFENSE ACQUISITION WORKFORCE CYBER TRAINING PROGRAM.—The Secretary of Defense shall establish a cyber counseling certification program, or approve a similar existing program, to provide cyber planning assistance to small manufacturers in the defense industrial supply chain. Subject to the availability of appropriations, the Department of Defense may reimburse small business development centers for costs related to certification training under this subsection.

(e) AUTHORITIES.—In executing this program, the Secretary may use the following authorities:

(1) The Manufacturing Technology Program described in section 2921 of title 10, United States Code.

(2) The Centers for Science, Technology, and Engineering Partnership program under section 2106 of title 10, United States Code.

(3) The Manufacturing Engineering Education Program established under section 2196 of title 10, United States Code.

(4) The Small Business Innovation Research program.

(5) The mentor-protege program.

(6) Other legal authorities as the Secretary deems necessary for the effective and efficient execution of the program.

(f) DEFINITIONS.—In this section:

(1) RESOURCES.—The term ‘‘resources’’ means guidelines, tools, best practices, standards, methodologies, and other ways of providing information.

(2) SMALL BUSINESS CONCERN.—The term ‘‘small business concern’’ means a small business concern as that term is used in section 3 of the Small Business Act (15 U.S.C. 632).

(3) SMALL BUSINESS DEVELOPMENT CENTER.—The term ‘‘small business development center’’ means a small business development center as described in section 21 of the Small Business Act (15 U.S.C. 648).

(4) SMALL MANUFACTURER.—The term ‘‘small manufacturer’’ means a small business concern that manufactures products.

(5) STATE.—The term ‘‘State’’ means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SA 2548. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 subsection D of title V, add the following:

SEC. 550. REPORTS ON RACIAL AND SEXUAL DISPARITIES IN DEMOGRAPHICS OF MILITARY JUSTICE AND DISCIPLINARY PROCEEDINGS AGAINST MEMBERS OF THE ARMED FORCES.

(a) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall submit to the President, and to the Committees on Armed Services of the Senate and the House of Representatives, a report on racial and sexual disparities in the demographics of military justice and disciplinary proceedings against members of the Armed Forces under the jurisdiction of such Secretary during the 15-year period ending on the date of the enactment of this Act.

(b) ELEMENTS.—Each report under subsection (a) shall include the following, conducted by the Secretary of the military department concerned for purposes of such report:

1. A comprehensive demographic analysis of military justice and other disciplinary proceedings against members of the Armed Forces concerned during the period described in subsection (a).

2. A comprehensive analysis and description of any disparities in justice or other proceedings among such members based on race or sex.

SA 2550. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 subsection D of title VI, add the following:

SEC. 633. POLICY ON CONSIDERATION OF FRAUD AGAINST DEPARTMENT OF THE ARMED FORCES OR THEIR DEPENDENTS IN DETERMINATIONS TO PERMIT FINANCIAL INSTITUTIONS TO OPERATE ON MILITARY INSTALLATIONS.

The Secretary of Defense may issue a formal policy, applicable Department of Defense-wide, requiring that any determination, after the date of issuance of the policy on whether to permit or continue to permit a financial institution to operate on a military installation of the Department of Defense, take into account, in such manner as the Secretary shall specify for purposes of the policy, the nature and scope of any order, judgment, or ruling that is a final determination of a cause of action against the United States or a covered acquisition or cross-service agreement for any aircraft of the Saudi-led coalition for purposes of a mission in or against Yemen.

SEC. 12. REPORTS ON MID-AIR REFUELING OF AIRCRAFT OF THE SAUDI-LED COALITION CONDUCTING OPERATIONS IN YEMEN.

(a) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 60 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on any mid-air refueling provided by the United States under a covered acquisition or cross-service agreement for any aircraft of the Saudi-led coalition for purposes of a mission in or against Yemen.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

1. A description of each aircraft of the Saudi-led coalition provided mid-air refueling as described in subsection (a) below.

2. The intended target or targets of such aircraft on the mission during which refueling occurred.

3. The targets struck by such aircraft on such mission.

4. The results of such mission.

5. A certification that the United States law enforcement or military activities observed the applicable law of armed conflict.

6. The intent of the United States at any time during such mission.

7. The impact on the Saudi-led coalition of the United States military activities.

SA 2552. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 subsection B in title XXXI, add the following:

SEC. 3119. SENSE OF CONGRESS REGARDING URANIUM MINING AND NUCLEAR WEAPONS TESTING.

It is the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear weapons testing carried out during the Cold War.

SA 2553. Mr. LANKFORD (for himself, Mrs. SHAHEEN, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize 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:
appropriations for fiscal year 2019 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:

On page 682, line 18, strike “the title for” and insert “or deliver”.

SA 2554. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 D of title III, add the following:

**SEC. 340. REPORT ON AIR FORCE AIRFIELD OPERATIONAL REQUIREMENTS.**

(a) **IN GENERAL.**—Not later than February 1, 2019, the Secretary of the Air Force shall conduct a study and submit to congressional defense committees a report detailing the operational requirements for Air Force airfields.

(b) **DEFINITIONS.**—In this subsection:

(A) **Eastern Planning Area.**—The term “Eastern Planning Area” means the eastern 100,000 square miles of Mexico Planning Area of the outer Continental Shelf, as designated in the document entitled “2019-2024 National Outer Continental Shelf Oil and Gas Leasing Draft Program Proposal” and dated January 2018.

(B) **Oil and Gas Leasing Program.**—The term “oil and gas leasing program” means the 5-year oil and gas leasing program prepared by the Secretary of the Interior under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) (as in effect on the date of the applicable lease sale under paragraph (2)).

(C) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **REQUIRED LEASE SALES.**—Not later than February 1, 2019, the Secretary of the Interior shall conduct a study and submit a report to—

(A) **for oil and gas leasing under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.)** all available leases in the Eastern Planning Area; and

(B) **construction.**—(i) not fewer than 1 lease sale in the Eastern Planning Area before December 31, 2020; and

(ii) a second lease sale in the Eastern Planning Area before December 31, 2021.

SA 2556. Mr. KAINES (for himself, Mr. FLAKE, and Mr. DURbin) submitted an amendment intended to be proposed to amendment SA 2555 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 division A, add the following:

**TITLE XVIII—AUTHORIZATION FOR USE OF MILITARY FORCE**

**SEC. 1801. SHORT TITLE.**

This title may be cited as “the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note).”

**SEC. 1802. PURPOSES.**

The purposes of this title are as follows:

(1) To update the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) in order to provide legal authority for military action against al-Qaeda, the Taliban, and the Islamic State of Iraq and Syria due to the continued threat they pose to the United States.

(2) To establish a process for oversight by Congress with respect to persons or forces associated with al-Qaeda, the Taliban, or the Islamic State of Iraq and Syria that pose a direct threat to the United States.

(3) DISAPPROVAL.—The treatment of persons or forces specified in a report under paragraph (2) as associated persons or forces under subsection (a) is subject to disapproval in accordance with subsection (b).

SEC. 1805. COUNTRIES IN WHICH OPERATIONS AUTHORIZED.

Subject to disapproval in accordance with section 1806, the use of force authorized by section 3 may take place in a country (other than Afghanistan, Iraq, Syria, Somalia, Libya, or Yemen) if the President submits to Congress a report on the use of force in such country that includes the following:

(1) The name of the country in which the use of force will take place.

(2) In the case of the presence in the country of al-Qaeda, the Taliban, or the Islamic State of Iraq and Syria, or associated persons or forces currently covered by section 1804.

(3) A justification why the use of force in the country is necessary and appropriate.

SEC. 1806. EXPEDITED PROCEDURES FOR JOINT RESOLUTION OF DISAPPROVAL OF USE OF FORCE AGAINST INITIAL OR ADDITIONAL ASSOCIATED PERSONS OR FORCES OR IN OTHER COUNTRIES.

(a) RESOLUTION OF DISAPPROVAL.—For purposes of this section, the term "resolution of disapproval" means only a joint resolution of the two Houses of Congress—

(1) the title of which is as follows: "A joint resolution of disapproval of an addition by the President to the scope of the Authorization for Use of Military Force against al-Qaeda, the Taliban, and the Islamic State of Iraq and Syria":". the blank space being filled with the persons or forces concerned.

(b) With respect to a report submitted under section 1804(b) or 1804(c), the matter after the resolving clause of which is as follows: "That Congress does not approve the use of force against [country] under the Authorization for Use of Military Force against al-Qaeda, the Taliban, and the Islamic State of Iraq and Syria.\", the blank space being filled with the country concerned.

(c) Consideration in the Senate:

(1) If a resolution introduced in the Senate shall be referred to the Committee on Foreign Relations.

(2) In general.—If the committee has not reported a resolution within 10 session days after the date of referral of the resolution, the committee shall be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar.

(3) Proceeding to consideration.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which the resolution is reported or discharged from the committees, for the Majority Leader or the Minority Leader's designee to move to proceed to the consideration of the resolution. Thereafter, it shall be in order for any Member of the Senate to move to proceed to the consideration of the resolution at any time. A motion to proceed is not in order if a previous motion to the same effect has been disposed of. All points of order against the motion to proceed to the resolution are waived. The motion to proceed is not debatable. The motion to proceed to the resolution is not subject to a motion to postpone. A motion to reconsider the vote by which the motion to proceed is agreed to or disagreed to shall not be in order.

(4) Waiver of all points of order.—All points of order against the resolution (and against consideration of the resolution) are waived.

(5) Rules to coordinate action with other House.—(A) If, before the passage by one House of a resolution of that House, the House receives a report on a resolution identical to a resolution introduced in that House, then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee.

(B) The procedure in the receiving House shall be the same as if no resolution has been received from the other House until the vote on passage, when the identical resolution received from the other House shall supplant the resolution of that House.

(C) If one House fails to introduce or consider a resolution identical to one passed by the other House, the resolution of the other House shall have displaced floor procedures under this subsection.

(D) If, following passage of the resolution in the Senate, the Senate receives an identical resolution from the House of Representatives, the companion measure shall not be debatable. The vote on passage of the identical resolution in the Senate shall be considered to be the vote of passage of the resolution received from the House of Representatives.

(c) Action after passage—

(1) IN GENERAL.—If Congress passes a resolution, the period beginning on the date the President is presented with the resolution and ending on the date the President takes action with respect to the resolution shall be disregarded in computing the 60-calendar-day period described in section 1807(b).

(2) Vetoes.—If the President vetoes a resolution—

(A) the period beginning on the date the President vetoes the resolution and ending on the date the Congress receives the veto message with respect to the resolution shall be disregarded in computing the 60-calendar-day period described in section 1807(b); and

(B) if the President vetoes a resolution—

(A) the period beginning on the date the President vetoes the resolution and ending on the date the Congress receives the veto message with respect to the resolution shall be disregarded in computing the 60-calendar-day period described in section 1807(b); and

(B) if the President vetoes a resolution—

(C) if the President vetoes a resolution—

(D) If, following passage of the resolution described in section 1806(a), the President is presented with the resolution and the President takes action with respect to the resolution (in accordance with section 1807(b)) before the date of the expiration of this title, unless reauthorized by Congress.

SEC. 1807. EFFECT OF ENACTMENT OF JOINT RESOLUTION OF DISAPPROVAL OF USE OF FORCE AGAINST INITIAL OR ADDITIONAL ASSOCIATED PERSONS OR FORCES OR IN OTHER COUNTRIES.

(a) IN GENERAL.—If Congress passes a resolution described in section 1806(a) that is effective on or after the date of enactment of this title, the President's authority to use force in section 1803 shall cease.

(b) Deadlines for effectiveness.—Except as provided in section 1806(c), a resolution described in section 1806(a) is effective only if enacted during the 60-calendar-day period beginning on the date on which the President submits to Congress the report on the use of force pursuant to section 1804(b) or 1804(c) or on the country concerned under section 1805, as applicable.

(c) Authorization.—The authority sought by the President pursuant to section 1803 to use force against initial or additional associated persons or forces currently covered by section 1805(a)(3), pursuant to a report under section 1804(c), to add associated persons or forces to the associated persons or forces currently covered by section 1805(a)(3), or pursuant to a report under section 1805, to authorize the use of force in a country in a country or countries not explicitly set forth in section 1805, shall exist as of the date of the report concerned and continue until a resolution of disapproval described in section 1806(a), if any, is enacted by Congress in accordance with section 1806.

SEC. 1808. DURATION OF AUTHORIZATION.

(a) IN GENERAL.—In order to encourage periodic review of the use of force authorized by this title, the authorization for use of force in section 1803 shall terminate five years after the date of enactment of this title, unless reauthorized by Congress.

(b) Reauthorization.—Before the expiration of this title, this may be reauthorized pursuant to section 1803.

SEC. 1809. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE.

The Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) is repealed, effective 60 days after the date of the enactment of this title.

SEC. 1810. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note) is repealed, effective 60 days after the date of the enactment of this title.

SEC. 1811. EXPEDITED PROCEDURES FOR REAUTHORIZATION OF AUTHORIZATION FOR THE USE OF MILITARY FORCE.

(a) Resolution of reauthorization.—For purposes of this section, the term "resolution of reauthorization" means only a joint resolution of the two Houses of Congress—

(1) which is introduced not later than 180 before the date of the expiration of this title in accordance with section 1807(b); and

(2) the title of which is as follows: "A joint resolution to reauthorize the Authorization for Use of Military Force against al-Qaeda, the Taliban, and the Islamic State of Iraq and Syria."

(c) which does not have a preamble; and

(d) the matter after the enacting clause of which is as follows: "The Authorization for the Use of Military Force against al-Qaeda, the Taliban, and the Islamic State of Iraq and Syria is amended in section 8(a) by striking "a period of 10 years" and inserting "5 years".

(b) Expedited procedures.—Consideration of the resolution described in subsection (a) shall be governed by section 1806, as if the resolution described in subsection (a) were a resolution described in section 1806(a), including the procedures relating to veto messages specified in section 1807.

SEC. 1812. REPORT TO CONGRESS.

(a) Strategy.—Not later than 90 days after the date of the enactment of this title, the President shall submit to the appropriate committees and leadership of Congress a report setting forth a comprehensive strategy of the United States, encompassing military, economic, diplomatic, and other purposes of this title.

(b) Deadline for effectiveness.—Except as provided in section 1806(c), a resolution described in section 1806(a) is effective only if enacted during the 60-calendar-day period beginning on the date on which the President submits to Congress the report on the use of force pursuant to section 1804(b) or 1804(c) on the country concerned under section 1805, as applicable.

(c) Authorization.—The authority sought by the President pursuant to section 1803 to use force against initial or additional associated persons or forces currently covered by section 1805(a)(3), pursuant to a report under section 1804(c), to add associated persons or forces to the associated persons or forces currently covered by section 1805(a)(3), or pursuant to a report under section 1805, to authorize the use of force in a country in a country or countries not explicitly set forth in section 1805, shall exist as of the date of the report concerned and continue until a resolution of disapproval described in section 1806(a), if any, is enacted by Congress in accordance with section 1806.
of Iraq and Syria in their fight to defeat such organizations.

(b) IMPLEMENTATION OF STRATEGY.—

(1) BIENNIAL REPORTS.—Not later than 180 days after the date of the enactment of this title, and every 180 days thereafter, the President shall submit to the appropriate committees and leadership of Congress a written report setting forth a current comprehensive strategy to combat the threat posed by ISIS, the reasons for the change and the effect of the change on the rest of the strategy.

(2) ELEMENTS.—Each report under this subsection shall include a description of the specific actions taken pursuant to this title to address the threat to the United States posed by transnational terrorist organizations and associated persons or forces, including—

(A) a description of the specific authorities relied upon for such actions;

(B) the persons and forces targeted by such actions;

(C) the nature and location of such actions; and

(D) an evaluation of the effectiveness of such actions.

(c) QUARTERLY REPORTS ON OPERATIONS.—Not later than 90 days after the date of the enactment of this title, and every 90 days thereafter, the President shall submit to Congress a report setting forth the following:

(1) A list of the organizations, persons, and forces against which operations were conducted under the authority of this title during the 90-day period ending on the date of the report.

(2) A list of all foreign countries in which the United States conducted operations under the authority of this title during such 90-day period.

d) CLASSIFIED ANNEX.—Any report submitted under this section may include a classified annex.

(e) APPROPRIATE COMMITTEES AND LEADERSHIP OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees and leadership of Congress’ means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Select Committee on Intelligence, and the Committees of the Senate;

(2) the Majority Leader and the Minority Leader of the Senate;

(3) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives; and

(4) the Speaker of the House of Representatives and the Majority Leader and the Minority Leader of the House of Representatives.

SA 2557. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and 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 subsection B of title VIII, add the following:

SEC. 821. MODIFICATIONS TO PROCUREMENT THROUGH COMMERCIAL E-COMMERCE PORTALS.

(a) IN GENERAL.—Section 446 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901 note) is amended—

(1) by redesignating subsections (j) and (k) as subsections (m) and (n), respectively; and

(2) by inserting after subsection (i) the following new subsection:

"(j) MICRO-PURCHASE THRESHOLD.—Notwithstanding section 233b of title 10, United States Code, and section 1623 of title 41, United States Code, the micro-purchase threshold for a procurement of a product through a commercial e-commerce portal used under the program established under subsection (a) is $5,000.

"(k) COMPETITIVE PROCEDURES.—Procedures established by the Administrator for a procurement through a commercial e-commerce portal used under the program established pursuant to subsection (a) shall be considered use of competitive procedures for the purposes of title I of title 41 United States Code (as defined in section 152 of such title).

"(l) EXCEPTIONS FOR GOVERNMENT-WIDE INDEFINITE DELIVERY, INDEFINITE QUANTITY MULTIPLE-AWARD CONTRACTS.—Pursuant to subsection (a), if the Administrator issues a solicitation for one or more contracts under the authority of sections 4103 and 4106 of title 41, United States Code (multiple award task or delivery order contracts), or section 152(c) of such title and section 501(b) of title 40, United States Code (Federal Supply Schedule contracts), then—

(i) the requirements at section 3306(c)(1)(B) and (C) of title 41, United States Code, shall not apply; and

(ii) cost or price to the Federal Government shall be considered in conjunction with the price pursuant to section 152(c) of title 41, United States Code, of a task or delivery order under any contract resulting from the solicitation.

(b) DEFINITIONS.—Subsection (n)(3) of such section, as redesignated by subsection (a) of this section, is amended by striking "agencies," and inserting "agencies, unless such portal is designed for the purpose of accessing multiple other e-commerce portals, including commercial portals, via a single view for the purchase of commercial products.

SA 2559. Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 subsection I of title VIII, add the following:

SEC. 896. DEFENSE CONTRACT AUDIT AGENCY ANNUAL REPORT.

(a) REVISIONS TO REPORT ELEMENTS.—Subsection (a) of section 233a(a) of title 10, United States Code, is amended—

(1) by striking paragraphs (1) through (3) and inserting the following:

"(1) a description of the mechanisms, including the nature of the inspection, guidance, and reporting requirements established by the Secretary of Defense to regulate the use of authority to a contractor; and

(2) the start date and anticipated end date of each project carried out under such transaction; and

(b) time limit (expressed in days) for completing each audit or advisory engagement (shown separately for the Defense Contract Audit Agency and qualified private auditors); and

"(E) the start date and anticipated end date of each project performed through a commercial e-commerce portal;"

"(D) for pre-award audits and advisory engagements, by type (pre-award, incurred cost, other post-award, and business system), with time limits expiring during the fiscal year that were completed or were awaiting completion, total audit and advisory engagements completed or awaiting completion during the year;"

"(B) on-time performance relative to time limits for each type of audit or advisory engagement (shown separately for the Defense Contract Audit Agency and qualified private auditors retained by the agency);"

"(C) the time limit (expressed in days) for each type of audit or advisory engagement, along with the shortest period, longest period, and average period of actual performance for each type of audit or advisory engagement (shown separately for the Defense Contract Audit Agency and qualified private auditors retained by the agency);"

"(D) for pre-award audits and advisory engagements, by type (pre-award, incurred cost, other post-award, and business system), with time limits expiring during the fiscal year that were completed or were awaiting completion, total audit and advisory engagements completed or awaiting completion during the year;"
costs are expressed as the impact on negotiable contract costs (shown separately for the Defense Contract Audit Agency and qualified private auditors retained by the agency); and

(2) in subparagraph (B)—

(i) inserting "with respect to" after "the cost of"; and

(ii) by striking "in" after "the contract documentation";

(3) by inserting paragraph (3) as a new paragraph after paragraph (2); and

(4) by inserting a new paragraph—

"(3) A description of the audit process conducted under the amendment submitted by Mr. INHOFE for himself and Mr. McCAIN and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, to include the following elements:

(a) AUTHORITY.—The Secretary of Defense may enter into agreements with the chief executives of the States to provide job placement assistance and related employment services directly to unemployed or underemployed individuals described in subsection (a) of such section for the purposes described in section 9121 of title 10, United States Code.

(b) COST-SHARING.—Any agreement under subsection (a) shall require that the State shall contribute, in addition to amounts derived from nontax revenues, at least 50 percent of the funds provided by the Secretary to the State under this section, to support the operation of the pilot program in such State.

(c) DEFINITIONS.—Paragraph (1) of such section shall apply with respect to such program; and

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2020.

SA 2560. Ms. HARRIS submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE for himself and Mr. McCAIN and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

SEC. 558. DIRECT Employment pilot program for members of the Reserve components and veterans.

(a) AUTHORITY.—The Secretary of Labor may enter into agreements with the chief executive of a State to provide job placement assistance and related employment services directly to unemployed or underemployed members of the reserve components of the Armed Forces and veterans.

(b) COST-SHARING.—Any agreement under subsection (a) shall require that the State shall contribute, in addition to amounts derived from nontax revenues, at least 50 percent of the funds provided by the Secretary to the State under this section, to support the operation of the pilot program in such State.

(c) DEFINITIONS.—Paragraph (1) of such section shall apply with respect to such program;

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2020.

SA 2562. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2561 submitted by Ms. HARRIS and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

SEC. 100. Other purposes; which was ordered to lie on the table; as follows:

SA 2561. Ms. HARRIS submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE for himself and Mr. McCAIN and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

SEC. 558. DIRECT Employment pilot program for members of the Reserve components and veterans.

(a) AUTHORITY.—The Secretary of Defense may enter into agreements with the chief executive of the States to provide job placement assistance and related employment services directly to unemployed or underemployed members of the reserve components of the Armed Forces and veterans.

(b) COST-SHARING.—Any agreement under subsection (a) shall require that the State shall contribute, in addition to amounts derived from nontax revenues, at least 50 percent of the funds provided by the Secretary to the State under this section, to support the operation of the pilot program in such State.

(c) DEFINITIONS.—Paragraph (1) of such section shall apply with respect to such program.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2020.
the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report regarding narcotics trafficking corruption and illicit campaign finance in Honduras, Guatemala, and El Salvador.  

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include—  

(1) the names of senior government officials in Honduras, Guatemala, and El Salvador who are known to have committed or facilitated acts of grand corruption or narcotics trafficking;  

(2) the names of elected officials in Honduras, Guatemala, and El Salvador who are known to have received campaign funds that are the proceeds of narco-trafficking or other illicit activities in the last 2 years; and  

(3) the names of individuals in Honduras, Guatemala, and El Salvador who are known to have facilitated the financing of political campaigns in any of the Northern Triangle countries with the proceeds of narco-trafficking or other illicit activities in the last 2 years.  

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.  

SA 2563. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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. 4. DEPARTMENT OF DEFENSE DIVERSITY AND INCLUSION WORKFORCE.  

(a) DEFINITIONS.—In this section, the following definitions apply:  

(1) APPLICANT FLOW DATA.—The term ‘applicant flow data’ means data that tracks the rate of applications for job positions among demographic categories.  

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.  

(3) DEPARTMENT.—The term ‘Department’ means the Department of Defense and the Coast Guard.  

(4) DIVERSITY.—The term ‘diversity’ means all the different characteristics and attributes of the total workforce of the Department, consistent with the core values of the Department, integral to overall readiness and mission accomplishment, and reflective of the Nation.  

(5) SECRATARY.—The term ‘Secretary’ means—  

(A) the Secretary of Defense; and  

(B) the Secretary of Homeland Security in the case of the Coast Guard when it is not operating as a service in the Department of the Navy.  

(6) WORKFORCE.—The term ‘workforce’ means an individual serving in a position—  

(A) in the civil service (as defined in section 2101 of title 5, United States Code); or  

(B) as a member of the Armed Forces, including officers and enlisted personnel of each Armed Force, including the reserve components.  

(b) DIVERSITY AND INCLUSION STRATEGIC PLAN.—It is the sense of Congress that the Department should—  

(1) employ an aligned strategic outreach effort to identify, attract, and recruit from a broad talent pool reflective of the best of the Nation;  

(2) be an employer of choice that is competitive in attracting and recruiting top talent;  

(3) develop, mentor, and retain top talents from across the total force;  

(4) establish the position of the Department as an employer of choice by creating a merit-based workforce life-cycle continuum that focuses on personal and professional development through education, and developing employment flexibility to retain a highly-skilled workforce;  

(5) ensure leadership commitment to an accountable and sustained diversity effort; and  

(6) develop structures and strategies to equip leadership with the ability to manage diversity, be accountable, and engender an inclusive work environment that cultivates innovation and optimization within the Department.  

(c) INITIAL REPORTING PERIOD.—  

(1) IN GENERAL.—Not later than 180 days after the date of this Act, the Secretary shall make available to the public and the appropriate congressional committees a report which includes aggregate demographic data and other information regarding the diversity and inclusion efforts of the workforce of the Department.  

(2) DATA.—Each report made available under paragraph (1)—  

(A) shall include barrier analysis related to diversity and inclusion efforts;  

(B) shall include aggregate demographic data—  

(i) by segment of the workforce of the Department and grade;  

(ii) by military service and civil service job class;  

(iii) relating to attrition and promotion rates;  

(iv) that addresses the compliance of the Department with validated inclusion metrics;  

(v) that provides demographic comparisons to the relevant non-Governmental labor force and the relevant civilian labor force;  

(vi) on the diversity of selection boards;  

(vii) on the diversity of minorities and service-disabled veterans during the most recent 10-year period, including—  

(I) the number hired through direct hires, internships, and apprentices (which shall include internships) for which data are collected and a discussion of any resulting policy changes or recommendations;  

(II) attrition rates by grade, in the civil service and military service, and in the senior positions; and  

(viii) on mentorship and retention programs;  

(C) shall include an analysis of applicant flow data, including the percentage, number, and breakdown (which shall include internships) for which data are collected and a discussion of any resulting policy changes or recommendations;  

(D) may include a recommendation which shall be made after close consultation with internal stakeholders, such as employee resource or affinity groups regarding whether the Department should voluntarily collect more detailed data on demographic categories in addition to the race and ethnicity categories specified in the statistical policy directive issued by the Office of Management and Budget entitled ‘Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity’; and  

(E) shall include demographic data relating to participants in professional development programs of the Department and the rate of placement into senior positions for participants in such programs;  

(F) shall include any voluntarily collected demographic data relating to the membership of any external advisory committee or board to which individuals in senior positions in the Department appoint members;  

(G) shall be organized in terms of real numbers and percentages at all levels; and  

(H) shall be made available in a searchable database format.  

(3) OTHER CONTENTS.—Each report made available under paragraph (1) shall describe the efforts of the Department to—  

(A) propagate fairness, impartiality, and inclusion in the work environment domestically and abroad;  

(B) ensure that harassment, intolerance, and discrimination are not tolerated;  

(C) refrain from engaging in unlawful discrimination in any phase of the employment process, including recruitment, hiring, evaluation, assignments, promotion, retention, and training;  

(D) prevent illegal retaliation against employees for participating in a protected equal employment opportunity activity;  

(E) provide reasonable accommodation for qualified employees and applicants with disabilities;  

(F) resolve workplace complaints, confrontations, and complaints in a prompt, impartial, constructive, and timely manner; and  

(G) recruit a diverse workforce by—  

(i) recruiting women, minorities, veterans, and undergraduate and graduate students;  

(ii) recruiting at historically Black colleges and universities, Hispanic serving institutions, women’s colleges, and colleges that typically serve majority minority populations;  

(iii) sponsoring and recruiting at job fairs in urban communities;  

(iv) placing job advertisements in newspapers, magazines, and job sites oriented toward women and people of color; and  

(v) recruiting mid-level and senior-level professionals through programs designed to increase minority representation in national security.  

(4) INTELLIGENCE COMMUNITY.—The elements of the intelligence community of the Department of Defense may make available a single report with respect to the diversity and inclusion efforts of the various elements of the intelligence community under this subsection.  

(d) UPDATES.—After making available the first report under this subsection, the Secretary shall annually provide a report (which may be provided as part of an annual report required under another provision of law) to the public and the appropriate congressional committees that includes—  

(1) demographic data and information on the status of diversity and inclusion efforts of the Department;  

(2) an analysis of applicant flow data;  

(3) demographic data relating to participants in professional development programs of the Department and the rate of placement into senior positions for participants in such programs;  

(4) the specified data in a searchable database format.  

(e) CONDUCT EXIT INTERVIEWS OR SURVEYS.—  

(1) RETAINED MEMBERS.—The Director of the Office of Diversity Management and Equal Opportunity shall conduct periodic interviews or surveys with a representative and diverse cross-section of the members of the workforce of the Department to—  

(A) understand the reasons of the members for remaining in a position in the Department; and  

(B) receive feedback on workplace policies, professional development opportunities, and
other issues affecting the decision of the members to remain.

(2) DEPARTING MEMBERS.—The Director of the Office of Diversity Management and Equal Opportunity shall provide an opportunity for an exit interview or survey to each member of the workforce of the Department who separates from service with the Department and better the reasons of the member for leaving.

(3) USE OF ANALYSIS FROM INTERVIEWS AND SURVEYS.—The Director of the Office of Diversity Management and Equal Opportunity shall analyze and use information obtained through interviews and surveys under paragraphs (1) and (2), including to evaluate:

(A) whether the results of the interviews differ among gender, race, national origin, sexual orientation, gender identity, disability status, and other demographic categories; and

(B) whether to implement any policy changes or make any recommendations as part of a report required under subsection (c).

(c) TRACKING DATA.—The Department shall:

(A) track demographic data relating to professional development programs and the rate of placement into senior positions for participants in such programs;

(B) evaluate such data on an annual basis to look for ways to improve outreach and recruitment for such programs consistent with merit system principles;

(C) understand how participation in any program offered or sponsored by the Department under subsection (f)(1) differs by gender, race, national origin, sexual orientation, gender identity, disability status, and other demographic categories; and

(D) actively encourage participation from a range of demographic categories, especially from categories with consistently low participation.

(4) EXPAND PROVISION OF PROFESSIONAL DEVELOPMENT AND CAREER ADVANCEMENT OPPORTUNITIES.—

(1) IN GENERAL.—The Department is authorized to expand professional development programs and the rate of placement into senior positions for participants in such programs.

(2) THE BEST METHOD.—The best method of incorporating machine-vision technologies into the process of developing, transporting, and inserting microelectronics into weapon systems.

(3) THE RULES, REGULATIONS, OR PROCESSES THAT HINDER THE DEVELOPMENT AND INTEGRATION OF MACHINE-VISION TECHNOLOGIES TO DECREASE THE AUTHENTICITY AND SECURITY OF MICROELECTRONICS PROLIFERATION THROUGHOUT THE DEPARTMENT OF DEFENSE.

(c) CONSULTATION.—In carrying out the pilot program required by subsection (a), the Under Secretary may consult with the following:

(1) Manufacturers of semiconductors or electronics.

(2) Industry associations relating to semiconductors or electronics.

(3) Original equipment manufacturers of products for the Department of Defense.

(b) NONTRADITIONAL DEFENSE CONTRACTORS.—Nontraditional defense contractors (as defined in section 2302 of title 10, United States Code) that are machine-vision companies.

(5) Federal laboratories (as defined in section 2300 of title 10, United States Code).

(6) OTHER ELEMENTS.—Other elements of the Department of Defense that fall under the authority of the Under Secretary of Defense for Research and Engineering.

(d) COMMENCEMENT AND DURATION.—The pilot program established under this section shall be established not later than April 1, 2019, and all activities under such pilot program shall terminate not later than December 31, 2020.

SA 2565. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 subtithe F of title X, add the following:

SEC. 1. ESTABLISHMENT OF VETERANS ECONOMIC OPPORTUNITY AND TRANSITION ADMINISTRATION.

(a) VETERANS ECONOMIC OPPORTUNITY AND TRANSITION ADMINISTRATION.—

(1) IN GENERAL.—Part V of title 38, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 80—VETERANS ECONOMIC OPPORTUNITY AND TRANSITION ADMINISTRATION"

"8001. Organization of Administration.

"8002. Functions of Administration.

"8001. Organization of Administration

(a) VETERANS ECONOMIC OPPORTUNITY AND TRANSITION ADMINISTRATION.—There is in the Department of Veterans Affairs a Veterans Economic Opportunity and Transition Administration.

(b) The primary function of the Veterans Economic Opportunity and Transition Administration is the administration of the programs of the Department that provide assistance related to economic opportunity to veterans and their dependents and survivors.

(c) The Under Secretary for Economic Opportunity and Transition Administration is under the Under Secretary for Veterans Economic Opportunity and Transition Administration, who is directly responsible to the Secretary for the operations of the Administration.
**80. Veterans Economic Opportunity and Transition Administration**

(a) **UNDER SECRETARY.—**

(1) **IN GENERAL.—** Chapter 30 of title 38, United States Code, as amended by subsection (a), shall, on the date of the appointment of the Under Secretary, as established under section 8001 of title 38, United States Code, as added by subsection (a), may not exceed 21,543.

(b) **EFFECTIVE DATE.—** Chapter 30 of title 38, United States Code, as added by subsection (a), shall take effect on October 1, 2019.

**8001. Under Secretary for Veterans Economic Opportunity and Transition**

(a) **UNDER SECRETARY.—** There is in the Department an Under Secretary for Veterans Economic Opportunity and Transition, who is appointed by the President, by and with the advice and consent of the Senate.

(b) **ELEMENTS.—** The Secretary shall submit to the congressional defense committees and the Secretary of Defense, for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strength for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

### SECTION 4. NATIONAL SECURITY SCIENCE AND TECHNOLOGY STRATEGY.

(a) **STRATEGY.—** Not later than February 4, 2019, the Secretary of Defense shall develop and implement a strategy (to be known as the "National Security Science and Technology Strategy") to prioritize the science and technology efforts and investments of the Department of Defense.

(b) **ELEMENTS.—** The strategy under subsection (a) shall:

1. Include specific goals for the science and technology programs of the Department of Defense in which personnel and resources of the Department are invested;
2. Be aligned with the National Defense Strategy and governmentwide strategic science and technology priorities, including the defense budget priorities of the Office of Science and Technology Policy of the President;
3. Align the acquisition priorities, programs, and timelines of the Department with the acquisition priorities, programs, and timelines of defense enterprise laboratories and services;
4. Contain an assessment of high-priority emerging technology programs of the Department, including programs relating to hypersonics, directed energy, synthetic biology, and artificial intelligence;
5. Identify high-priority research and engineering requirements and gaps;
6. Include recommendations for changes in authorities, regulations, policies, or any other relevant areas, that would support the achievement of the goals set forth in the strategy;
7. Contain such other information as the Secretary of Defense determines to be appropriate.

(c) **ANNUAL SUBMISSION.—**

(1) **IN GENERAL.—** Not later than February 4, 2019, and annually thereafter through December 31, 2021, the Secretary of Defense shall submit to the congressional defense committees the most recent version of the strategy developed under subsection (a).

(2) **FORM OF SUBMISSION.—** Each strategy submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) **BRIEFING.—** Not later than 14 days after the date on which the initial strategy under
subsection (a) is completed, the Under Secretary of Defense for Research and Engineering shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the implementation of the strategy.

SA 2567. Mr. WARNER (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2362 submitted by Mr. INhofe and Mr. McCAIN (June 6, 2018) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 title X, insert the following:

SEC. 1071. SHORT TITLE.

This subtitle may be cited as the “Internet of Things (IoT) Cybersecurity Improvement Act of 2018”.

SEC. 1073. DEFINITIONS.

In this subtitle:

(1) COVERED AGENCY.—The term ‘‘covered agency’’ means—

(A) the Department of Defense; and

(B) the National Security Agency.

(2) COVERED DEVICE.—(A) IN GENERAL.—The term ‘‘covered device’’ means—

(i) a physical object that—

(I) has computer processing capabilities that can collect, send, or receive data; and

(II) has computer processing capabilities, including personal computing devices, smart mobile computing systems, programmable logic controls, and mainframe computing systems.

(B) MODIFICATION OF DEFINITION.—The Secretary shall establish a process by which—

(i) interested parties may petition for a definition of covered device; and

(ii) the Secretary acts upon any petition submitted under clause (i) in a timely manner.

(3) FIREWALL.—The term ‘‘firewall’’ means—

(A) a component of a program and the data stored in hardware, typically in read-only memory (ROM) or programmable read-only memory (PROM), such that the program and data cannot be dynamically written or modified during execution of the program.

(B) FIXED OR HARD-CODED CREDENTIAL.—The term ‘‘fixed or hard-coded credential’’ means a value, password, or other data element used as part of an authentication mechanism for granting remote access to an information system or its information, that is—

(A) established by a product vendor or service provider; and

(B) incapable of being modified or revoked by the user.

(4) HARDWARE.—The term ‘‘hardware’’ means any physical component of an information system.

(5) HARDWARE.—The term ‘‘hardware’’ means the National Institute of Standards and Technology.

(6) IA.—The term ‘‘IA’’ means the Internet of Things.

(7) NIST.—The term ‘‘NIST’’ means the National Institute of Standards and Technology.

(8) PROPERLY AUTHENTICATED UPDATE.—The term ‘‘properly authenticated update’’ means an update, remediation, or technical fix to a hardware, firmware, or software component that incorporates vendor or service provider user or service provider intended to correct particular problems with the component, and that, in the case of software or firmware, contains unique code of authentication, in a manner that allows for future security vulnerability or defect in any part of the software or firmware to be patched, based on risk, in order to fix or remove a vulnerability or defect in the software or firmware component in a properly authenticated and secure manner; and

(9) SECURITY.—The term ‘‘Security’’ means the Secretary of Defense.

(10) SECURITY VULNERABILITY.—The term ‘‘security vulnerability’’ means any attribute of hardware, firmware, software, process, or procedure or combination of 2 or more of these factors that could enable or facilitate the defeat or compromise of the confidentiality, integrity, or availability of an information system or its information or physical devices to which it is connected.

(11) SOFTWARE.—The term ‘‘software’’ means a computer program and associated data that may be dynamically written or modified.

SEC. 1074. CONTRACTOR RESPONSIBILITIES WITH RESPECT TO COVERED DEVICE CYBERSECURITY.

(a) STANDARD SECURITY CLAUSE REQUIRED IN COVERED DEVICES.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Administrator of General Services, the Secretary of Commerce, the Secretary of Homeland Security, and any other intelligence or national security agency that the Secretary determines to be necessary, shall issue guidelines for each covered agency to require the inclusion of a standard security clause in any contract, except as provided in paragraph (2), for the acquisition of covered devices.

(2) CONFORMITY TO STANDARD SECURITY CLAUSE.—The standard security clause required under paragraph (1) is—

(A) shall establish baseline security requirements that address aspects of device security, including—

(i) the ability of software or hardware components to be properly authenticated and trusted by the system; and

(ii) identity and access management, including prohibiting the use of fixed or hard-coded credentials used for remote administration, the delivery of updates, or communication;

(B) specifies that the covered agency determines to be appropriate; and

(B) shall, to the maximum extent practicable, align with voluntary consensus standards in effect on the date of enactment of this Act;

(C) shall require vendors to provide written attestation to the covered agency that the device meets a desired level of security through means other than those required under paragraph (2)(A); or

(D) if the purchasing covered agency reasonably believes that procurement of a covered device with limited data processing and software functionality would be unfeasable or economically impractical; and

(B) provides that, if the head of the purchasing covered agency waives, the head of the purchasing covered agency shall provide the contractor a written statement that the covered agency accepts risks resulting from use of the device;

(b) ALTERNATE CONDITIONS TO MITIGATE CYBERSECURITY RISKS.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Administrator of General Services, shall ensure that such guidelines are, to the greatest extent practicable, consistent with, not duplicative of, and such extent as is practicable, consistent with, not duplicative of, and align with the established information security policies, procedures, standards, and compliance requirements under chapter 35 of title 44, United States Code.

(b) ALTERNATE CONDITIONS TO MITIGATE CYBERSECURITY RISKS.

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with NIST, shall establish a set of conditions that—

(A) ensure that a covered device that does not comply with the standard security clause required under subsection (a) can be used with a level of security that is equivalent to the level of security described in subsection (a)(2); and

(B) all shall be met in order for a covered agency to purchase a covered device described in subparagraph (A).

(2) REQUIREMENTS.—In defining a set of conditions that must be met for non-compliant devices as required under paragraph (1), the Secretary, in coordination with NIST and relevant industry entities, may consider the following:

(A) network segmentation or micro-segmentation;
(B) the adoption of system level security controls, including operating system containers and microreserves;

(c) multi-factor authentication; and

(D) deployment of EDR solutions and edge systems, such as gateways, that can isolate, disable, or remediate connected devices.

(3) SPECIFICATION OF ADDITIONAL PRECAUTIONS.—The long-term security of non-compliant covered devices acquired in accordance with an exception under this paragraph, the Secretary, in coordination with the non-compliant industry experts, may stipulate additional requirements for management and use of non-compliant devices, including deadlines for the removal, replacement, or auditing of non-compliant devices (or their Internet-connectivity), as well as minimal requirements for gateway products to ensure the integrity and security of the non-compliant devices.

(4) EXISTING THIRD-PARTY SECURITY STANDARDS.—

(A) IN GENERAL.—If an existing voluntary consensus standard for the security of covered devices provides an equivalent or greater level of security to that described in subsection (a)(2)(A), the Secretary shall terminate the requirements identified in subsection (a)(2)(A) and modify security clauses to reflect conformity with that voluntary consensus standard.

(B) THIRD-PARTY CERTIFICATION.—A contractor providing the covered device under this paragraph shall provide third-party written certification that the device complies with the security requirements of the industry certification method of the third party.

(C) NIST.—The Director of NIST, in coordination with the Secretary and other appropriate agencies, shall determine:

(i) accreditation standards for third-party certifiers; and

(ii) whether the standards described in clause (i) provide appropriate security and are aligned with the guidelines issued under this subsection.

(5) EXISTING AGENCY SECURITY EVALUATION STANDARDS.—

(A) IN GENERAL.—If a covered agency employs a security evaluation process or criteria for covered devices that the agency believes is equivalent or greater level of security to that described in subsection (a)(2)(A), a covered agency may, upon the approval of the Administrator of General Services, shall have the same level of requirements under subsection (a)(2)(A).

(B) NIST.—The Director of NIST, in coordination with the Secretary and other appropriate agencies, shall determine whether the processes or criteria described in subparagraph (A) provide appropriate security and are aligned with the guidelines issued under this subsection.

(c) REQUIRED GUIDELINES.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Administrator of General Services, shall issue guidelines for each covered agency to limit, to the maximum extent practicable, the use of lowest price technically acceptable source selection criteria in the case of a procurement that is predominately for the acquisition of a covered device.

(d) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that reviews the effectiveness of the guidelines required to be issued under subsections (a) and (c), which shall include any recommendations for a future process necessary to improve cybersecurity in Federal Government acquisition of Internet-connected devices.

(e) WAIVER AUTHORITY.—Beginning on the date that is 5 years after the date of enactment of this Act, the Secretary may waive, in whole or in part, the requirements of the guidelines issued under this section, for a covered agency.

(f) GUIDELINES REGARDING THE COORDINATION OF SECURITY VULNERABILITIES AND DEPETS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the National Protection and Programs Directorate, in consultation with cybersecurity researchers and private-sector industry experts, shall issue guidelines for each agency to ensure that the vulnerability disclosure process in use by the United States Government regarding cybersecurity coordinated disclosure requirements that shall be required of contractors providing non-compliant devices to the United States Government.

(2) CONTENTS.—The guidelines required to be issued under paragraph (1) shall include policies and procedures for the processing and resolving of potential vulnerability information relating to a covered device, which shall be, to the maximum extent practicable, aligned with Standards 29147 and 30111 of the International Standards Organization, or any successor standard, such as—

(A) procedures for a contractor providing a covered device to the United States Government on how to—

(i) receive information about potential vulnerabilities in a product or online service of the contractor; and

(ii) disseminate resolution information about vulnerabilities in the product or online service of the contractor; and

(B) guidance, including example content, on the information items that should be produced through the implementation of the vulnerability disclosure process of the contractor.

SEC. 1075. INVENTORY OF DEVICES.

(a) IN GENERAL.—Not later than 180 days after the date of this Act, the head of each covered agency shall establish and maintain an inventory of covered devices used by the agency procured under this Act.

(b) GUIDELINES.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in consultation with the NIST, shall issue guidelines for executive agencies to develop and manage the inventories required under subsection (a), based on the Continuous Diagnostics and Mitigation (CDM) program used by the Department of Homeland Security.

(c) DEVICE DATABASES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and maintain—

(A) a database of devices and the respective manufacturers of such devices for which limitations of liability exist under this subtitle; and

(B) a database of devices and the respective manufacturers of such devices about which the Government has received formal notification of security support ceasing, as required under section 1074(a)(2)(G).

(2) UPDATE.—The Director of NIST shall update the databases established under paragraph (1) not less frequently than once every 30 days.

SEC. 1076. USE OF BEST PRACTICES IN IDENTIFICATION AND TRACKING OF VULNERABILITIES FOR PURPOSES OF THE NATIONAL VULNERABILITY DATABASE.

The Director of NIST shall ensure that NIST establishes, maintains, and uses best practices in the identification and tracking of vulnerabilities for purposes of the National Vulnerability Database of NIST.

SA 2568. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2382 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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:

SEC. 1. IMPROVING PROCESSING OF VETERANS BENEFITS BY DEPARTMENT OF VETERANS AFFAIRS.

(a) NOTIFICATION OF DEBITS INCURRED.—The Secretary of Veterans Affairs shall make such changes to such information technology systems of the Department of Veterans Affairs, including the eBenefits system or successor system, as may be necessary so that a
person who is entitled to a payment from the Department by virtue of the person’s participation in a benefits program administered by the Secretary will receive, at the request of the person, the Department’s written determination (by electronic mail or other mechanism) whenever such person incurs a debt to the United States by virtue of such participation.

(b) Updating Dependent Information.—The Secretary shall make such changes to such information technology systems of the Department, including the eBenefits system or successor system, as may be necessary so that whenever the Secretary records in such systems information about a dependent of a person, the person is able to review and revise such information.

(c) Tracking of Metrics.—The Secretary shall make such changes to such information technology systems of the Department as may be necessary to track the following:

(1) The number and amount of payments made by the Department to persons as part of a benefits program administered by the Secretary which result in the persons incurring a debt to the United States by virtue of such payments.

(2) The average debt to the United States incurred by a person by virtue of a payment described in paragraph (1).

(3) The number of disputes initiated by a person by virtue of a payment described in paragraph (1).

(4) Such other metrics as the Secretary considers appropriate.

SEC. 4. REFORMS RELATING TO RECOVERY BY DEPARTMENT OF VETERANS AFFAIRS OF DEBT OWED BY VETERANS TO THE UNITED STATES.

(a) Indebtedness Offsets.—

(1) Limitation on Scope of Authority.—Subsection (a) of section 5314 of title 38, United States Code, is amended—

(A) by striking “to subsections (b) and (d) of this section” and inserting “to paragraphs (2) through (6) of this subsection, subsections (b) and (e) of this section,”; and

(B) by adding at the end the following new paragraph:

“(2) The Secretary may only deduct under paragraph (1) an amount of the indebtedness of a veteran, the estate of a veteran, or a spouse or child of a veteran who is deceased if the indebtedness is a result of one or more of the following:

(A) an error made by the veteran, estate, spouse, or child, as the case may be.

(B) fraud perpetrated by the veteran, estate, spouse, or child, as the case may be.

(C) a misrepresentation made by the veteran, estate, spouse, or child, as the case may be.

(3) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(D) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(E) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(F) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(G) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(H) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(I) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(J) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(K) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(L) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(M) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(N) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(O) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(P) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(Q) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(R) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(S) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(T) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(U) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(V) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(W) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(X) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(Y) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(Z) The Secretary may not deduct under paragraph (1) any amount relating to an indebtedness incurred by a veteran more than 5 years previously.

(aa) by inserting “(1) before “The administrative” and

(bb) by adding at the end the following new paragraph:

“(2) No administrative costs may be charged under this section with respect to an indebtedness described in subsection (a) while the existence or amount of the indebtedness is being disputed under section 5314(c) of this title.

(3) Effective Date.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply with respect to deductions made under section 5314 of such title on or after such date.

June 7, 2018
d. AUDIT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Veterans Affairs shall complete an audit to determine the following:

1. The frequency by which the Department of Veterans Affairs and the Department of Defense administers periodic health assessments that take an erroneous result as a valid result in a payment to a veteran by virtue of such person’s participation in a benefits program administered by the Secretary that such person was entitled to or in an amount that exceeds the amount to which the person is entitled.

2. Whether and to what degree vacant positions in the Veteran Benefits Administration affect such errors.

e. PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a plan and description of resource requirements necessary to align information technology systems to ensure that errors described in subsection (d)(1) are not the result of communication or absence of communication between information technology systems.

SA 2570. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 E of title V, add the following:

SEC. 578. INCLUSION OF SPECIFIC ELECTRONIC MAIL ADDRESS BLOCK ON CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY.

(a) MODIFICATION REQUIRED.—The Secretary shall modify the Certificate of Release or Discharge from Active Duty (DD Form 214) to include a specific block explicitly identified as the location in which the Armed Forces permanently provide one or more electronic mail addresses by which the member may be contacted after discharge or release from active duty in the Armed Forces.

(b) DEADLINE FOR MODIFICATION.—The Secretary shall release a revised Certificate of Release or Discharge from Active Duty, modified as required by subsection (a), not later than one year after the date of enactment of this Act.

SA 2571. Ms. KLOBUCHAR (for herself, Mr. SULLIVAN, Mr. BLUMENTHAL, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. McCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 C of title VII, add the following:

SEC. 316. CRITICAL MINERALS PRODUCTION.

(a) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL.—A mineral that as the case may be, waives all claims against the United States and the National Guard and the Air Force for treatment expenses incurred before January 1, 2019.

(2) OPEN BURN PIT.—A burn pit that is approved as the case may be, waives all claims against the United States and the National Guard and the Air Force for treatment expenses incurred before January 1, 2019.

(b) APPLICATION.—The term ‘‘critical mineral’’ includes any mineral, element, substance, or material designated as critical by the Secretary of the Department of the Interior.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preclude eligibility for benefits under the laws administered by the Secretary of Veterans Affairs by reason of the open burn pit exposure history of a veteran not being recorded in a covered evaluation.

(d) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL.—The term ‘‘critical mineral’’ means any mineral, element, substance, or material designated as critical by the Secretary of the Department of the Interior.

(2) CRITICAL MINERAL MANUFACTURING.—The term ‘‘critical mineral manufacturing’’ means—

(A) the exploration, development, mining, production, processing, refining, alloying, separation, concentration, magnetic sintering, melting, or beneficiation of critical minerals within the United States;

(B) the fabrication, assembly, or production, within the United States, of equipment,
components, or other goods with energy technology, defense, agriculture, consumer electronics, or health-care-related applications; and
(4) any other value-added, manufacturing-related use of critical minerals carried out within the United States.
(3) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.
(5) STATE.—The term "State" means—
(A) a State;
(B) the District of Columbia;
(C) the Commonwealth of Puerto Rico;
(D) Guam;
(E) American Samoa;
(F) the Independent State of Palau, the Northern Mariana Islands; and
(G) the United States Virgin Islands.
(b) POLICY.
(1) IN GENERAL.—Section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended in the second sentence—
(A) by striking paragraph (3) and inserting the following:
"(3) establish an analytical and forecasting capability for identifying critical mineral demand, supply, and other factors to allow informed actions to be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts;"
(B) in paragraph (6), by striking "and" after the semicolon at the end; and
(C) by striking paragraph (7) and inserting the following:
"(7) facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs;
(8) avoid duplication of effort, prevent unnecessary paperwork, and minimize delays in the administration of applicable laws (including regulations) and the issuance of permits and authorizations necessary to explore for, develop, and produce critical minerals and to construct critical mineral manufacturing facilities in accordance with applicable environmental and land management laws;
(9) strengthen—
(A) educational and research capabilities for determining which minerals, elements, substances, and materials quality as critical minerals; and
(B) the final list of critical minerals.
(4) DESIGNATIONS.—
(A) IN GENERAL.—For purposes of carrying out this Act, the Secretary shall—
(i) consider and assess—
(A) the generation of new information or data collected from a survey carried out under subparagraph (A) publically and electronically accessible.
(B) the availability of data;—
(1) critical mineral .—The term 'critical mineral' means any mineral, element, substance, or material designated as a critical mineral by the Secretary, acting through the Director of the United States Geological Survey (referred to in this subsection as the "Secretary"), shall publish in the Federal Register for public comment—
(A) a description of the draft methodology used to identify a draft list of critical minerals; and
(B) a draft list of minerals, elements, substances, and materials that qualify as critical minerals.
(2) AVAILABILITY OF DATA.—If available data is insufficient to provide a quantitative basis for the methodology developed under this subsection, qualitative evidence may be used to the extent necessary.
(3) FINAL METHODOLOGY AND LIST.—After reviewing public comments on the draft methodology and the draft list of critical minerals published under paragraph (1) and updating the methodology and list as appropriate, not later than 45 days after the date on which the public comment period with respect to the draft methodology and draft list closes, the Secretary shall publish in the Federal Register—
(A) a description of the final methodology for determining which minerals, elements, substances, and materials quality as critical minerals; and
(B) the final list of critical minerals.
(b) ADDITIONAL SURVEYS.—The Secretary shall carry out surveys in any area to which the order applies.
(c) CRITICAL MINERAL DESIGNATIONS.—
(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary shall complete a comprehensive national assessment of each critical mineral that—
(A) identifies and quantifies known critical mineral resources, using all available public and private information and datasets, including exploration histories; and
(B) provides a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including probability estimates of tonnage and grade, using all available public and private information and datasets, including exploration histories.
(2) SUPPLEMENTARY INFORMATION.—
(A) IN GENERAL.—In carrying out this subsection, the Secretary shall use all available public and private information and datasets, including exploration histories.
(B) PUBLIC ACCESS.—Subject to applicable law, to the maximum extent practicable, the Secretary shall make all data, information, and field work (including drilling, remote sensing, geophysical surveys, topographic and geological mapping, and geochemical surveys and analyses) that form the existing information and datasets (including 3-dimensional maps) available for determining the availability of critical minerals in the United States.
(C) TECHNICAL ASSISTANCE.—At the request of the Governor of a State or the head of an Indian tribe, the Secretary may provide technical assistance to State governments and Indian tribes conducting critical mineral resource assessments on non-Federal land.
(4) PRIORITIZATION.—
(A) IN GENERAL.—The Secretary may seek the completion of the comprehensive national assessments for each critical mineral such that critical minerals considered to be most critical under the methodology established under subsection (c) are assessed first.
(B) REPORTING.—During the period beginning not later than 1 year after the date of enactment of this Act and ending on the date of completion of all of the assessments required under this subsection, the Secretary shall submit to Congress on an annual basis an interim report that identifies the sequence and schedule for completion of the assessments if the Secretary sequences the assessments or—
(i) describes the progress of the assessments, if the Secretary does not sequence the assessments.
(5) UPDATES.—The Secretary may periodically update the assessments conducted under this Act.
(A) The generation of new information or data collected from a survey carried out under this Act;
(B) the receipt of new information or data collected from a survey carried out under this Act; and
(C) any other information or data that the Secretary considers relevant.
(6) ADDITIONAL SURVEYS.—The Secretary shall conduct at least one survey of each additional mineral, element, substance, or material subsequently designated as a critical mineral.
(B) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal entities and personnel responsible for the conduction of agency reviews, including leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land; and

(C) quantifies the amount of time typically required (including range derived from minimum and maximum durations, mean, median, variance, and other statistical measures) completed each step (including those aspects outside the control of the executive branch, such as judicial or State and local government involvement) associated with the development and processing of applications, operating plans, leases, licenses, permits, and schedules for the consideration of, and supporting vital economic growth, by—

(A) the Federal permitting process has been identified as an impediment to mineral production and the mineral security of the United States;

(B) to the maximum extent practicable, the critical mineral needs of the United States should be satisfied by minerals responsibly produced and recycled in the United States;

(C) the Federal permitting process has been identified as an impediment to mineral production and the mineral security of the United States;

(D) the Secretary, shall, to the maximum extent practicable, with respect to critical mineral production on Federal land, complete Federal permitting and review processes with maximum efficiency and effectiveness, while supporting vital economic growth, by—

(A) establishing and adhering to timelines and schedules for the consideration of, and final disposition of, any general applications, operating plans, leases, licenses, permits, and other use authorizations for mineral-related activities on Federal land;

(B) establishing clear, quantifiable, and temporal permitting performance goals and tracking progress against those goals;

(C) engaging in early collaboration among agencies, project sponsors, and affected stakeholders—

(i) to incorporate and address the interests of those affected;

(ii) to minimize delays;

(D) ensuring transparency and accountability by using cost-effective information technology and other means to aggregate, operate, and disseminate information regarding individual projects and agency performance;

(E) engaging in early and active consultation with State, local, and Indian tribal governments to avoid conflicts or duplication of effort, resolve concerns, and allow for concurrent, rather than sequential, reviews;

(F) identifying and institutionalizing permitting and review process improvements that have proven effective;

(G) developing mechanisms to better communicate priorities and resolve disputes among agencies at the national, regional, State, and local levels; and

(H) developing other practices, such as preapplication procedures

(3) REVIEW AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(A) identifies additional measures (including regulatory and legislative proposals, as appropriate) that would increase the timeliness and efficiency of the administration and development of domestic critical minerals;
(E) alternative minerals, metals, and materials, particularly those available in abundance within the United States and not subject to potential supply restrictions, that lessen the need for critical minerals; and

(F) alternative energy technologies or alternative designs of existing energy technologies, particularly those that use minerals only

(i) occur in abundance in the United States; and

(ii) are not subject to potential supply restrictions.

(4) REPORTS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a comprehensive report on the activities, findings, and progress of the program.

(1) ANALYSIS AND FORECASTING.—In order to evaluate existing critical mineral policies and inform future actions that may be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts, the Secretary, in consultation with the Energy Information Administration, academic institutions, and others in order to maximize the application of existing competencies related to developing and maintaining models and the necessary analytical tools, shall conduct and publish the results of an annual report that includes—

(A) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(i) the quantity of each critical mineral domestically produced during the preceding year;

(ii) the quantity of each critical mineral domestically consumed during the preceding year;

(iii) market price data or other price data for each critical mineral;

(iv) an assessment of—

(I) critical mineral requirements to meet projected national security, energy, economic, industrial, technological, and other needs of the United States; and (ii) the United States on foreign sources to meet those needs during the preceding year; and

(II) the subsequent 1-year, 3-year, and 5-year periods;

(v) the market penetration of alternatives to each critical mineral projected to take place over the subsequent 1-year, 3-year, and 5-year periods;

(vi) a discussion of reasonably foreseeable international trends associated with the discovery, production, consumption, use, costs of production, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(vii) such other projections relating to each critical mineral as the Secretary determines to be necessary to achieve the purposes of this subsection.

(2) PROPRIETARY INFORMATION.—In preparing a report described in paragraph (1), the Secretary shall ensure, consistent with section 5(f) of the National Materials and Minerals Policy Development Act of 1980 (30 U.S.C. 1604(f)), that—

(A) no person uses the information and data collected for the report for a purpose other than the development of or reporting of aggregate data in a manner such that the identity of the person or firm who supplied the information is not discernible and is not material to the intended uses of the information;

(B) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or aggregate form that does not allow the identification of the person or firm who supplied particular information; and

(C) procedures are established to require the withholding of any information or data collected for the report if the Secretary determines that withholding is necessary to protect any trade secrets or other confidential information.

(3) EDUCATION AND WORKFORCE.—

(1) REPORT.—Not later than 1 year and 300 days after the date of enactment of this Act, the Secretary of Labor, in consultation with the Secretary, the Director of the National Science Foundation, the National Academy of Engineering, the National Academy of Sciences and the National Academy of Medicine, shall jointly establish and carry out a program of education and workforce development programs that will increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(ii) the sufficiency of personnel within relevant areas of the Federal Government for achieving the policies described in section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 15908(k)) is amended by striking

(2) CURRICULUM STUDY.—

(A) IN GENERAL.—The Secretary and the Secretary of Labor (referred to in this subsection as the "Secretaries") shall jointly enter into an arrangement with the National Academy of Sciences and the National Academy of Engineering under which the National Academy of Sciences and the National Academy of Engineering shall coordinate the National Science Foundation on conducting a study—

(i) to design an interdisciplinary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(ii) to address undergraduate and graduate education, especially to assist in the development of graduate programs in the fields of critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(iii) to develop guidelines for proposals from institutions of higher education with significant capabilities in the required disciplines for activities to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, research, development, production, manufacturing, and recycling; and

(iv) to outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish and carry out the program described in paragraph (3).

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretaries shall submit to Congress a description of the results of the study required under subparagraph (A).

(4) PROGRAM.—

(A) ESTABLISHMENT.—The Secretaries shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—

(i) startup costs for newly designated faculty positions in integrated critical mineral education, research, innovation, training, and workforce development programs consistent with paragraph (2);

(ii) internships, scholarships, and fellowships for students enrolled in programs related to critical mineral research, including work in critical mineral exploration, development, assessment, production, manufacturing, research, recycling, analysis, forecasting, education, and research, including an analysis of—

(1) skills that are in the shortest supply as of the date of the assessment;

(2) skills that are projected to be in short supply in the future;

(3) the demographics of the critical minerals industry and how the demographics will evolve under the influence of factors such as an aging workforce;

(4) the effectiveness of training and education programs in addressing skills shortages; and

(5) opportunities to hire locally for new and existing critical mineral activities;
through 2010’ and inserting ‘‘$3,000,000 for each of fiscal years 2019 through 2023, to remain available until expended’’;

(1) ADMINISTRATION.—


(2) CONFORMING AMENDMENT.—Section 3(d) of the Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5302(d)) is amended in the first sentence by striking ‘‘, with the assistance of the National Critical Materials Council as specified in the National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.’’),

(3) SAVING CLAUSES.—Nothing in this section or amendment made by this section modifies any requirement or authority provided by—

(A) the matter under the heading ‘‘Geological Survey’’ of the first section of the Act of March 3, 1879 (43 U.S.C. 31(a)); or

(B) the first section of Public Law 87–626 (43 U.S.C. 31(b)).

(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2019 through 2023.

SA 2574. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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. 99. PROHIBITION ON THE REDUCTION IN THE FORCE CAPACITY OF THE MILITARY FUNERAL HONORS PROGRAM OF THE NATIONAL GUARD.

(a) PROHIBITION ON REDUCTION.—No action may be taken to reduce the capacity of the Military Funeral Honors Program (MFH) of the Army National Guard such reduction would result in a State without at least one coordinator to meet requirements and obligations to coordinate, perform, and facilitate funerals for veterans.

(b) PROHIBITION ON CERTAIN DISPERSED OR CONSOLIDATION OF COORDINATOR WORKFORCE.—No action may be taken to disperse or consolidate for responsibilities of coordinators described in subsection (a) across State lines.

(c) POLICIES.—The Secretary of the Army shall, in coordination with the Chief of the National Guard Bureau, ensure that the policies of the Army National Guard provide for the ongoing maintenance and presence of the Military Funeral Honors Program of the Army National Guard in each State.

SA 2576. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 submitted by Mr. INHOFE (for himself and Mr. MCCAIN) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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 X, add the following:

SEC. 1066. CERTAIN SERVICE DEEMED TO BE ACTIVE MILITARY SERVICE FOR PURPOSES OF LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—For purposes of section 401(a)(1)(A) of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note), the Secretary of Defense is deemed to have qualified service of an individual constituted active military service.

(b) DETERMINATION OF DISCHARGE STATUS.—

(1) IN GENERAL.—The Secretary of Defense shall determine the discharge status of an individual as a result of the enactment of this Act.

(2) DETERMINATION OF DISCHARGE STATUS.—The United States Embassies in El Salvador and Haiti recommended that it would be in the United States national interest to extend temporary protected status (TPS) designations for each such country, per diplomatic cables sent in June 2017, July 2017, and August 2017, respectively.

(3) IN GENERAL.—The United States Embassy in Haiti, in a diplomatic cable sent in August 2017, stated that repatriating tens of thousands of TPS beneficiaries and their United States citizen children would pose challenges to the Haitian National Police to guarantee security throughout Haiti.

(4) In his October 31, 2017, letter to the Department of Homeland Security, then Secretary John Kelly stated that terminating the TPS designations for El Salvador and Honduras may lead to retaliatory actions by both governments that would be counter to United States security interests, including a potential reduction in bilateral cooperation to address narcotics trafficking and the illicit activities of criminal gangs, such as MS–13.

(5) In recommendations accompanying then Secretary Tillerson’s October 31, 2017, letter to the Department of Homeland Security, the Department of Justice recommended that the prevalence of violence and lack of economic opportunities in El Salvador and Honduras will leave some repatriated TPS beneficiaries and their accompanying United States citizen children vulnerable to recruitment by criminal gangs, such as MS–13, or other forms of illicit employment.

(6) The Executive Branch has certified the termination of the TPS designations for El Salvador and Haiti in November 2017 and for Honduras in May 2018.

(b) ROLE OF DEPARTMENT OF STATE REGARDING DESIGNATIONS AND EXTENSIONS OF DESIGNATIONS OF TEMPORARY PROTECTED STATUS.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Embassies in El Salvador and Haiti recommended that it would be in the United States national interest to extend temporary protected status (TPS) designations for each such country, per diplomatic cables sent in June 2017, July 2017, and August 2017, respectively.

(2) The United States Embassy in Haiti, in a diplomatic cable sent in August 2017, stated that repatriating tens of thousands of TPS beneficiaries and their United States citizen children would pose challenges to the Haitian National Police to guarantee security throughout Haiti.

(3) In his October 31, 2017, letter to the Department of Homeland Security, then Secretary John Kelly stated that terminating the TPS designations for El Salvador and Honduras may lead to retaliatory actions by both governments that would be counter to United States security interests, including a potential reduction in bilateral cooperation to address narcotics trafficking and the illicit activities of criminal gangs, such as MS–13.

(4) In recommendations accompanying then Secretary Tillerson’s October 31, 2017, letter to the Department of Homeland Security, the Department of Justice recommended that the prevalence of violence and lack of economic opportunities in El Salvador and Honduras will leave some repatriated TPS beneficiaries and their accompanying United States citizen children vulnerable to recruitment by criminal gangs, such as MS–13, or other forms of illicit employment.

(5) The Executive Branch has certified the termination of the TPS designations for El Salvador and Haiti in November 2017 and for Honduras in May 2018.

(b) ROLE OF DEPARTMENT OF STATE REGARDING DESIGNATIONS.—Section 244(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1254a(b)(1)) is amended by inserting ‘‘in consultation with the State Department of State, and’’ before ‘‘after consultation with appropriate agencies of the Government’’.
(c) ROLE OF DEPARTMENT OF STATE REGARDING EXTENSION OR TERMINATION OF DESIGNATIONS.—Section 244(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1254a(b)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D) respectively;

(2) by inserting before subparagraph (B) the following:

‘‘(A) ASSESSMENT OF COUNTRY CONDITIONS.—Not less than 90 days before the date on which a period of designation for any extended period of designation for a foreign state (or a part of a foreign state) under this section ends, the Secretary of State shall submit to the Secretary of Homeland Security—

‘‘(i) an assessment of the conditions in the foreign state (or the part of the foreign state) based on 1 or more reports from the United States Embassy located in the foreign state; and

‘‘(ii) a recommendation for whether such designation should be extended.’’;

(3) in subparagraph (B), as redesignated in paragraph (1), by inserting ‘‘in coordination with the Secretary of State, and’’ before ‘‘after consultation with appropriate agencies of the Government’’;

(4) in subparagraph (C), as redesignated in paragraph (1), by inserting ‘‘, in coordination with the Secretary of State, before ‘‘determines under subparagraph (A)’’; and

(5) in subparagraph (D), as redesignated in paragraph (1), by inserting ‘‘, in coordination with the Secretary of State,’’ before ‘‘does not determine under subparagraph (A)’’.

(4) REPORT ON THE ROLE OF THE DEPARTMENT OF STATE REGARDING DESIGNATIONS AND EXTENSIONS OR TERMINATION OF DESIGNATIONS.—Section 244(b) of the Immigration and Nationality Act (8 U.S.C. 1254a(b)) is amended by adding at the end the following new paragraphs:

‘‘(6) REPORT.—

‘‘(A) IN GENERAL.—The Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes the assessment and recommendation submitted to the Secretary of Homeland Security at the time at which—

‘‘(i) a foreign state is designated for temporary protected status; or

‘‘(ii) the existing designation of a foreign state for temporary protected status is extended or terminated.

‘‘(B) REPORT TO BE INCLUDED.—The report under subparagraph (A) shall include assessments and recommendations submitted to the Secretary of State by—

‘‘(i) each relevant bureau of the Department of State; and

‘‘(ii) the United States Embassy located in the applicable foreign state.’’.

AUTHORITY FOR COMMITTEES TO MEET

Mr. WICKER. Mr. President, I have 2 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, June 7, 2018, at 10 a.m., to conduct a business meeting and hearing following nominations: nominations of Ryan Wesley Bounds, of Oregon, to be United States Circuit Judge for the Ninth Circuit, J. Campbell Barker, and Jeremy D. Kernodle, both to be a United States District Judge for the Eastern District of Texas, Susan Brnovich, to be United States District Judge for the District of Arizona, Chad F. Kenney, to be United States District Judge for the Eastern District of Pennsylvania, Maureen K. Ohlhausen, to be a Judge of the United States Court of Federal Claims, Britt Cagle Grant, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, Allen Cothrel Winsor, to be United States District Judge for the Northern District of Florida, and Patrick R. Wyrick, to be United States District Judge for the Western District of Oklahoma.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, June 7, 2018, at 10 a.m. to conduct a closed hearing.

PRIVILEGES OF THE FLOOR

Mr. FLAKE. Mr. President, I ask unanimous consent that Matthew Starr, a fellow in Senator Moran’s office, be granted floor privileges for the remainder of the 115th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that Allie McDonnell, an intern in Senator Sullivan’s office, be granted floor privileges until the end of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

WALTER H. RICE FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 430, S. 2377.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2377) to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, shall be known and designated as the “Walter H. Rice Federal Building and United States Courthouse”.

The bill (S. 2377) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2377

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WALTER H. RICE FEDERAL BUILDING AND UNITED STATES COURTHOUSE.

(a) IN GENERAL.—The Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, shall be known and designated as the “Walter H. Rice Federal Building and United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Walter H. Rice Federal Building and United States Courthouse”.

George P. Kazen Federal Building and United States Courthouse

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 330, S. 2734.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2734) to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2377) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2377

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURT HOUSE.

(a) DESIGNATION.—The Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, shall be known and designated as the “George P. Kazen Federal Building and United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “George P. Kazen Federal Building and United States Courthouse”.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,